



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

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Re: Establishing Trustee Areas for Board of Education Elections

The following questions were submitted to West Contra Costa Unified School District by Dr. Fatima Alleyne, President of the Contra Costa County Board of Education, in relation to the Contra Costa County Committee on School District Organization's consideration of the District's proposal to implement by-trustee area voting for election of School Board members. All text from Dr. Alleyne appears in italics.

At Dr. Alleyne's request, the District's responses, which appear immediately after each italicized question, are being made available to the County Committee and the public at the County Committee special meeting of July 24, 2018. Also at Dr. Alleyne's request, an electronic copy of this document has been forwarded to County Office of Education staff. The District notes that its staff, legal counsel and demographer will all be present at the County Committee meeting and available to provide additional detail or to address additional questions.

April 11, 2018 Meeting Minutes

I had an opportunity to review the minutes from the April 11th, 2018 meeting and approved at the May 2nd, 2018 meeting.¹ Please find my questions regarding the following statements/ comments as noted below:

1. *"Ms. Tilton spoke of the challenge meeting a timeline for a November 2018 election and the need to follow existing precinct lines." Page 10*

Q: Given that the district was given notice to transition to trustee areas in January 2018, and other districts were successful in completing this process in 2 months, what were the unique challenges in WCCUSD to meet the November 2018 timeframe for trustee area elections?

We are not aware of the situation faced by other districts and the composition of their maps. WCCUSD is a diverse community that spreads across a number of cities. The District wanted to have a thoughtful, careful process with the opportunity for significant public input. WCCUSD carefully followed the necessary statutory steps, in a timely manner, to present this proposal to the County Committee.

Could one develop a map that follows existing precinct lines? Why or why not?

The adopted map generally follows precinct lines, but not everywhere. County precincts do not follow Census Block lines. Official Census population data is available by Block, not by precinct, so following

¹ April 11, 2018 WCCUSD Board Meeting <https://westcontracosta.agendaonline.net/public/Meeting.aspx?AgencyID=211&MgID=14219&AgencyTypeID=1&IsArchived=True>

precinct lines would put the population numbers in question and expose the District to potential challenge.

Were the existing precinct lines followed in the map presented to the county board? Why or why not? If not, how long will it take the county recorder's office to draw new precinct lines and how much will this cost?

See the answer above. Essentially every one of the nearly 400 jurisdictions that have moved from at-large to by-district elections has resulted in the need to redraw precinct lines. The redrawing is done by existing County staff, so there is no additional cost. The time required varies by county. In some counties it takes only an hour or two. In others the process takes weeks.

2. *"Mr. Phillips had questions regarding the criterion of no racial gerrymandering. Ms. Tilton spoke about federal requirements and the CVRA, and specifically drawing majority minority districts. She addressed respecting communities of interest without diluting voting rights when balancing to draw maps." Page 10*

What was the concern about racial gerrymandering?

The Board member asked the demographer to explain how the federal requirement against racial gerrymandering works with the desire to create majority-minority districts.

How did she define "communities of interest?"

The presentation cited a number of ways that residents define their communities of interest (between major roads, around a school, around a park, etc.), but emphasized that communities of interest are generally defined by residents and their elected representatives.

How did she define "majority" minority?

The quote was a reference to the requirements of the Federal Voting Rights Act and the definitions set by that law and subsequent related court rulings.

3. *"Ms. Tilton spoke about protecting minority groups, not splitting in half and trying to get the highest concentration of voting age population and strengthening that community." Page 10*

Did the map presented to the county board produce the highest concentration of voting age population and strengthen community?

The district at large has Citizen Voting Age Population numbers of 21% African-American, 32% Non-Hispanic White, 22% Latino, and 23% Asian-American. The following table shows the "most-__" trustee areas for each protected class by plan:

Citizen Voting Age Population Percentages	Freeways	Schools	Cities & Schools A	Cities & Schools B	Cities & Schools C	June 4
Most-African-American	40%	38%	40%	40%	42%	45%
Most-Latino	44%	43%	42%	42%	42%	43%
Most-Asian-American	32%	36%	35%	35%	35%	34%

Citizen Voting Age Population data comes from a survey conducted annually by the Census Bureau, and it has a margin of error that likely is around 2 to 4 percent for geographies the size of a WCCUSD trustee

As illustrated in the chart above, there is a fairly narrow range of percentages as between the six maps considered by the District and public. Taking into account the 2 to 4 percent margin of error, percentages for particular minority populations do not differ in a significant fashion between the different maps.

If so, please explain. If not, which one did and what is the difference between the one selected and the one with the highest concentration of voting age population?

