

**BEFORE THE GOVERNING BOARD OF THE
FRESNO UNIFIED SCHOOL DISTRICT
OF FRESNO COUNTY, CALIFORNIA**

A Resolution by the Governing Board of the Fresno Unified School District (“Board”) to Re-align the Boundaries of Areas from Which Members of the Board Will Be Elected

RESOLUTION NO. 21-16

A Resolution by the Governing Board of the Fresno Unified School District (“Board”) to Re-align the Boundaries of Areas from Which Members of the Board Will Be Elected.

RECITALS

1. The Fresno Unified School District (“District”) currently elects each member of its governing board “by-trustee area”, *i.e.*, “by the registered voters of the that particular area” in which the candidate resides (Educ. Code. § 5030(b)); and

2. California Education Code § 5019.5 requires each school district using trustee area elections to readjust those trustee boundaries in the year following the release of a new Census, to ensure compliance with constitutional equal population requirements; and

3. The Census Bureau released the 2020 Census redistricting data on August 12, 2021; and

4. The California Statewide Database at UC Berkeley released an “adjusted” version of the Census redistricting data, as required by Elections Code § 21003 and Government Code § 8253(b), on September 21, 2021, with a corrected version of those adjusted data released on September 27, 2021; and

5. Those corrected, adjusted Census data have been “validated” by the Demographic Research Unit of the Department of Finance as provided by Education Code § 5019.5; and

6. The District retained an experienced demographic consulting firm, National Demographics Corporation (“NDC”), and experienced legal counsel, to advise it on the process of readjusting its trustee area boundaries; and

7. On September 15, 2021, the Board and the public received a presentation from the District’s legal counsel regarding the procedures and legal and

policy criteria governing redistricting and a preliminary assessment of the demographics of the current trustee areas using the then-available unadjusted Census data; and

8. On October 27, 2021, the Board and public received an additional presentation from the District's legal counsel and from NDC regarding legal and policy criteria and regarding the current demographics of the District's existing trustee areas under the 2020 census, reflecting the data as adjusted by the Statewide Database; and

9. Those final data show that the "total deviation" of the populations of the current trustee areas is 10.77%, slightly exceeding the 10% maximum that the United States Supreme Court has identified as permissible to comply with constitutional equal population requirements, necessitating adjustments to equalize the areas' boundaries; and

10. Following the presentations on October 27, the Board received comment from the public regarding appropriate revisions to the trustee area boundaries and provided instructions to the District's demographic consultants and legal counsel regarding the preparation of mapping options for consideration by the Board at subsequent meetings; and

11. On December 8, 2021, the District's legal counsel presented three draft maps—NDC 101, NDC 102, and NDC 103—prepared by the District's demographic consultants in accordance with the following criteria:

- The boundaries of the trustee areas shall be realigned so that the trustee areas are equal in population as defined by law.
- The boundaries of the trustee areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.
- The boundaries of the trustee areas shall be realigned so that the trustee areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- The boundaries of the trustee areas shall observe communities of interest, developed primarily around the District's high school attendance areas as reflected in the Master Facility Plan, but also including the current trustee areas, rural or urban populations, municipalities, social interests, agricultural, industrial or service industry interests, and the like, insofar as practicable.
- The boundaries of the trustee areas shall be compact, insofar as practicable.

- The boundaries of the trustee areas shall be created to contain cohesive, contiguous territory, insofar as practicable.
- The boundaries of the trustee areas may observe topography and geography, such as the existence of mountains, flat land, forest lands, man-made geographical features such as highways and canals, etc. as natural divisions between districts, insofar as practicable.
- Unless otherwise required by law, the trustee areas shall be created using whole census blocks.
- The boundaries of the trustee areas may avoid the “pairing” of incumbents in the same trustee area, insofar as this does not conflict with the constitution and laws of the State of California and the United States.

