TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: March 10, 2021
SUBJECT: Second Public Hearing on Ohlone CCD’s Redistricting Process

On May 8, 2019, the Ohlone Community College District (“District”) Board of Trustees (“Board”) voted unanimously to adopt Resolution No. 21/18-19, a resolution adopting by-trustee-area elections for the District’s Board seats. The Resolution delays adopting a by-trustee-area election system until after the federal 2020 census results become available to the District.

BACKGROUND

Members of the Board are currently elected using a two-area, at-large election system. Under this system, the District is divided into two trustee-areas, Area 1 and Area 2. Two District Trustees are elected “at-large” by voters residing in Area 1, and five Trustees are elected “at-large” by voters residing in Area 2. On (See District Board Policy 2010 and 2100). A hybrid, at-large electoral system such as the District’s is subject to challenge under the CVRA and Section 2 of the Federal Voting Rights Act of 1965 (FVRA). In contrast, by-trustee-area electoral systems, i.e., elections in which a candidate residing in each trustee area is elected by the registered voters of that particular trustee area, are not currently vulnerable to challenge under the CVRA. Demographic research tends to show that by-trustee-area elections are more likely to ensure representation of all communities residing within a particular voting district.

Education Code section 72036 and Election Code section 10010 authorize community college districts to adopt trustee area elections with the approval of the Board of Governors of the California Community Colleges (BOG) and mandate that changes made to at-large election systems comply with certain procedural requirements, respectively.

NEXT STEPS IN THE REDISTRICTING PROCESS

As part of the redistricting process, Elections Code section 10010 requires the District to hold a series of four public hearings to solicit public input regarding the trustee areas' composition before the Board may adopt new elections maps. Election Code section 10010 requires the first two public hearings to occur within 30 days of each other.
The District recently entered into a Professional Services Agreement with National Demographics Corporation (NDC) to assist with its redistricting process. In addition to providing general guidance regarding the redistricting process, NDC will analyze relevant demographic data and prepare draft election maps for the Board’s consideration at the third and fourth public hearings.

At the Board’s regular meeting on March 10, 2021, the District will hold the second of these public hearings. At this second public hearing, Douglas Johnson and Kristen Parks of NDC will further provide an overview of the redistricting process, timeline, and available demographic data for the Ohlone community, and provide some background regarding requirements and factors under federal and state law that NDC will consider in preparing the draft elections maps.

After NDC’s presentation, NDC will take questions from the Board. Following Board questions, the Superintendent/President recommends that the Board opens the agenda item for public comment. Following public comment, the Board will have the opportunity to discuss the agenda item. Other than opening the meeting for public comment, the Board needs to take no further action at this time.

The third and fourth public hearings will not occur until after the federal government releases census data to the states, which is not likely to happen after July 31, 2021. After the Census data becomes available to the District and before the third and fourth meetings, NDC will prepare draft maps for the Board’s consideration. The Board will solicit public input regarding the draft maps at the third and fourth public hearings before voting on which maps the Board intends to adopt for final approval by the BOG.

**RECOMMENDATION**

That the Superintendent/President recommends the Board open a public hearing to solicit input regarding the trustee areas’ composition.