Livermore Valley Joint Unified School District Introduction to Districting

October 17, 2024

Election Systems

1. **"At Large"**

2. **"From Trustee Area" or "Residence" Trustee Areas**

3. **"By Trustee Area"**

The California Voting Rights Act was written to specifically encourage by-district elections.

California Voting Rights Act (CVRA)

- Under the Federal Voting Rights Act (passed in 1965), a jurisdiction must fail 4 factual tests before it is in violation of the law.

- The California VRA makes it significantly easier for plaintiffs to force jurisdictions into "by-district" election systems by eliminating two of the US Supreme Court Gingles tests:
    - ~~Can the protected class constitute the majority of a district?~~
    - Does the protected class vote as a bloc?
    - Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?
    - ~~Do the "totality of circumstances" indicate race is a factor in elections?~~

- Liability is now determined only by the presence of racially polarized voting and dilution of the protected class's ability to elect or influence the outcome of elections.

CVRA Impact

- **Switched (or in the process of switching) as a result of CVRA:**
  - At least 328 school districts
  - 46 Community College Districts
  - 200 cities
  - 1 County Board of Supervisors
  - 73 water and other special districts.

- **Palmdale, Santa Clara and Santa Monica fought "on the merits." All lost.**
  - Santa Monica: CA Supreme Court sent case back down. Now back in Superior Court.
  - Palmdale spent about $1.8 million, Santa Clara $1.37 million, and Santa Monica over $7 million, just on their defense.
  - Santa Monica plaintiffs requested $22 million
  - So far, no jurisdiction has won a case.

- **Sample settlements and fee awards:**
  - Palmdale: $4.7 million
  - Santa Clara: $3.8 million
  - Modesto: $3 million
  - Highland: $1.3 million
  - Anaheim: $1.1 million
  - Whittier: $1 million
  - Santa Barbara: $600,000
  - Tulare Hospital: $500,000
  - Camarillo: $233,000
  - Compton Unified: $200,000
  - Madera Unified: about $170,000
  - Hanford Joint Union Schools: $118,000
  - Merced City: $42,000

- **An estimated $20 million in total settlements and court awards so far.**

Districting Process

Step	Description
Two Initial Hearings October 15 & 17	Held prior to release of draft maps. Education and to solicit input on the composition of districts.
Release draft maps	Maps must be posted at least 7 days prior to 3rd hearing.
Two hearings on draft maps November 7 & 18	Two meetings to discuss and revise the draft maps and to discuss the election sequence.
Map adoption December 10	Map adopted via ordinance or resolution. Final map must be posted at least 7 days prior to adoption.
County TBD	Have 60 days from LVJUSD Board Approval.

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Districting Rules and Goals

1. Federal Laws

Equal Population
Federal Voting Rights Act
No Racial Gerrymandering

2. California Criteria

In prioritized order:

1. **Geographically contiguous**

2. **Avoid division of neighborhoods and "communities of interest"** (Socio-economic geographic areas that should be kept together)

3. **Avoid division of Cities and Census Designated Places**

4. **Easily identifiable boundaries**

5. **Compact** (Do not bypass one group of people to get to a more distant group of people)

2. California Prohibition

"Shall not adopt election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party."

3. Other Traditional Redistricting Principles

Future population growth

Demographic Summary

Each of the five trustee areas must contain about 18,171 people.