The June 4 map was drawn explicitly to attempt to reach the target population numbers requested by attorney Scott Rafferty (one trustee area that is at least 50%+1 African-American by registered voters and one that is at least 50%+1 Latino by registered voters). This map was prepared after a meeting with Mr. Rafferty, and reflects an effort to take into account a map previously proposed by Mr. Rafferty, correcting various errors in Mr. Rafferty’s proposed map, such as incorrect District boundaries. The resulting June 4 map is much less compact than the other five maps circulated by the District, and is more susceptible to a racial gerrymandering claim that race was improperly the predominate factor in the design of the map.

4. *“[Trustee Phillips] expressed concerns about maintaining Richmond and possibly joining San Pablo with Richmond because of interests that are more similar. He spoke about the size of Richmond ensuring it is not chopped up in a way that affects the residents’ voting strength.” Page 10*

What makes Richmond and San Pablo communities of similar interest vs. any other cities or communities?

Trustee Phillips would best be able to address his intent. We note that the City of San Pablo is completely surrounded by the City of Richmond and the two cities share a high school. Many areas of the two cities share similar racial/ethnic and socio-economic characteristics.

Based on the geographic boundaries of the city of Richmond, how did you ensure that ALL residents’ voting strength was not negatively affected with placement of boundary lines? Please respond with respect to highly populated AA and Latino s socioeconomic status.

The District’s demographer will be present at the July 24th County Committee meeting to address any questions related to the placement of boundary lines.

5. *“[Mr. Phillips] also expressed disagreement with arguments about trustee area elections better representing the citizens of the areas in which they live saying that he was of the opinion that trustees for an area will only represent that area. He did not see that trustees would represent schools not in their areas.” Page 10*

I would like clarity about this statement with a response of yes or no: Is it his statement that it is his opinion that representatives from trustee areas will not serve/ represent communities external to their trustee area?

Trustee Phillips would best be able to address his intent.

Using the map presented to the county committee, will constituents from the individual trustee areas be zoned to schools only in their area? If no, please clarify.

No. This process does not affect the attendance area boundaries.

6. *“Ms. Kronenberg asked about going from five to seven trustees and the possibility of higher majority minority areas...Ms. Kronenberg said she supported looking at boundaries along the high school areas that may help keep cities together.” Page 11*

Consistent with Trustee Kronenberg’s request, did you choose the map with the highest majority minority areas to maximize influence of minority voters?

See the table above. A map that is drawn specifically to “maximize influence” of particular minority groups carries the potential of a claim of racial gerrymandering, which violates federal law.

What were the common interests used to draw boundaries for high school areas? Was this option explored for drawing trustee areas? If so, what was the outcome and is that map presented before the county committee? If not, why?

There are six high comprehensive schools and five trustee areas so the boundaries cannot match. The “Schools” map attempted to keep each high school attendance zone united as much as possible, while the Cities and Schools series of maps, including the map approved by the Board, keeps cities inside of a single area as much as possible while also attempting to follow high school attendance boundaries.

7. *“Ms. Block asked about the population of each city. She commented about the number of trustees currently living in El Cerrito and spoke about interests of the whole District taken into consideration regarding budgeting and staffing without encouraging fragmentation. She advocated being careful to protect the sense of a whole District.” Page 11*

What was the concern about the number of trustees from El Cerrito?

Trustee Block would best be able to address her intent. Prior comments had been made to the Board to the effect that El Cerrito’s representation on the Board is disproportionate to its size and population relative to other communities in the District.

If the map presented before us was not drawn using the district’s current school boundary lines, what communities were fragmented to generate the new map and how was the “sense of a whole district” protected?

The map presented does take into consideration school boundary lines, though it is not based solely on those lines. The District’s demographer will be present at the July 24 County Committee meeting to address questions about the creation of the proposed trustee area maps.

8. *“President Cuevas asked about the CVRA prioritizing communities of interest and addressing racially polarized voting...President Cuevas spoke about the process for accountability and*

intersection to find balance for protecting voters. Ms. Tilton clarified that the Federal Voting Rights Act takes precedent. Equal population would be a requirement. She also addressed where cities may be divided, draw a majority minority district, and not dilute the strength of a minority group in drawing those lines.” Page 11

It is my understanding that one concern leading this issue across the country is different types of gerrymandering.” Did you take this into consideration?

The District’s focus has been on “racial gerrymandering,” which is a violation of federal law that was considered by the demographer, pursuant to the District’s adoption of Resolution No. 69-1718.

Does the adoption of this map, in comparison to the other maps proposed, dilute the strength of minority groups (are the numbers higher for any other maps)?

No (see the table above for details). There is no significant difference between the maps, and each of the maps proposes trustee areas with significantly greater minority representation than under the existing population distribution District-wide.

9. *“Mr. Phillips shared his thoughts about going to seven members; he would be interested in having one member at-large, because of the diverse community. He suggested it important to have one person representing everyone in addition to the individual district representatives.” Page 11*

Was this a request to retain an at-large election?

Trustee Phillips would best be able to address his intent. Under California law, including at least one at-large seat would mean that Board elections would still be considered to be at-large as a whole.

