Redistricting the Napa Valley Unified School District: The Process and How to participate

NAPA VALLEY
UNIFIED SCHOOL DISTRICT

March 2020

Introduction and Background

- The 2001 California Voting Rights Act (CVRA) expands on the Federal Voting Rights Act by making it easier for members of a protected class to prove that at-large elections ‘dilute’ their voting strength.
- Jurisdictions including Cities and School Districts throughout California have transitioned from ‘at-large’ to ‘by-district’ elections prompted by the CVRA
- In January 2020, the Napa Valley Unified School District(NVUSD) received a ‘demand letter’ asserting a violation under the CVRA
- In February 2020, the Board of Trustees adopted a resolution of intent to move from at-large to by-district elections

Timeline and Constraints

- The CVRA has strict timelines and requirements for hearings
- The entire process must be completed in 90 days
- There are 4 hearings that must take place
- 2 hearings must be held prior to creating a draft map
- Draft map(s) must be posted for feedback
- After the fourth hearing, the Board can adopt the new trustee boundaries

- The process the NVUSD is entering into is called ‘redistricting’

What is Redistricting?

- In a district-based electoral system, representatives are elected from districts (or trustee areas), by the voters that live in each trustee area.
- Currently, the NVUSD Board is elected at-large although trustees live in their respective trustee area.
- Redistricting is the process of adjusting the boundaries of the NVUSD trustee areas.
- The District has implemented a transparent public process to redraw the trustee areas and enable residents to participate
- If passed by the Board of Trustees, the new trustee area boundaries will go into effect with the November 2020 election.

How will this process work?

- **2 Public Hearings to gather input:**
  - On March 12 (Napa District Offices) and March 26 (American Canyon Middle School) the Board of Trustees will ask for input from the residents of the NVUSD to help shape the trustee areas.

- On March 25, a Spanish language meeting will be held for DELAC/ELAC families at Napa High School Little Theater.

- **Input from these hearings and meetings, and input that was submitted via mail or email, will be used to inform the Draft maps**

The Process, continued:

- **Release Draft Maps**
  - On or about April 9, Draft Plans of the new Trustee Areas will be available for comment online and elsewhere
- **2 Public Hearings to gather feedback**
  - 2 more Board of Trustee hearings on April 23 and May 7 will gather feedback; Additional adjustments to the Draft may be made.
- The redistricting will be finalized with a vote on the new Trustee Areas

- **Remember: the Board will collect data through Community Input:**
  - at hearings, through mailed and emailed submissions

What are the mapping criteria?

Redistricting Criteria start with Federal Law:

- Equal population:
- Compliance with the Federal Voting Rights Act (FVRA)

Non-Federal, most commonly used Traditional Criteria include:

- Contiguity
- Compactness
- Respect for Communities of Interest

Other criteria include: cohesiveness, continuity, integrity, compactness of territory and more.

Federal Criteria: Equal Population & The Federal Voting Rights Act

- The US Constitution requires districts to have reasonably equal populations, e.g., “one person, one vote”
- 14th Amendment (Equal Protection)
  - Prohibits intentional discrimination because it is a violation of equal protection (the jurisdiction is treating residents differently because of race, and thus not according them equal protection under the law).
- 15th Amendment
  - Bans racial discrimination in voting

What is the Ideal Population per Trustee Area?

- Compute the ideal population for any type of district:

- Total population ÷ # of districts/areas = Ideal POP
- NVUSD total Population from 2010 Census: 115,541

- Ideal population for NVUSD Trustee Areas?

  - 115,541 ÷ 7 Trustee Areas = 16,506

How equal is equal?

- Different standards for different jurisdictions
  - Congressional Districts held to ‘strict scrutiny’
  - Lower level districts/electoral areas have more flexibility
- Trustee Areas must be reasonably equal
  - Some deviation above and/or below the ideal population is allowed
  - Generally up to ±5% is used in FVRA compliance
  - Ideal population 16,506 ± ~825 people

Federal Voting Rights Act (FVRA), Section 2

- Prohibits the denial or abridgement of voting rights on the basis of *race or language minority status*. (42 USC § 1973)
  - FVRA defines “language minority” as Asian, Native American, Alaskan Native or Spanish heritage. Does not apply to other language groups.
- Prohibits practices that have the purpose or effect of discriminating on the basis of race or language minority status.
- Applies nationwide, to ALL jurisdictions that conduct elections.