Category	Field	Total	Category	Field	Total
2020 Census	Total Population	90,854	Age	age0-19	25%
Total Pop.	Hispanic/Latino	21%		age20-60	55%
	NH White	55%		age60plus	21%
	NH Black	2%	Immigration	immigrants	19%
	NH Asian/Pac.Isl.	18%		naturalized	48%
	NH Native Amer.	1%	Language spoken at home	english	75%
Citizen Voting Age Pop	Total	61,492		spanish	11%
	Hisp	17%		asian-lang	7%
	NH White	65%		other lang	7%
	NH Black	3%	Language Fluency	Speaks Eng. "Less than Very Well"	9%
	Asian/Pac.Isl.	14%	Education (among those age 25+)	hs-grad	45%
	Native Amer.	0%		bachelor	31%
Voter Registration (Nov 2022)	Total	57,985		graduatedegree	19%
	Latino est.	14%	Child in Household	child-under18	36%
	Spanish-Surnamed	13%	Pct of Pop. Age 16+	employed	67%
	Asian-Surnamed	7%	Household Income	income 0-25k	6%
	Filipino-Surnamed	2%		income 25-50k	7%
	NH White est.	73%		income 50-75k	9%
	NH Black	3%		income 75-200k	41%
Voter Turnout (Nov 2022)	Total	35,376		income 200k-plus	36%
	Latino est.	11%	Housing Stats	single family	83%
	Spanish-Surnamed	10%		multi-family	17%
	Asian-Surnamed	6%		rented	27%
	Filipino-Surnamed	2%		owned	73%
	NH White est.	78%			
	NH Black	3%			
Voter Turnout (Nov 2020)	Total	50,866			
	Latino est.	13%			
	Spanish-Surnamed	12%			
	Asian-Surnamed	6%			
	Filipino-Surnamed	2%			
	NH White est.	76%			
	NH Black est.	2%			

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2018-2022 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database. "Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate.
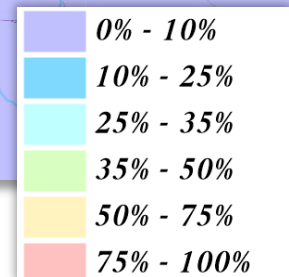
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Latino CVAP

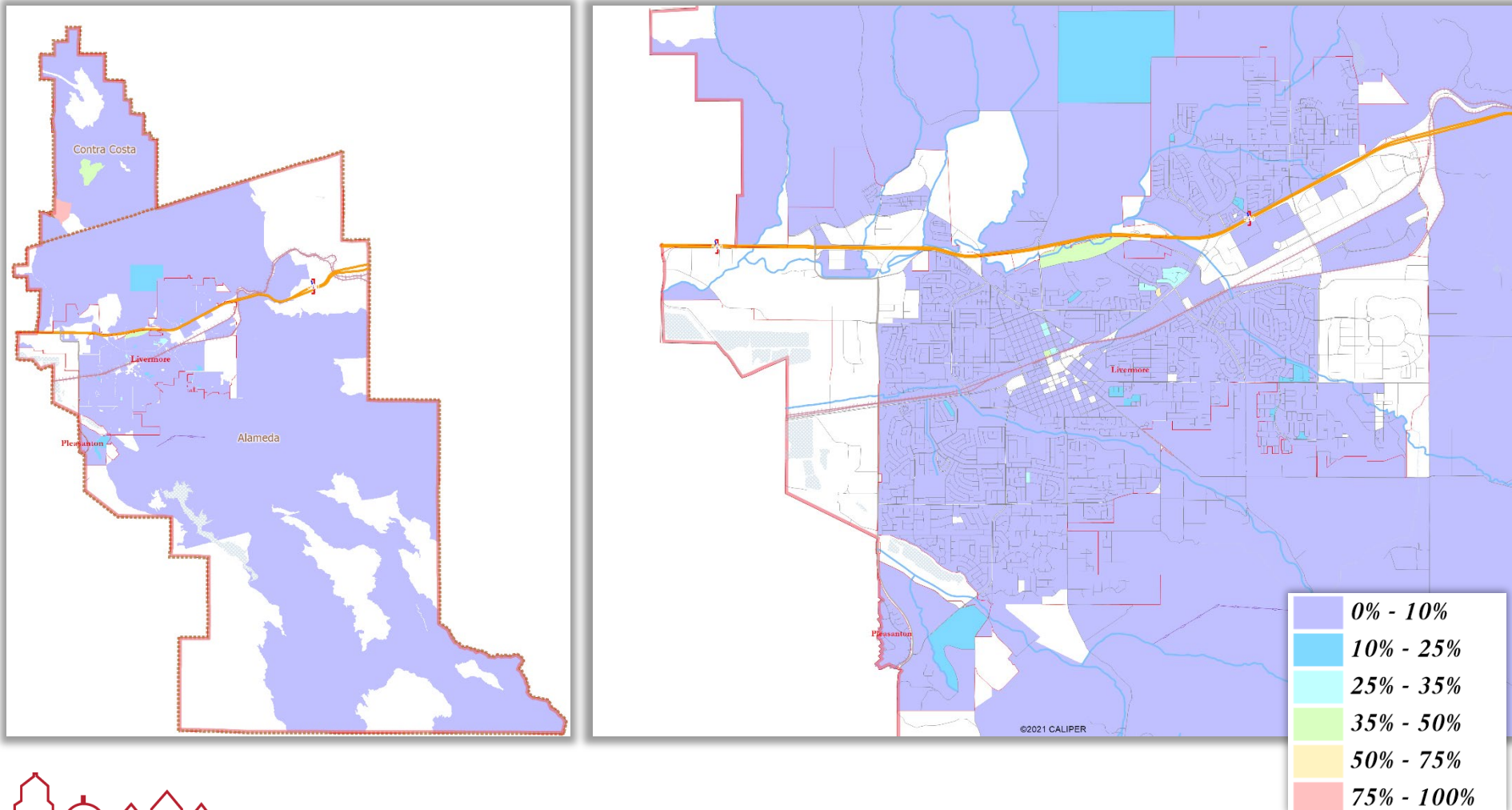**Latinos are concentrated in central Livermore around Olivina Ave.**