10. *“President Cuevas asked for clarification about at-large liability. Mr. Freiman explained the matter of definition by elections code and the CVRA definition of at-large method of election with district elections. Mr. Phillips asked for further clarification about the at-large system violating of CVRA. Mr. Freiman responded with information about existing litigation. President Cuevas asked about liability for such a configuration. Mr. Freiman responded that any local governmental agency that still has an at-large system is exposed to potential challenges under CVRA. President Cuevas said she was not in favor of that configuration. Mr. Phillips suggested that the demographer and attorney have conversation with Mr. Rafferty regarding this configuration.” Page 12*

Was this a request to pursue an at-large system despite the board being informed by counsel that this could lead to exposure to potential challenges/ litigation under CVRA? Yes or no response please.

Trustee Phillips would best be able to address his intent.

11. *“Ms. Kronenberg said she would like to see how the maps might be drawn working along the six comprehensive high school boundaries.” Page 12*

Which map exhibits boundary areas based on the six comprehensive high school boundaries?

There are six high comprehensive schools and five trustee areas so the boundaries cannot match. The “Schools” map attempted to keep each high school attendance zone united as much as possible, while the Cities and Schools series of maps keeps cities inside of a single area as much as possible while trying also to follow high school attendance boundaries to the extent possible.

12. *"By the next meeting, Ms. Tilton would like to receive clarification on the options that the Board would like to see." Page 12*

What criteria were set by the Board and in what minutes?

The Board set criteria in Resolution No. 64-1718 on April 18, 2018. The criteria are: nearly equal populations, no gerrymandered boundaries, do not deny the right to vote based on race or color, compactness, contiguous territory, and communities of interest. Many of these criteria, include equal populations, no denial of the right to vote based on race or color and compactness, are required by federal law.

April 18, 2018 Meeting Minutes

1. *According to the meeting minutes for Agenda C posted online for the April 11, 2018 meeting², and approved at the May 2, 2018 meeting, it stated the following:*

"[Ms. Tilton] focused this meeting's discussion on federal elections criteria that include equal population of the number of voting age residents, the avoidance of dilution of a protected class, and no racial gerrymandering." Page 2

Please define gerrymandering and racial gerrymandering.

"Racial gerrymandering" is a map that violates Section 2 of the Federal Voting Rights Act by diluting the voting strength of a neighborhood that is heavily populated by members of a protected class as defined by that law, or a map where race is the "predominate" consideration in the drawing of boundary lines. All other definitions of "gerrymandering" (other than racial) are not based on the Federal Voting Rights Act or other express law, and typically reference drawing election area boundaries so as to favor a particular political party.

Did the board consider other types of gerrymandering?

No.

2. *The following was also included:*

"[Ms. Tilton] provided further information about citizen voting age population and not diluting the strength of protected voting class groups." Page 2

Which map strengthened the protections of voting class groups the most?

Is that the map approved by WCCUSD Board and presented before the county committee?

If not, how does it compare?

There is no significant difference between the demographics of the maps, and each of the maps proposes trustee areas with significantly greater minority representation than under the existing population distribution District-wide. (See the table above for details.) We also note that statistics are just one part of the Federal Voting Right Act's definition of whether maps comply with the law and its

² April 18, 2018 WCCUSD Board Meeting <https://westcontracosta.agendaonline.net/public/Meeting.aspx?AgencyID=211&MeetingID=14014&AgencyTypeID=1&IsArchived=True>

goals, and whether proposed trustee areas will effectively provide an opportunity to protected class voter communities to elect their preferred candidate.

3. *Further insight was provided by Ms. Tilton:*

“Further information was provided regarding defining community of interest and federal requirements for total equal population and like representation.” Page 2

Can you provide clarity on how “community of interest” and “like representation” was defined for the development of the map?

Extensive outreach was conducted to encourage public input on residents’ definitions of their communities of interest and which map best reflected those communities. Ultimately the primary considerations were city borders and school attendance areas. Those are the common primary considerations for virtually every school district that has moved to trustee areas. Within Richmond there was discussion and consideration of the geographically and socio-economically disparate parts of that larger city. The District’s demographer will be present at the July 24 County Committee meeting to address questions related to the creation of the proposed trustee area maps.

How is “community of interest” and “like representation” defined for school boundaries in WCCUSD?

The definition of attendance zone boundaries is an entirely separate process, driven by different data, laws, and policy considerations.

4. *It was further noted:*

“Mr. Phillips continued with comments about African-American and Latino areas overlapping.” Page 3

Can you clarify what was the concern?

Trustee Phillips would best be able to address his intent.

5. *Ms. Cuevas then asked:*

“About the assumption and the pattern of high propensity voters.” Page 3

What was her concern about high propensity of voters and their influence on minority voters as it relates to CVRA? How was this factored into the map creation?

Trustee Cuevas would best be able to address her intent.

