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POLITICAL & GOVERNMENT | LAW ADVOCACY LITIGATION

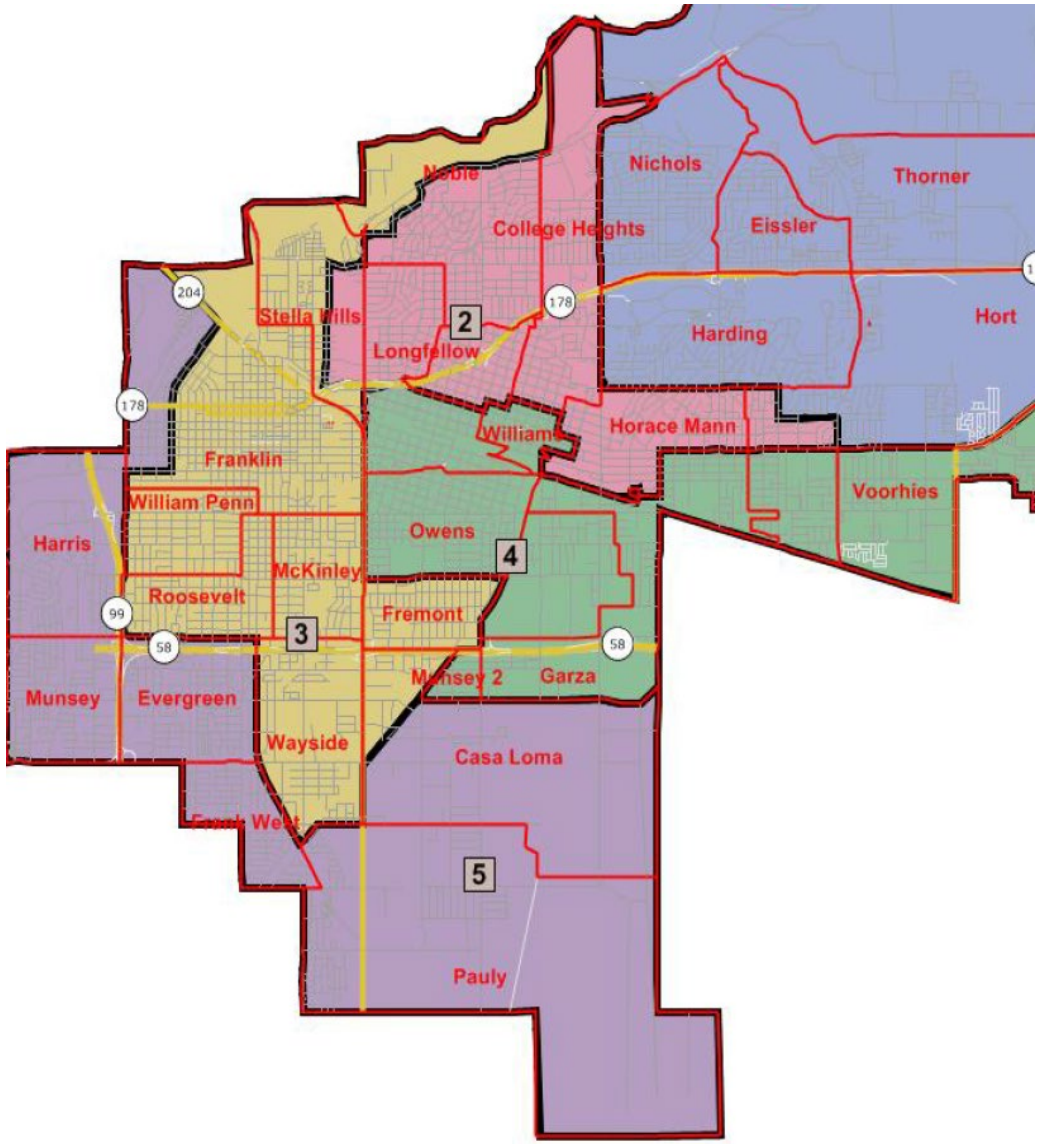
2021 Redistricting
Bakersfield City School District

December 14, 2021

Why Are We Doing This?

- Every 10 years the federal government conducts the Census, and each school district must update its trustee areas to reflect the latest population counts, so that they are equal in population.
- Requirement is both statutory, *see* Education Code § 5019.5(a), and constitutional, *see Reynolds v. Sims*, 377 U.S. 533 (1964).
- The current trustee areas were adopted in 2011, using 2010 Census data.

Current Trustee Areas



Redistricting Process: Key Dates

- **August 12, 2021:** Census Bureau released PL94-171 redistricting data
  - Usually released in Feb/March of year following Census
- **Late September 2021: Release by California of prisoner-adjusted Census data and validation by the DRU of the Dept. of Finance**
- **Late January-to-mid-February 2022:** anticipated completion date (to allow ample time for implementation by Elections Office)
- **February 28, 2022:** deadline for completion of redistricting process. (Educ. Code § 5019.5)
- No need for approval by the County Committee, provided the timeline is met (Ed. Code § 5019.5)

Process: Effect on Current Trustees

- No trustee's term cut short (*see* Educ. § 5021; Elec. Code § 22000(e)), but
- When his or her term ends, an incumbent can only run from the new trustee area in which he or she resides.