Legend:
- 0% - 10%
- 10% - 25%
- 25% - 35%
- 35% - 50%
- 50% - 75%
- 75% - 100%
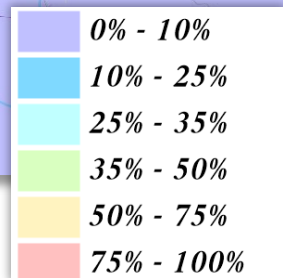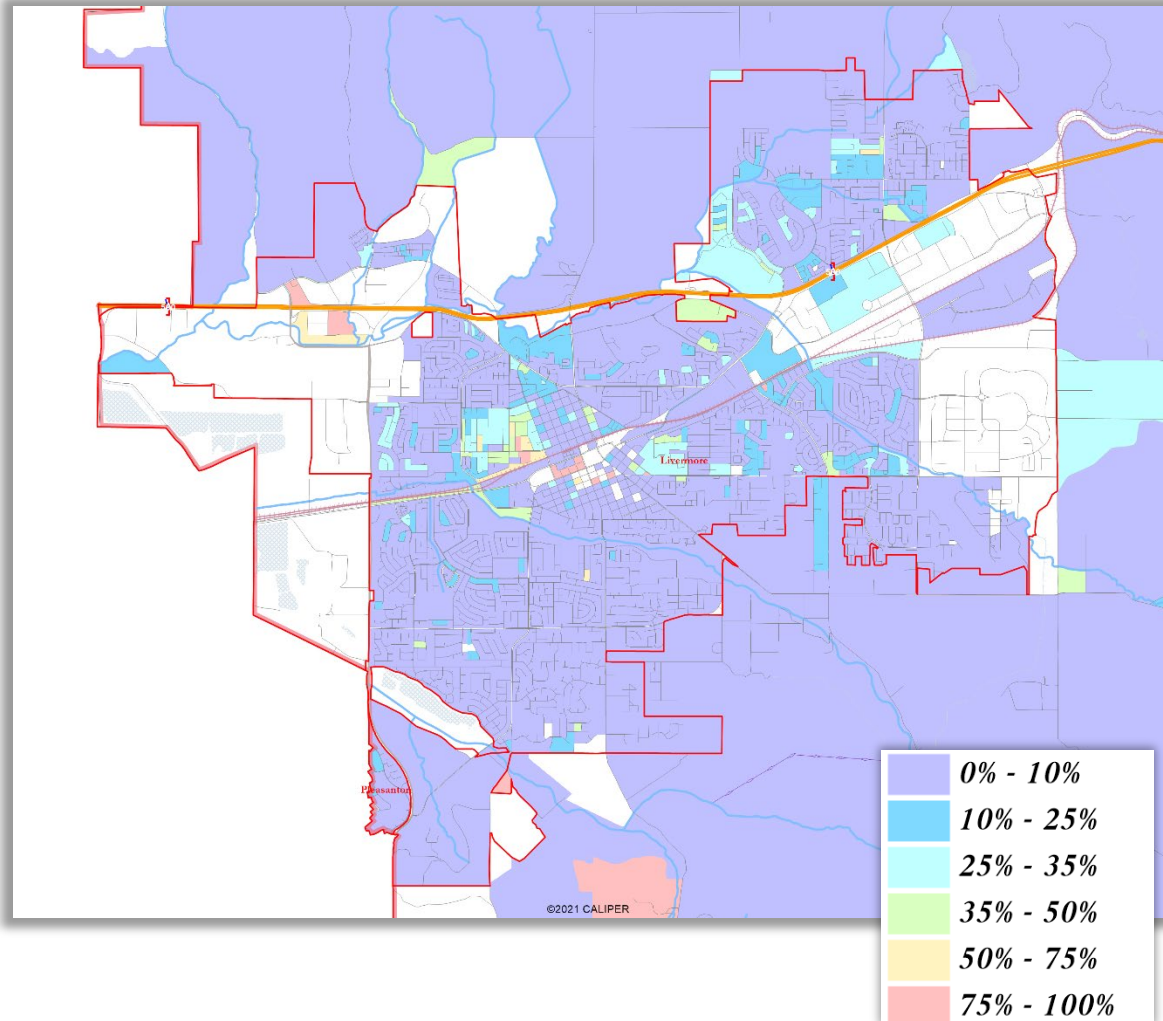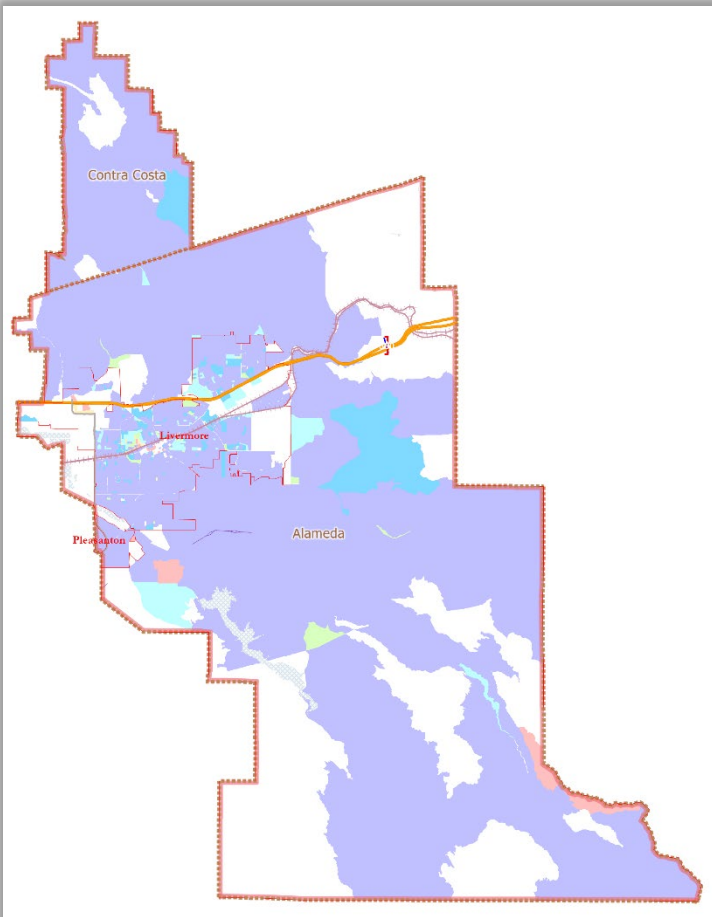
Asian-American CVAP