6. *Mr. Panas stated that:*

“From his perception the effort was necessary to help disenfranchised voters become more enfranchised. His research made him think this will make elections more competitive.” Page 3

How do the various trustee areas help increase the influence of disenfranchised voters?

Each of the maps considered by the Board contain trustee areas that have a percentage of minority populations significantly higher than the percentage of minority populations District-wide.

7. *Ms. Kronenberg stated:*

“She supported keeping cities and neighborhoods together. She also suggested looking at elementary and middle school boundary lines.” Page 4

How do the elementary and middle school boundary lines compare to the high school boundaries and the map approved by WCCUSD board?

Elementary and middle school attendance boundaries fall within the high school boundaries. Given the large size of the trustee areas and the relatively small size of the elementary and middle school attendance boundaries the focus was on high school attendance zones, but where high school attendance boundaries were divided (as they were required to be due to population requirements and the different number of high schools versus trustee areas), in all maps city, neighborhood, and elementary school attendance zone borders were considered in the drawing of the line for the split. The District’s demographer will be present at the July 24 County Committee meeting to address questions related to the creation of the proposed trustee area maps.

8. *According to Agenda Item D the following was stated:*

“Mr. Phillips asked Pinole Mayor Tim Banuelos if it was important that the City of Pinole was represented by one ward. Mr. Banuelos compared it with the current split in representation by county supervisor and advocated for joining with Hercules to avoid such a split. He detailed the similar demographics and alignment in number of population. He was of the opinion that Richmond having three votes gave too much power to one city. Mr. Banuelos expressed concern about a majority voting as a block and wiping out other areas.” Page 5

What is the current split in representation by county supervisor? Please provide clarity on what was meant by “similar demographics” for Hercules and Pinole.

Mayor Banuelos would best be able to address his intent.

Was there a similar concern for other areas having too much power and the ability to wipe out other areas?

We are not aware of any discussion or concern regarding any “ability to wipe out other areas.”

Based on Map B, it appears that Mayor Banuelos’ concerns/requests were factored into the board’s final map design. How were opinions of other members of the community incorporated into WCCUSD’s decision-making?

All public comments were available to the Board. The District’s demographer will be present at the July 24 County Committee meeting to address questions related to the creation of the proposed trustee area maps.

9. *Later in the meeting it was stated:*

“Mr. Phillips said his thoughts are contingent on things, saying he would vote for five so that Pinole Hercules could make up a ward. He continued with thoughts that ...joining Richmond with San Pablo for a third as they have similar communities.” Page 5

What are the attributes of Pinole and Hercules that would yield them to be perceived as similar communities? What are the attributes of San Pablo and Richmond that would yield the perception that they are similar communities? What attributes of El Cerrito would yield the perception that they are dissimilar to Richmond?

Trustee Phillips would best be able to address his intent. There are a wide range of socio-economic factors that can lead to these perceptions, including income levels, home values, and other more subjective characteristics.

10. *Later Ms. Tilton stated:*

“[My] firm could do a dual path, but complicated the issue with the Board considering two different policy issues.” Page 6

Did the board choose a dual path?

No.

11. *Subsequently Mr. Panas stated:*

“He was of the opinion to provide one trustee area for the Pinole Hercules community and that he did not have a strong argument about the boundary area criteria.”

What criteria were established to assert that Pinole Hercules should have one trustee area; thus, share a common interest? How did this influence other areas of the maps e.g. San Pablo/ Richmond and distinctive parts of Richmond?

Compactness, contiguousness and common interests in seeing a representative from one of those cities serve on the Board. The primary impact on the overall map is shown in the difference between the “Schools” map (which focused on following the borders of the Pinole High School attendance zone) and the “Cities and Schools” maps (which focused on following the city borders and thus varies somewhat from the high school attendance zone). The demographer will be present at the July 24 County Committee meeting to address any questions related to the creation of the proposed trustee area maps.

12. *“Additional discussion took place regarding other criteria options and development of maps to address the various goals for consideration.”*

What did the board agree would be the “criteria options and development of maps?”

The Board set criteria in Resolution No. 64-1718 on April 18, 2018. The criteria are: nearly equal populations, no gerrymandered boundaries, do not deny the right to vote based on race or color, compactness, contiguous territory, and communities of interest.

May 16, 2018³

1. *According to agenda item F2 of the meeting minutes, there was an inquiry about majority minority areas.*

“Mr. Johnson explained the rationale to have four majority/minority districts and could not speak to data or design used by Mr. Rafferty.

How do you define majority? Is it adequate for an area to have a 40% as opposed to 50%+ minority area?

“Majority” is defined as 50%+1. “Plurality” is the term used when a group is the largest group, but not a majority. In every map considered there are four trustee areas that are “majority-minority” by Citizen Voting Age Population (the data focused on for Federal Voting Rights Act compliance).

