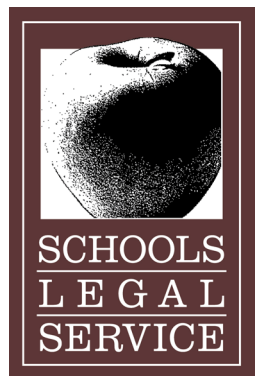


# Report on 2020 Census & Criteria for Rearrangement of Trustee Area Boundaries

A Presentation to the  
Kern County Superintendent of Schools and  
Kern County Board of Education  
December 14, 2021



# General Process & Timeline

# Key Dates – Beginning and End

- **August 12, 2021:** Census Bureau released redistricting data
  - Usually released in Feb/March of year following Census
- **Late-September 2021:** release of adjusted data by Statewide Database
- **November 9, 2021:** introductory presentation – demographic update, criteria for rearrangement of BOE trustee areas, & process
- **November 2021 – January 2022:** public hearings and meetings. Proposed adjustments filed with the Kern County Committee on School District Organization with request for approval
- **February 2022: Proceedings of the Kern County Committee on School District Organization to approve proposed adjustments**
- **March 1, 2022:** deadline for completion of process. New Trustee Area boundaries filed with Kern County Board of Supervisors

# 2020 Demographic Update

# 2020 Demographic Update

Ideal Population → 127,525  
 55,434  
 43.47%

Deviation

	1	2	3	4	5	6	7
Pop.	142,334	89,777	137,766	124,181	132,136	145,211	121,269
Dev.	14,809	-37,748	10,241	-3,344	4,611	17,686	-6,256
Dev. %	11.61%	-29.60%	8.03%	-2.62%	3.62%	13.87%	-4.91%

Maximum permissible deviation < 10%

Trustee Areas 1, 2, & 6 significantly out of balance

Trustee Area #3 in balance but on the high end

# Legal & Policy Criteria

## Federal Criteria: Equal Population

- Overriding criterion is total population equality, *see Reynolds v. Sims*, 377 U.S. 533 (1964).
- Total deviation less than 10% presumptively constitutional. (Caution: the presumption *can* be overcome!)

## Federal Criteria: Voting Rights Act

- Section 2 of the federal Voting Rights Act prohibits electoral systems (including district plans), which dilute racial and language minority voting rights by denying them an equal opportunity to nominate and elect candidates of their choice.
- Creation of minority districts required only if the minority group can form the majority in a single member district that otherwise complies with the law. *Bartlett v. Strickland*, 556 U.S. 1 (2009).



# Federal Voting Rights Act Compliance in Sample Adjusted Trustee Areas

	1	%	2	%	3	%	4	%	5	%	6	%	7	%	Totals	%
CVAP (SWDB 2021)	83,731		59,536		81,537		54,505		65,695		76,239		86,949		508,192	
Hispanic CVAP	20,095	24.00%	38,279	64.30%	24,637	30.22%	40,519	74.34%	36,627	55.75%	28,724	37.68%	16,078	18.49%	204,959	40.33%
NH White CVAP	52,685	62.92%	14,745	24.77%	49,991	61.31%	9,979	18.31%	16,701	25.42%	32,981	43.26%	59,726	68.69%	236,808	46.60%
NH Black CVAP	2,963	3.54%	1,480	2.49%	3,163	3.88%	2,667	4.89%	9,280	14.13%	6,059	7.95%	5,807	6.68%	31,419	6.18%
NH Amer. Ind. CVAP	1,206	1.44%	658	1.11%	1,300	1.59%	442	0.81%	529	0.81%	845	1.11%	1,913	2.20%	6,893	1.36%
NH Asian CVAP	6,122	7.31%	3,939	6.62%	1,898	2.33%	577	1.06%	2,129	3.24%	7,309	9.59%	2,884	3.32%	24,858	4.89%

## Equal Population under Educ. Code § 1002(b) Criteria under Educ. Code § 1002(a):

- The trustee areas shall be as nearly equal in population as may be, except that in establishing or changing the boundaries of the trustee areas the county committee may give consideration to the following factors:
  1. Topography.
  2. Geography.
  3. Cohesiveness, contiguity, integrity, and compactness of territory.
  4. Community of interests of the trustee areas.

## Other Traditional Criteria:

“Any other relevant criteria also may be given consideration...”

- *Nadler v. Schwarzenegger*, 137 Cal. App. 4th 1327, 1339 (2006)

Examples:

1. Keep incumbents in their current districts/respect voters' choices/avoid head-to-head elections
2. Minimize election-year changes for voters
3. Political subdivision boundaries (*e.g.*, school districts)

# PRESENTATION OF DRAFT MAPS

NDC 101: DEVIATION 6.23%

NDC 102: DEVIATION 9.49%

NDC 103: DEVIATION 7.19%

# Questions?