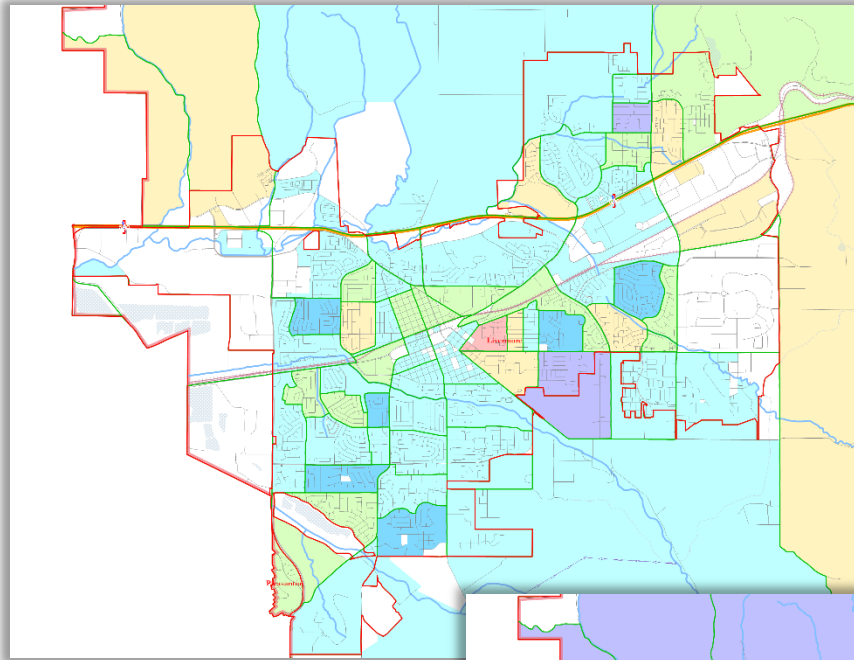Legend:
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- 10% - 25%
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- 