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: Equal Population

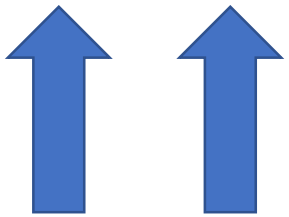
40,519

5,953

14.69%

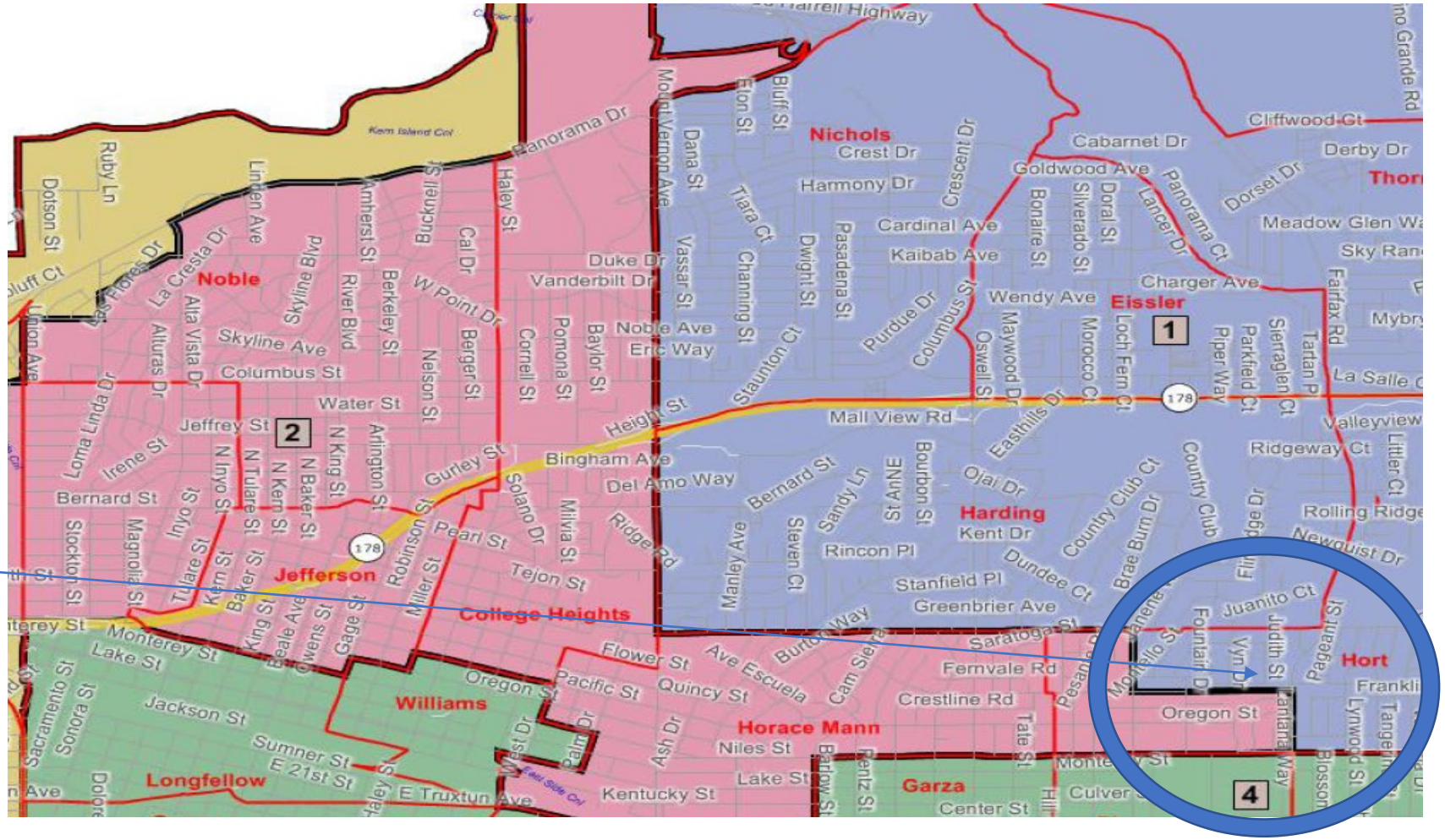
Deviation

	1	2	3	4	5
Pop.	44,539	38,586	39,699	38,996	40,774
Dev.	4,020	-1,933	-820	-1,523	255
Dev. %	9.92%	-4.77%	-2.02%	-3.76%	0.63%



Federal Criteria: Equal Population

Rebalancing the Trustee Area populations – Square off and extend TA 2 east to just beyond Valencia Drive



Federal Criteria: Voting Rights Act

- Section 2 of the federal Voting Rights Act prohibits electoral systems (including trustee area plans) that dilute racial and language minority voting rights by denying them an equal opportunity to nominate and elect candidates of their choice.
- "Language minorities" are specifically defined in federal law to mean persons of American Indian, Asian American, Alaskan Natives or Spanish heritage.

Federal Criteria: Voting Rights Act

	TA1		TA2		TA3		TA4		TA 5			
CVAP (SWDB 2021)	26,235		18,713		22,047		18,146		23,278		108,419	
Hispanic CVAP	10,446	39.82%	11,508	61.50%	10,006	45.38%	13,358	73.61%	11,224	48.22%	56,542	52.15%
NH White CVAP	13,537	51.60%	5,662	30.26%	7,245	32.86%	2,734	15.07%	7,731	33.21%	36,909	34.04%
NH Black CVAP	938	3.58%	1,140	6.09%	3,890	17.64%	1,609	8.87%	3,269	14.04%	10,846	10.00%
NH Amer. Ind. CVAP	347	1.32%	168	0.90%	327	1.48%	80	0.44%	137	0.59%	1,059	0.98%
NH Asian CVAP	884	3.37%	209	1.12%	395	1.79%	134	0.74%	687	2.95%	2,309	2.13%

TA 5 is a majority-minority trustee area including significant African-American population.
Note: CVAP data is from 2015 – 2019, which is the most recent.

Review of Redistricting Plan Alternatives:

NDC 101: Deviation 6.5%
NDC 102: Deviation 5.89%
NDC 103: Deviation 2.83%
Public 101: Deviation 14.05%

Questions?