

Resolution on County Board Of Education Redistricting Plan

ORANGE COUNTY BOARD OF EDUCATION

DECEMBER 8, 2021

WHEREAS, Article I, Section 2 of the United States Constitution mandates that an apportionment of representatives among the states be carried out every ten (10) years; and

WHEREAS, the United States Census Bureau collected census data as required by Article I, Section 2. The final census population data was validated by the Demographic Research Unit of the United States Department of Finance; and

WHEREAS, on September 16, 2021, the United States Census Bureau released the 2020 Census Redistricting Data (Pub. Law 94-171) Summary File to all states representing a significant delay in the ability of government entities to meet their mandate; and

WHEREAS, subsequent thereto, the State of California adjusted redistricting data file to reflect the reallocation of data from certain incarcerated persons to their last residential address; and this data had to be returned for another review and was eventually released back to governing entities; and

WHEREAS, as it has historically done in 2001 and 2011, the Orange County Board of Education ("Board") proceeded to exercise its authority under Education Code §§ 1040 and 35160-35162 to create a trustee area redistricting plan; and

WHEREAS, at the May 5, 2021 Regular Board Meeting, the agenda of the Board included BOARD DISCUSSIONS - 2021 Board Census Presentation - Gregory Rolen; and

WHEREAS, at the June 2, 2021 Regular Board Meeting, the Board the publicly approved the Redistricting Contract for National Demographics Corporation; and

WHEREAS, National Demographics Corporation has successfully performed redistricting plans in several states and have received State and National recognition for its demographic expertise; and

WHEREAS, at the June 16, 2021 Regular Meeting of the Orange County Board of Education, the Board publicly appointed Trustee Williams and Trustee Shaw to the Redistricting Committee; and

WHEREAS, at the August 4, 2021 Regular Meeting of the Orange County Board of Education, Dr. Douglas Johnson of National Demographics Corporation made a public presentation on redistricting; and

WHEREAS, at the October 6, 2021 Regular Board Meeting, the Board received a public update on the Board redistricting process; and

WHEREAS, at the November 3, 2021 Regular Board Meeting, the Board received a public presentation by Dr. Douglas Johnson of National Demographics Corporation on the redistricting process and creation of three (3) proposed redistricting maps with relevant demographic data; and

WHEREAS, at the November 3, 2021 Regular Board Meeting, the Board conducted its first public hearing on the redistricting plan. The Board received public comment on the redistricting plan, not only during the public comment portion of the Board agenda, but also during the public hearing via electronic mail; and

WHEREAS, at the November 3, 2021 Regular Board Meeting, Dr. Douglas Johnson presented three (3) proposed maps for Board and public consideration; and

WHEREAS, at the November 3, 2021 Public Hearing on the Board redistricting plan, the Board welcomed additional maps to be presented by the Board and public no later than November 12, 2021; and

WHEREAS, on or about November 3, 2021, the three (3) presented maps were posted on the Board REDISTRICTING 2021 website; and

WHEREAS, on or before November 12, 2021, the Board received seven (7) additional maps for Board consideration; and

WHEREAS, the ten (10) proposed maps were posted on the Board REDISTRICTING 2021 website on or about November 22, 2021; and

WHEREAS, at the December 1, 2021 Regular Board Meeting, the Board conducted its second public hearing on the redistricting plan. The Board received public comment on the redistricting plan during the public hearing and via electronic mail; and

WHEREAS, at the December 1, 2021 Regular Board Meeting, the Board considered each proposed map separately. The Board summarily commented on each proposed redistricting map as follows:

- Map 1 - by consensus, the Board disapproved of Map 1, for reasons including but not limited to: (1) it appeared nonresponsive to public comment requesting Cypress residing in Trustee Area 2 (see December 1, 2021, Board Meeting video); and
- Map 2 - by consensus, the Board disapproved of Map 2, for reasons including but not limited to: (1) it appeared nonresponsive to public comment requesting Cypress reside in Trustee Area 2 (see December 1, 2021, Board Meeting video); and

- Map 3 - by consensus, the Board disapproved of Map 3, for reasons including but not limited to: (1) it appeared nonresponsive to public comment requesting Cypress reside in Trustee Area 2 (see December 1, 2021, Board Meeting video); and
- Map 4 - by consensus, the Board agreed to consider Map 4 at the December 8, 2021 Public Hearing, for reasons including, but not limited to: (1) Map 4 appeared responsive to the public comment requesting Cypress reside in Trustee Area 2; (2) Map 4 maintained a 52% Latino Voting Age Population in Trustee Area 1; (3) Map 4 maintained a 33% Asian Voting Age Population in Trustee Area 2; and (4) Map 4 has a mere .37% deviation (2349 voters) between the largest and smallest Trustee Area (see December 1, 2021, Board Meeting video); and
- Map 5 - by consensus, the Board agreed to consider map 5 at the December 8, 2021, Public Hearing, for reasons including, but not limited to: (1) Map 5 appeared responsive to public comment requesting Cypress reside in Trustee Area 2; (2) Map 5 maintained a 51% Latino Voting Age population in Trustee Area 1; (3) Map 5 maintained a 34% Asian Voting Age population in Trustee Area 2; and (4) Map 5 has a 0% deviation (1 voter) between the largest and smallest Trustee Area (see December 1, 2021, Board Meeting video); and
- Map 6 - by consensus, the Board disapproved of Map 6, for reasons including, but not limited to: (1) Map 6 was created for the Orange County Board of Supervisors which has a different statutory purpose and mission than the Board; (2) Map 6 was not presented with sufficient demographic data for either National Demographics Corporation or the Board to determine whether it was compliant with the Voting Rights Act, maintained communities of interest and/or made trustee areas as nearly equal in population as may be; and (3) Map 6 was rejected by the Orange County Board of Supervisors (see December 1, 2021, Board Meeting video); and
- Map 7 - by consensus, the Board disapproved of Map 7, for reasons including, but not limited to: (1) Map 7 was created for the Orange County Board of Supervisors which has a different statutory purpose and mission than the Board; (2) Map 7 was not presented with sufficient demographic data for either National Demographics Corporation or the Board to determine whether it was compliant with the Voting Rights Act, maintained communities of interest and/or made trustee areas as nearly equal in population as may be; and (3) Map 7 was rejected by the Orange County Board of Supervisors (see December 1, 2021, Board Meeting video); and
- Map 8 - by consensus, the Board disapproved of Map 8, for reasons including, but not limited to: (1) Map 8 was created for the Orange County Board of Supervisors which has a different statutory purpose and mission than the Board; (2) Map 8 was not presented with sufficient demographic data for either National Demographics Corporation or the Board to determine whether it was compliant with the Voting Rights Act, maintained communities of interest and/or made trustee areas as nearly

