

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Dr. Eric Bishop

DATE: November 3, 2021

SUBJECT: Third Public Hearing on Ohlone CCD's Redistricting Process, November 10, 2021 Regular Board Meeting

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 the adoption of a by-trustee-area election system until after the federal 2020 Census results become available to the District. The 2020 Census results are now available.

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. 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 composition of the trustee areas before the Board may adopt new elections maps.

The Board held the first of these public hearings at its regular meeting on February 10, 2020 and the second public hearing at its regular meeting on March 10, 2021. The District engaged National Demographics Corporation (NDC) through a Professional Services Agreement to assist with its redistricting process. At the first two meetings, NDC provided background information

regarding the redistricting process, including discussing election sequencing, and additional information regarding available demographic data for the Ohlone community.

Next Steps in the Redistricting Process

In addition to providing general guidance regarding the redistricting process, now that the 2020 Census data is available to public agencies throughout the State, NDC has analyzed the relevant Census data and prepared two (2) draft versions of elections maps for the Board and public's consideration.

At the November 10, 2021 Board meeting, the Board will hold the third public hearing. First, NDC will present the draft maps for the Board's consideration. After NDC's presentation, NDC will take questions from the Board. Following Board questions, the Superintendent/President recommends that the Board open public up the agenda item for public comment. Following public comment, the Board will have the opportunity to discuss the agenda item and provide input regarding the draft maps. NDC will take the Board and the public's feedback into consideration before the fourth public hearing, which will take place during the Board's regular meeting on December 8, 2021. Depending on the feedback, NDC may narrow down the number of draft maps the Board and public will consider at the fourth public hearing. NDC may also make adjustments to the drafts maps it presents at the third public hearing before the fourth public hearing.

Other than opening the meeting for public comment, the Board will not need to take any further action at this time.

After the fourth public hearing, the Board will vote on which maps the Board intends to adopt for final approval by the BOG.

RECOMMENDATION

That the Superintendent/President recommends the Board adjourn the regular meeting and open for a public hearing to solicit input regarding the composition of the trustee areas.