The Ninth Circuit has held that the appropriate metric by which to measure the size of the minority population is its Citizen Voting Age Population (“CVAP”), rather than its total population. (Romero v. City of Pomona, 883 F.2d 1418, 1425 (9th Cir. 1989). See also Montes v. City of Yakima, 40 F. Supp.3d 1377, 1391; Cano v. Davis, 211 F.Supp.2d 1208, 1233 (C.D. Cal. 2002) (“The Ninth Circuit, along with every other circuit to consider the issue has held that CVAP is the appropriate measure to use in determining whether an additional effective majority minority district can be created.”).)

2. *Do you believe that the map presented is consistent with Trustee Block’s request to “have only one trustee from El Cerrito?”*

Based on population, in comparison to other areas of the district, would it be reasonable for El Cerrito schools to have more than one trustee protecting their interests?

Only one trustee area would cover El Cerrito. It would be the hope and expectation of our community that all trustees would protect the interests of all of the schools, students and residents in our District.

3. *Based on the meeting minutes, Trustee Phillips stated “he associated cities with the people who lived there.”*

Based on that statement, are elementary schools rolled up into secondary schools based on city boundaries?

No.

4. *According to the minutes, subsequently, President Cuevas:*

“Recapped the Board request to obtain another map with tweaking which still met requirements, receive additional examples of ways to outreach, and ensure public communication of when and where the next public hearings will be held.”

What tweaks were made to generate “Cities and Schools Maps A-C?” Who made these requests? Why?

³ 3 May 16, 2018 WCCUSD Board Meeting <https://westcontracosta.agendaonline.net/public/Meeting.aspx?AgencyID=211&MeetingID=14675&AgencyTypeID=1&IsArchived=True>

In public session, following each public hearing, the Board gave direction to its demographer on potential revisions that the Board wished to see. The various maps after the initial “Freeways” and “Schools” maps were drawn in response to that Board direction, except for the “June 4” map, which was drawn following a meeting with attorney Scott Rafferty, in an attempt to create a corrected version of a flawed map that he had previously proposed.

What additional outreach efforts were implemented and how was community input presented to the board?

The District conducted outreach through its website, social media platforms, email, electronic newsletter, phone notifications and in-person meetings, including holding a public hearing in San Pablo, information sessions in North Richmond, Pinole, San Pablo and El Cerrito, and regular updates to the Richmond Neighborhood Coordinating Council. The Board received community input at public hearings, information sessions and through email.

June 13th, 2018 Meeting⁴

1. What outreach tools were implemented to engage the public?

The District conducted outreach through its website, social media platforms, email, electronic newsletter, phone notifications and in-person meetings, including holding a public hearing in San Pablo, information sessions in North Richmond, Pinole, San Pablo and El Cerrito, and regular updates to the Richmond Neighborhood Coordinating Council.

Were documents presented in multiple languages?

The District prepared frequently asked questions, which were translated into Spanish. Translation services were available at every public meeting on this issue.

2. There was a discussion about unincorporated areas, F5, as noted below: “A discussion of unincorporated areas and their effect on boundaries took place with Mr. Johnson agreeing to look at the numbers to see if moving the boundary points to include some of the unincorporated area into El Cerrito would be viable.”

How did this influence generation of the subsequent maps? Which maps were they?

“Cities and Schools C” reflects this direction, particularly in the differences in Trustee Area 3 compared to the same trustee area in Cities and Schools A and B.

3. Three maps were presented at the June 13th meeting; however, there is little distinction between two maps: Map A and Map B.

In Map A, Trustees Cuevas and Phillips are within separate trustee areas (Trustee Areas 5 and 4, respectively). In Map A Trustee Area 5 is 40% Latino (with a 21% citizen voting age population) and Trustee Area 4 is 61% Latino (with a 42% citizen voting age population).

⁴ June 13, 2018 WCCUSD Board Meeting <https://westcontracosta.agendaonline.net/public/Meeting.aspx?AgencyID=211&MeetingID=14675&AgencyTypeID=1&IsArchived=True>

However, in Map B Trustees Cuevas and Phillips are in the same trustee area (Trustee Area 5) with a 41% Latino population and a 22% citizen voting age population. Why was the boundary redrawn such that Trustee Phillips moved from Area 4 to Area 5? Who submitted such a request?

The differences between Maps A and B were drawn in response to the request of the Board, made during public discussion at a public meeting.

June 27th, 2018 meeting

1. *If I recall correctly, early on there was a conversation about the creation of a majority AA and a majority Latino trustee area. During that time it was suggested that creating both majority AA and Latino trustee areas on the same map would be extremely difficult. Why?*

There are not sufficient numbers of geographically separate Latinos and African-Americans to draw a legal map that contains one trustee area that is majority-Latino (by Citizen Voting Age Population) and another trustee area that is majority-African-American (by Citizen Voting Age Population).