35% - 50%
- 50% - 75%
- 75% - 100%
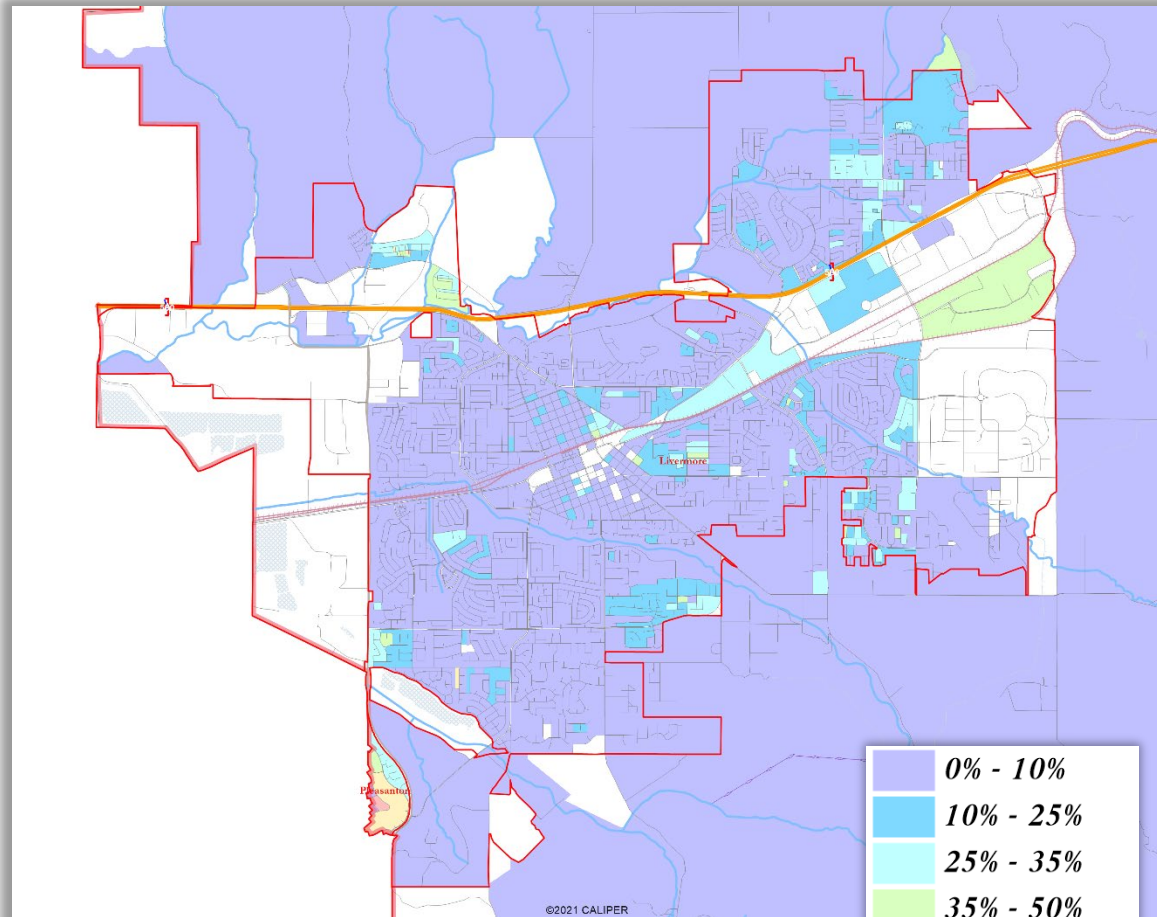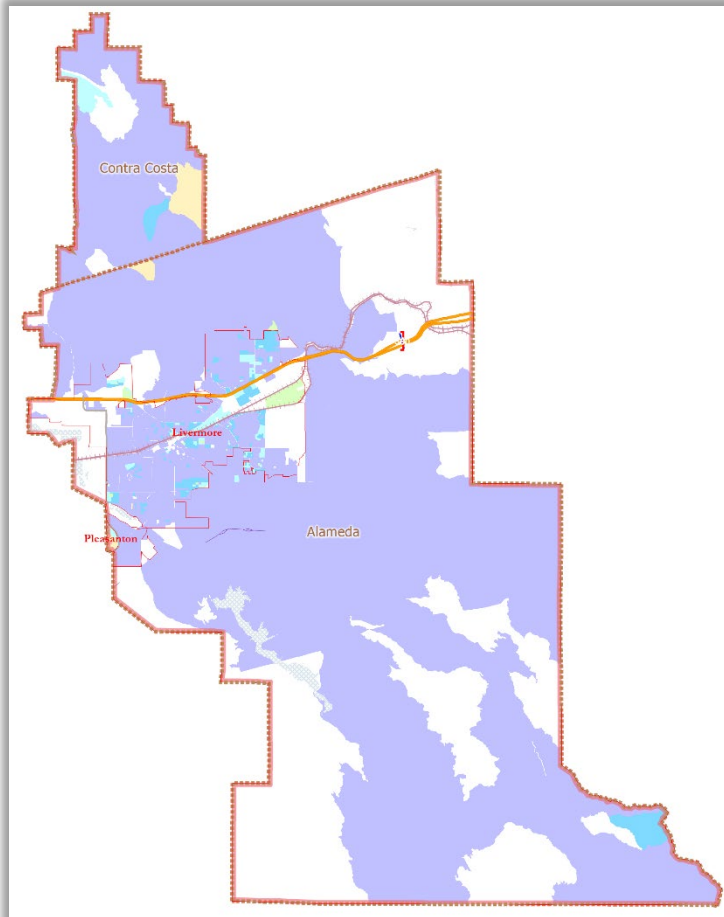
African-American CVAP