FVRA and districting: Vote Dilution

- Electoral systems can limit the “ability to elect a candidate of choice” by a protected class of voters in various ways:
  - Example: at-large election systems can make it impossible for even a large minority group to elect a candidate of choice, when the majority votes against them.
  - Example: single-member districts can be drawn in ways that minimize voters’ ability to elect a candidate of choice.
- Systems that limit ability to elect in this way are said to “dilute” minority voting strength.

Section 2 and Districting: Methods of Vote Dilution

- A districting plan can dilute minority voting strength through two main ways:
- “Cracking”
  - Dividing up a politically viable population concentration so it doesn’t constitute a majority in any district.
- “Packing”
  - Drawing high proportion minority population into one district when it could be politically viable in more than one district

Race and Districting

- Supreme Court opinions have limited the role that race can play in districting
- Race cannot be the predominant criterion in line drawing
- Race should not subjugate “traditional districting principles” (Compactness, Contiguity, Communities of Interest)
- District appearance has been important in some cases.

Criterion 3: Compactness

- Addresses the geography of the district/area
- Many different ways to measure
- Assumed to “guard against all types of gerrymandering” “drastic departures from compactness are a signal that something may be amiss”
  - (Karcher v Daggett)
- Most common complaints come from appearances:
  - Does a district/area look funny?
- “eyeball approach” “appearances do matter”
  - (Shaw v Reno)

Criterion 4: Contiguity

- A geographic Criterion
- Definition: A contiguous district is one in which all parts are connected to each other

  in other words:
- A district in which one may travel from any location to any other location without crossing the district boundary

Criterion 5: Communities of Interest

- Trustee Areas shall respect Communities of Interest as much as practicable.
- Communities of Interest generally refers to a contiguous population which shares common social and economic interests
- Communities of Interest are not districts: they are frequently much smaller and can be used as building blocks for districts
- There are no datasets readily available that define Communities of Interest (COIs)

Who defines a Community of Interest? You do!

- Law does not limit the kinds of interests that may bind a community.
- It is up to those who live in or work with communities to identify and establish the interests that unite it.
- Interests need not be limited to current situation, but can also include common goals.
- Communities of Interest vary in size: mostly much smaller than districts.
- The Board will need your input to define Communities of Interest in the NVUSD!

Common Interests, Examples

- Economic interests:
  - Current situation -- common employment or economic opportunities (or lack thereof).
  - Goals -- expanding opportunities and access etc.
- Social interests:
  - Current -- schools, culture, language, transportation
  - Goals -- improving recreational opportunities or public safety, preserving resources, etc.
- Neighborhoods are often thought of as Communities of Interest
- Are the current Trustee Areas Communities of Interest?

How to document a Community of Interest

Please answer the following questions:

- What bonds your community?
  - Outline what defines the COI:
  - What is your mission or commonality?
  - Explain what is different outside of the boundaries of your Community of Interest
- Where is your community located in the NVUSD?
  - Create a map of the boundaries (use Google maps, GIS/mapping program, paper, etc.) or
  - Write down the boundaries

Why should you participate?

- To make sure we know about your Community of Interest.
- To give your community a voice and make sure it has equal access to the political process.
- To encourage citizens to register, vote, and remain politically engaged.
- To help shape a districting plan that provides communities a meaningful opportunity to elect candidates who represent their interests on issues that are important to the Napa Valley Unified School District.

How to get involved – How to learn more

To participate in the process please testify, submit written testimony, send supporting information to the NVUSD

Please provide information about your Community of Interest, or other topics the NVUSD needs to know about as soon as possible. The final deadline for comments to be considered for the Draft maps is April 6, 2020.You can continue to provide feedback thereafter.

- Submit information at a hearing, by mail or drop it off at the NVUSD offices at 2425 Jefferson St, Napa, CA 94558
- Via email: districting@nvusd.org

- Get information online here: nvusd.org/districting

THANK YOU FOR PARTICIPATING!!!