It is my understanding that at the June 27th meeting, there were two motions made to take action on a map to present to the county committee. Both actions led to a split vote. The maps were June 4th and the Cities and School Map B. Can you provide clarity about the concerns expressed by members of the board who voted against Map B? Did the board have any conversation about the differences between the percentages of AA and Latino voters represented on each of the two maps?

Board discussion of the maps and the reasons for their selection or rejection took place at this public meeting, with that discussion available through the recording of the meeting.

2. *At the June 27th meeting there were several questions about community areas posed by Mr. Gosney. They included, but [sic] not limited to:*

- *PVHS and Hercules in the same area for "Freeway" and "Cities and Schools Maps;"*
- *Freeway map splits Hercules from Highway 4 down to McBride Ave in Central Richmond.*
- *Cities and Schools Map shows No. Richmond and Parchester Village with Hercules ward.*
- *Pinole is drawn down to southern edge of San Pablo casino.*
- *Cities and Schools Map A shows Kensington to Richmond High (he said he thinks they should vote for their own at Richmond High).*
- *Map B was drawn for a specific trustee.*
- *June 4th shows Richmond ward to Central and San Pablo Aves such that Korematsu and ECHS in Richmond ward.*
- *Richmond High and Helms kids would be in El Cerrito ward*

How did you define communities of interest for these areas?

Communities of interest were defined here and throughout the process as cities, high school attendance areas, local neighborhoods and elementary school attendance areas, and areas of similar socio-economic characteristics.

3. *I also heard the following from Trustee Phillips, as summarized:*

"Kensington wraps around coast and picks up part of Richmond. It would reduce influence that others in Richmond have, because we are now taking away what one would say is arguably one of the

most influential part of community in terms of resources and gives it to another area. It also perpetuates what we are doing that is not right. Attendance area boundaries – kids that live in Marina and Pt. Richmond are not zoned to Kennedy High those kids get in cars, their parent’s cars, and drive right by the closest high school to the and go to El Cerrito. When people talk about how great Kennedy used to be and it was great it was because the attendance area was different. What happened that Kennedy’s attendance area has been drawn to make that area an island unto itself, an island of poverty, it increases the number of children with high needs that attend that school. It I something that needs to change. If we ever want to see it great again we need to redraw the lines in a way that makes it more equitable. June 4th map – I see someone intentionally trying to figure out how to piece things together that don’t belong. Bottom of June 4th map, it looks gerrymandered as Block said. A section 2cm it picks up at bottom of 580 and 80 meet that 2 cm section figured out how to wrap around coast and pick up most influential area of Richmond.”

Marina and Pt. Richmond are in the JFK attendance zone.

Similar sentiments were raised by other board members to lead to a majority of the board expressing concern about gerrymandering of school boundaries; a decision that lead to many not choosing the June 4th map. Given that the June 4th map reflects the current school boundaries, were the board and their attorney unaware that this reflects their district high school boundaries?

The June 4th map does not reflect high school attendance boundaries in Richmond.

4. *Can you inform us when the school boundaries lines were last drawn and who was on the board? Based on the manner in which the lines were drawn, what are the similarities between communities with the same high school family?*

Boundaries were redrawn in 2009 with the closure of Castro and El Sobrante elementary schools and Adams Middle School. Board members at the time were: Audrey Miles, president; Madeline Kronenberg, Antonio Medrano , Charles Ramsey and Tony Thurmond.

In 2013, the Kennedy High School boundaries were adjusted. Board members at that time were: Madeline Kronenberg, president, Randall Enos, Todd Groves, Elaine Merriweather and Charles Ramsey.

There is no record of similarities between communities being a factor when the Kennedy High School attendance boundary was adjusted.

5. *There was a question about how Hercules and Pinole responded to the combination of the two cities in one trustee area and the trustees were informed that both the mayor and Debbie Long wanted them to be together.*

Do these individuals represent the interests of the entire Pinole and Hercules communities? Did you receive input from local community members?

Was there an interest in understanding how San Pablo and Richmond responded to a similar combo?

Were the communities from So and No. Richmond and Iron Triangle consulted about being with Pt. Richmond and Marina?

Were these communities reached out to for their input? Did anyone from those communities come out and speak for or against the combination?

The District conducted outreach through its website, social media platforms, email, electronic newsletter, phone notifications and in-person meetings. Representatives from the North Richmond, South Richmond, Iron Triangle, Pt. Richmond and Marina were informed about this process through the Richmond Neighborhood Coordinating Council on three different occasions. Additionally, there were opportunities provided on multiple occasions and in multiple locations for community input, as discussed above. While some community members who spoke on the issue indicated their neighborhood or city of residence, not all did so.

6. *Ms. Block liked that there would be representation from Hercules / Pinole with this transition. How many trustees have been elected from North and South Richmond and Iron Triangle?*

The District does not retain any historical data regarding trustees from particular neighborhoods.

How does keeping Pt. Richmond and Marina and North and South Richmond as well as Iron Triangle, increase the influence of minority voters.

