

Board of Trustees Agenda Item

Board Meeting Date: July 11, 2011

Title of Item: Analysis of District Need to Establish Trustee Areas

Background and Analysis:

The district is subject to the regulations contained in the California Voters Rights Act (CVRA) and the Federal Voting Rights Act (FVRA), both of which are enacted to address situations in which minorities are being or could be disenfranchised due to either the lack of established voting areas or due to the way that voting areas have previously been drawn. Currently, the district manages election processes so that trustees are elected 'at-large' without using specified voting areas. The provisions of the CVRA and FVRA require us to create trustee-voting areas if certain conditions are met. These conditions may include having a history in the district of *racially polarized voting* as demonstrated by the combination of minority voter preference for a candidate (of that same minority group) together with a failure of voters to elect that candidate.

An analysis using the 2010 census data matched with recent voting preferences of minority groups for our district can provide information to assist the Board in making an informed decision of whether or not to establish trustee voting areas.

There are currently several vendors offering to perform this analysis for colleges. The Community College League of California (CCLC) has researched several vendors and selected one (Redistricting Partners), whom they believe offers good value to districts. Redistricting Partners offers two packages for districts: a \$35,000 package that includes the full analysis of demographics and voter preferences with respect to CVRA and a \$5,000 package that would examine and report on some of the data so that the board could effectively get a sense of whether or not the district should go further in its analysis (e.g. pursue the \$35,000 study). The smaller study would provide an analysis of the district's demographics, a presentation about the process, and a review of the races that would be used in the larger study, including races beyond actual board elections (such as city council races, statewide races, etc.). The larger study would include more data as well as a regression analysis on the data that could indicate whether or not racially polarized voting occurs in our district.

If the \$5,000 study is contracted for and the district later decides to do the full study, then the \$5,000 payment can be applied to the price of the larger study, so that the district would only have to pay \$30,000.

Background Information on Trustee Elections:

Most community college districts elect trustees at-large in some fashion. 20 districts elect trustees in exactly the same way that we do. 19 districts also elect at-large but the trustees must live in a specific area; four districts use some other variation of electing trustees at-large.

27 districts elect trustees through the voters living in specific areas where the trustees must also live in those areas. (One district was unknown.)

To date, four districts who elect at large have decided to purchase the larger study by the

League's vendor and three districts are presumably doing the smaller study.

Selected current status of local districts:

- Chabot - Los Positas: Trustees must live in and are elected by voters in areas
- San Jose – Evergreen: Trustees must live in and are elected by voters in areas
- Contra Costa: Trustees must live in and are elected by voters in areas
- West Valley Mission: Trustees must live in areas but are elected at-large
- Marin: Trustees are elected at-large (same as FHDA)
- San Francisco: Trustees are elected at-large (same as FHDA)
- San Mateo: Trustees are elected at-large (same as FHDA)

In addition to the analysis recommended in this board item, the district may require the services of an attorney to interpret the analysis and results with respect to the law and render an opinion regarding the necessity of examining this question further. The cost of the attorney is not included in the \$5,000 price and would have to be contracted separately.

Recommendation: Authorize the Vice Chancellor of Technology, Fred Sherman, to execute a contract with the Community College League of California in the amount not to exceed \$5,000 to analyze demographic and voter preference trends with respect to the establishment of trustee voting areas.

Submitted by:	Fred Sherman, Vice Chancellor of Technology, 6120
Additional contact names:	Andrew LaManque, Director of Institutional Research & Planning, 6187
Is backup provided?	No