There are no geographic concentrations of African-Americans in the District.

Legend:
- 0% - 10%
- 10% - 25%
- 25% - 35%
- 35% - 50%
- 50% - 75%
- 75% - 100%

Other Socio-Economic Demographics

Child at Home
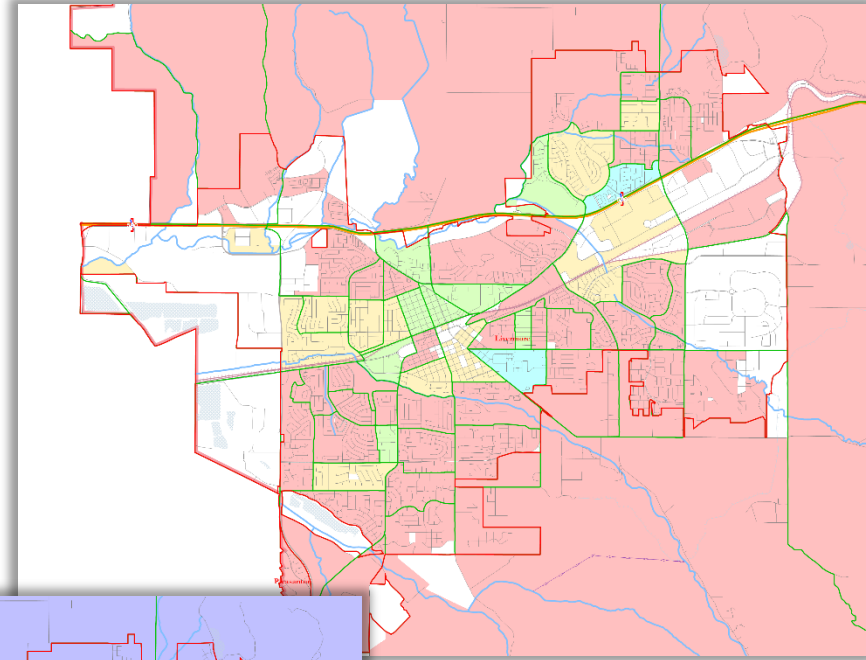
Household income
over $75,000 / year