Each of the maps considered by the Board contain trustee areas that have a percentage of minority populations significantly higher than the percentage of minority populations District-wide, and the "Cities and Schools B" map avoids a potential "racial gerrymandering" claim.

7. *It is my understanding that at the June 27th meeting, there were two motions made to take action on a map to present to the county committee. Both actions led to a split vote. The maps were June 4th and the Cities and School Map B. Can you provide clarity about the concerns expressed by members of the board who voted against Map B?*

Did the board have any conversation about the differences between the percentages of AA and Latino voters represented on each of the two maps?

Board discussion of the maps and the reasons for their selection or rejection took place at this public meeting, with that discussion available through the recording of the meeting.

8. *According to Resolution 105-1718, WCCUSD is asking county committee to "[determine]" the staggering schedule for trustee area elections, and must determine the staggering schedule for those trustee areas that are vacant (newly formed trustee areas in which no current trustee resides) 'by lot,' or randomly." Under what conditions does the county committee have authority to stagger terms or draw lots?*

In that same resolution, WCCUSD is requesting that county committee consider "all trustees elected in 2018 serve a two year term, and that all five trustee-area be up for election in 2020, with a staggering schedule applied commencing in 2020 as determined by the County Committee." What education or elections code afford us this authority?

The District believes that the County Board, acting as the County Committee, has broad discretion in determining the staggering schedule when approving a transition to trustee area elections, including the length of terms. Even if Education Code section 5017 is read more narrowly, the District and the County Board can work together to submit a waiver of section from the State Board of Education under section 33050. Section 5017 is a waivable code section, under the requirements laid out in Education Code section 33050.

Others:

1. *Can you help me understand how the June 4th map and Map B met the criteria set forth on slide 8 of the Trustee Area Public Hearing Presentation presented on May 16, 2018?*

- The maps meet the requirements for population equality.
- The map boundaries are not gerrymandered (though the June 4th map is more susceptible to a racial gerrymandering challenge).
- The maps do not deny the right to vote based on race or color.
- Map B is highly compact. The June 4th map is less so.
- The maps consist of contiguous territory.
- The maps (Map B more than June 4) respect the communities of interest identified and considered in the map-drawing process, in particular school attendance areas; city borders; and local neighborhoods.

2. *June 4th has some significant differences from Map C, so these look like more than tweaks. Why is this map so different?*

The June 4th map was prepared following a meeting with attorney Scott Rafferty in an effort to prepare a map that built on and corrected errors in a map proposed by Mr. Rafferty. Mr. Rafferty had sought a map that included one trustee area where Latinos are a majority of registered voters and another trustee area where African-Americans were a majority of registered voters. The “Cities and Schools B” map was the starting point for the June 4th map, with Latinos constituting 47% of the registered voters in Area 4 and African-Americans constituting 48% of the registered voters in Area 5. Increasing those percentages to above 50% -- while trying to avoid racial gerrymandering and continue to respect the communities of interest – required the (extensive) changes made to arrive at the June 4 map. “Cities and Schools C” was a different revision to “Cities and Schools B,” drawn in response to a public request by Trustee Phillips during a Board meeting, where he asked to see a map that would move the small area of the City of Richmond located just south of San Pablo and just west of Interstate 80 from Area 3 (in Cities and Schools B) to Area 5.

3. *How many members of the public utilized the online mapping tool to create or view maps?*

No maps were submitted via the online mapping tool. The sites do not track the number of visitors to the online mapping tool or the online interactive review map.

4. *I noticed you held a host of public meetings: Information Sessions and Public Hearings. How many of the board members attended the Information Sessions?*

Two Board members attended all or part of the information sessions.

How was community input from such meetings communicated to board members who were not present?

Both the members of the public and the Board members who attended the information sessions had the opportunity available to them to share their observations with the entire Board during the subsequent Board meeting.

5. *Members of the public have raised concerns about several areas in WCCUSD, including but not limited to, Iron Triangle, Pt. Richmond, Marina, South Richmond, North Richmond, San Pablo, El Cerrito, Hercules, and Pinole. Can you provide demographic and socio-economic information for these regions, indicating any variances within the respective areas?*

While Board members and residents spoke extensively regarding their knowledge of the different areas in the District, and no specific statistical summaries were requested for these individual areas, and thus none were compiled. However, the Census block by Census block demographics of each of these area were considered in the preparation of the various maps.

Attached is the requested data, prepared in response to this request.