equal in population as may be; and (3) Map 8 was rejected by the Orange County Board of Supervisors (see December 1, 2021, Board Meeting video); and

- Map 9 - by consensus, the Board disapproved of Map 9, for reasons including, but not limited to: (1) Map 9 appeared nonresponsive to public comment requesting Cypress reside in Trustee Area 2; (2) Map 9 had the lowest Asian Voting Age Population in Trustee Area 2, at 25%; (3) Map 9 had a 2.18% deviation (13,940 voters) between the largest and smallest trustee Area; (4) Map redistricted two existing incumbent board members in the same trustee area; and (5) Map 9 was submitted with extraneous partisan voter registration data (see December 1, 2021, Board Meeting video); and (6) Map 9 was not presented with sufficient demographic data for either National Demographics Corporation or the Board to determine whether it was compliant with the Voting Rights Act; and
- Map 10 - by consensus, the Board disapproved of Map 10 for reasons including, but not limited to: (1) Map 10 has a 9.22% deviation (58,864 voters) between the largest and smallest trustee area; (2) several districts are renumbered; (3) Map 10 alters many current trustee areas and thereby does not respect voter choices/continuity in office (see December 1, 2021, Board Meeting video).

THEREFORE THE ORANGE COUNTY BOARD OF EDUCATION hereby resolves as follows:

1. At the December 8, 2021 Public Hearing, the Board will consider public comment in advance of its consideration of Maps 4 and 5; and
2. The Board will approve a trustee Area Redistricting Plan at the December 8, 2021 Public Hearing; and
3. The Board will submit the Board Approved Redistricting Plan to the Orange County Registrar of Voters ("Registrar") as soon as practicable in advance of the December 15, 2021 adjustment process deadline to assist the Registrar in performing its function under such a truncated/compressed timeline; and
4. As was done in 2001 and 2011, on December 10, 2021, the Board will present its approved plan to the County Committee on School District Organization ("County Committee") exclusively pursuant to Education Code § 1002(b) which states in relevant part (emphasis added), "Following each decennial federal Census, and using population figures validated by the Population Research Institute of the Department of Finance as a basis, the County committee shall adjust the boundaries of any or all of the trustee areas of the County Board of Education *as necessary to meet the population criteria set forth in subdivision (a)*";
5. The Board has not previously made any request, and the Board makes no request, to the County Committee under Education Code § 1002(a) to change

the boundaries of any trustee area of the county, to increase or decrease the number of members of the county board of education, or otherwise to take any action under Education Code § 1002(a).

ADOPTED by the Orange County Board of Education on the 8th day of December 2021.

**AYES:** Williams, Barke, Sparks

**NOES:** Gomez

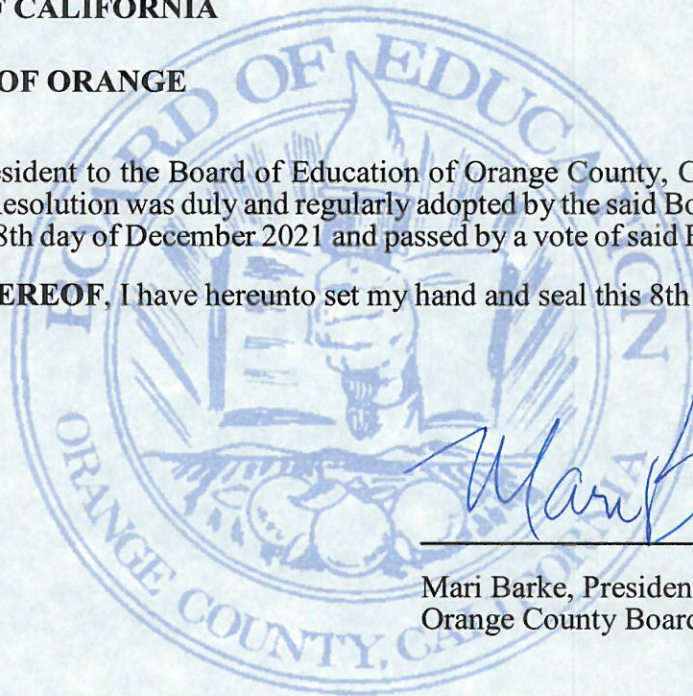
**ABSENT:** 0

**STATE OF CALIFORNIA**

**COUNTY OF ORANGE**

I, **Mari Barke**, President to the Board of Education of Orange County, California hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 8th day of December 2021 and passed by a vote of said Board Members present.

**IN WITNESS THEREOF**, I have hereunto set my hand and seal this 8th day of December 2021.



A handwritten signature in blue ink that reads "Mari Barke".

Mari Barke, President  
Orange County Board of Education