Renters

	0% - 10%
	10% - 25%
	25% - 35%
	35% - 50%
	50% - 75%
	75% - 100%
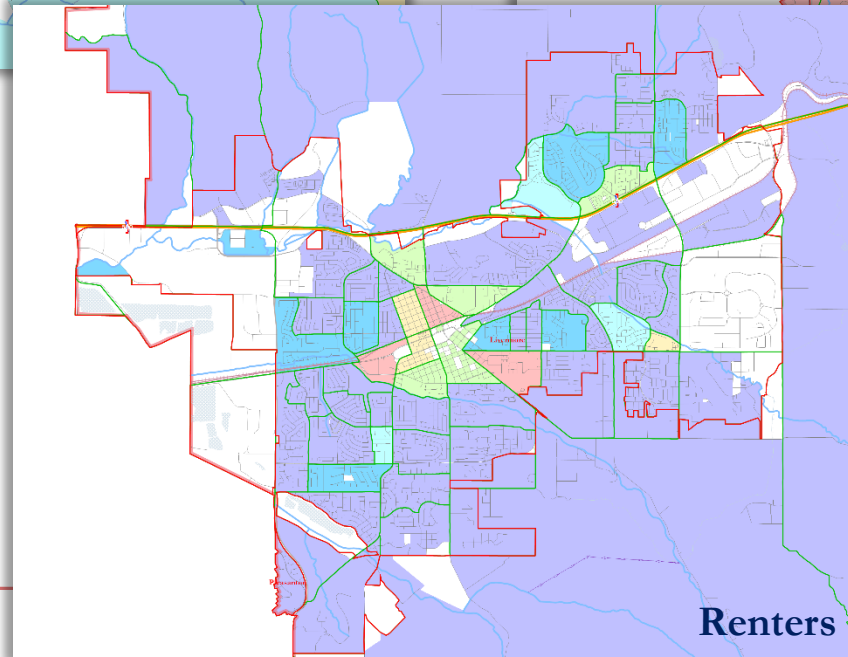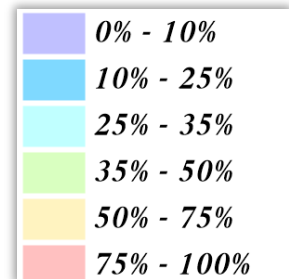
Defining Neighborhoods

1st Question: How do you describe or name the area where you live?

2nd Question: What are its geographic boundaries?

What other neighborhoods are there?

Examples of physical features defining a neighborhood boundary:

- Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills

- Areas around parks or schools

- Other neighborhood landmarks

Defining Communities of Interest

California Elections Code Section 21130(c)(2):

> **A "community of interest" is a population that shares common social or economic interests <u>that should be included within a single district for purposes of its effective and fair representation</u>.**

The shared interests may include (but are not limited to):

- ☐ Shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. cultural districts;

- ☐ Shared socioeconomic characteristics;

- ☐ Similar voter registration rates and participation rates; and /or

- ☐ Shared histories.

Definitions of Communities of Interest may <u>not</u> include relationships with political parties, incumbents, or political candidates.

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Your Turn:

1. **What area do you consider your neighborhood?**

2. **What are your "communities of interest"?**

For each answer, please provide:

☐ **Geographic boundaries**

☐ **The history or defining shared characteristic of the area**

In the absence of public testimony, planning records and other similar documents may provide definition.

1. **Any other questions about the process, criteria, maps, or any other part of this process?**

Share Your Thoughts

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