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WCCUSD - Special Request Demographics

District		ELCERRITO	HERCULES	IRON TRIANGLE	MARINA	NORTHRICH	PINOLE	PTRICH	SAN PABLO	SOUTH	Total
Ideal	Total Pop	23,549	22,186	9,548	3,263	3,717	18,390	3,143	29,139	20,311	133,246
26,649	Deviation from ideal	-23,620	-24,983	-37,621	-43,906	-43,452	-28,779	-44,026	-18,030	-26,858	25,996
	% Deviation	-50.08%	-52.96%	-79.76%	-93.08%	-92.12%	-61.01%	-93.34%	-38.22%	-56.94%	55.11%
Total Pop	% Hisp	11%	14%	60%	11%	50%	22%	10%	56%	39%	32%
	% NH White	48%	17%	3%	46%	3%	37%	72%	10%	5%	23%
	% NH Black	8%	19%	29%	14%	32%	14%	8%	16%	48%	21%
	% Asian-American	30%	47%	6%	26%	12%	24%	9%	15%	5%	22%
Citizen Voting Age Pop	Total	17,564	16,889	3,589	2,844	1,795	14,160	2,534	14,145	11,850	85,369
	% Hisp	9%	12%	34%	9%	45%	20%	6%	39%	25%	20%
	% NH White	55%	18%	8%	59%	7%	42%	74%	16%	6%	30%
	% NH Black	8%	19%	43%	8%	26%	10%	4%	22%	60%	22%
Voter Registration (Nov 2016)	Total	15,865	12,727	3,821	2,355	1,344	10,953	2,438	10,735	10,135	70,374
	% Latino est.	8%	24%	37%	10%	34%	22%	7%	46%	20%	23%
	% Spanish-Surnamed	7%	22%	34%	9%	31%	20%	6%	41%	18%	21%
	% Asian-Surnamed	12%	13%	2%	9%	4%	7%	3%	6%	2%	8%
Voter Turnout (Nov 2016)	Total	13,159	9,477	2,014	1,910	773	8,314	2,068	6,388	5,939	50,042
	% Latino est.	8%	24%	42%	10%	38%	22%	6%	46%	21%	22%
	% Spanish-Surnamed	7%	21%	38%	9%	34%	20%	5%	42%	18%	19%
	% Asian-Surnamed	13%	13%	2%	9%	5%	7%	4%	5%	2%	9%
Voter Turnout (Nov 2014)	Total	8,454	4,837	955	1,219	314	4,764	1,522	2,759	3,159	27,982
	% Latino est.	7%	19%	30%	7%	22%	15%	5%	34%	11%	14%
	% Spanish-Surnamed	6%	17%	27%	6%	20%	13%	4%	31%	10%	13%
	% Asian-Surnamed	11%	12%	1%	8%	4%	7%	3%	5%	2%	8%
ACS Pop. Est.	Total	24,417	22,887	9,092	3,757	4,232	18,896	2,851	30,580	22,455	139,166
	age0-19	19%	22%	33%	19%	39%	19%	8%	29%	29%	25%
	age20-60	54%	56%	54%	65%	52%	54%	54%	57%	57%	56%
	age60plus	26%	22%	12%	16%	9%	27%	38%	15%	13%	20%
Immigration	immigrants	27%	35%	41%	28%	39%	25%	14%	45%	31%	34%
	naturalized	59%	76%	20%	34%	33%	69%	55%	36%	31%	47%
Language spoken at home	english	65%	54%	35%	59%	29%	65%	81%	29%	52%	50%
	spanish	8%	10%	56%	18%	55%	13%	12%	53%	39%	29%
	asian-lang	16%	28%	8%	19%	6%	14%	4%	13%	6%	15%
Language Fluency	Speaks Eng. "Less than Very Well"	14%	15%	35%	14%	34%	13%	5%	38%	23%	22%
	hs-grad	33%	48%	47%	43%	51%	59%	35%	52%	58%	49%
Education (among those age 25+)	bachelor	31%	31%	8%	30%	11%	20%	32%	9%	11%	20%
	graduatedegree	30%	13%	2%	19%	3%	10%	30%	3%	5%	13%
Child in Household	child-under18	26%	32%	38%	23%	54%	24%	9%	38%	34%	31%
Pct of Pop. Age 16+	employed	60%	65%	54%	71%	58%	59%	67%	57%	56%	60%
Household Income	income 0-25k	12%	8%	34%	10%	37%	11%	15%	25%	31%	18%
	income 25-50k	16%	13%	39%	16%	19%	18%	11%	29%	27%	21%
	income 50-75k	16%	13%	15%	21%	23%	22%	20%	21%	18%	18%
	income 75-200k	43%	53%	13%	46%	19%	43%	39%	24%	23%	36%
Housing Stats	income 200k-plus	13%	13%	0%	7%	3%	6%	14%	1%	2%	7%
	single family	73%	84%	56%	43%	72%	80%	52%	63%	59%	69%
	multi-family	27%	16%	44%	57%	28%	20%	48%	37%	41%	31%
	rented	40%	20%	68%	50%	64%	30%	42%	60%	63%	45%
Total population data from the 2010 Decennial Census.	owned	60%	80%	32%	50%	36%	70%	58%	40%	37%	55%
Surname-based Voter Registration and Turnout data from the California Statewide Database.											
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC.											
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.											

Special Requested Demographic Breakouts