12. Following counsel’s presentation of the draft maps on December 8, 2021, the Board held a duly-noticed public hearing to seek public comment with respect to those three plans; and

13. As part of its redistricting process, the Board approved several methods of enabling the public to submit proposed maps for the Board’s consideration, including paper mapping kits with population figures and two online mapping programs—Maptitude Online Redistricting and Dave’s Redistricting App (“DRA”)—all of which could be accessed on the District’s redistricting website, <https://board.fresnounified.org/redistricting/>; and

14. Two public maps were submitted using DRA on December 3, 2021, after the deadline for consideration at the December 8 meeting—one designated as the “Malakai FUSD 2021 Redistricting Map” (hereafter “Malakai”) and the other designated as the “Angeles de la Vivienda FUSD 2021 Redistricting Map” (hereafter “ADV”); and

15. On December 23, 2021, a sixth map was submitted to the District for the Board’s consideration using Dave’s Redistricting App—a map identified as the “Una Nueva California Fresno Unified School District Map” (hereafter “UNC”); and

16. At the regular Board meeting on January 12, 2022, the District’s demographic consultants and legal counsel presented the newly-submitted Malakai, ADV, and UNC maps to the Board, along with further review of NDC 101, NDC 102 and NDC 103; and

17. Following the presentation on January 12, the Board held a second duly-noticed public hearing to receive additional input from the public; and

18. The Board has considered all public comments on the plans; and

19. The populations in the proposed trustee areas of all six draft trustee area plans are substantially equal, in compliance with legal requirements; and

20. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, and all six draft trustee area plans comply with Section 2 of the Voting Rights Act; and

21. The plans are generally drawn to reflect, primarily, the District's high school attendance areas, but also the cores of the existing trustee areas to the extent possible, while still complying with equal population requirements and federal and state law; and

22. The plans are drawn to be compact and to contain cohesive, contiguous territory to the extent possible; and

23. Five of the six plans—all except the Malakai plan—avoid the “pairing” of incumbent trustees; and

24. The Board prefers the trustee area boundaries in proposed Plan Angeles de la Vivienda, incorporated herein.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. That the above recitals are true and correct.

B. That the Board hereby adopts a revision to its current trustee area boundaries and adopts Plan Angeles de la Vivienda, attached hereto as Exhibit “A” and incorporated herein by this reference, for use at the District's November 2022 election and subsequent elections until a further re-alignment is required pursuant to Education Code § 5019.5, following the release of the 2030 Census.

C. That the Superintendent and/or his designee take all actions necessary to notify the Fresno County Elections Department of the Board's determination forthwith and provide whatever assistance may be required by the Elections Department to complete the process.

D. That because the new redistricting plan may contain technical anomalies caused by errors in the 2020 Census line files that do not substantively affect the populations in the trustee areas, the district boundaries, or the intent of this resolution, which anomalies are not revealed until implementation begins, the Superintendent and/or his designee is authorized to make technical emendations to the new redistricting plan that do not substantively affect the populations in the trustee areas, the trustee area boundaries, or the intent of this resolution, and shall advise the Board of any such emendations that are found to be required in plan implementation by the Fresno County Department of Elections.

E. That the Superintendent and/or his designee shall consult with legal counsel to resolve any legal issues necessary to give effect to this Resolution.

THE FOREGOING RESOLUTION was adopted upon motion by Trustee Islas, seconded by Trustee Jonasson Rosas, at a noticed meeting held on January 12, 2022, by the following vote:

AYES: 5

NOES: 0

ABSENT: 1

DATED: January 12, 2022

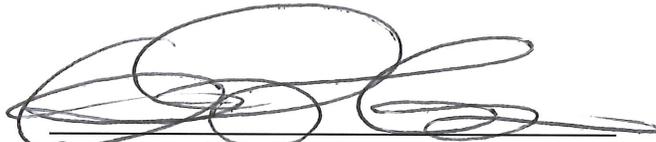


Elizabeth Jonasson Rosas
President, Board of Trustees
Fresno Unified School District

CERTIFICATION

I, Veva Islas, Clerk to the Board of Trustees of the Fresno Unified School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on January 12, 2022.

DATED: January 12, 2022

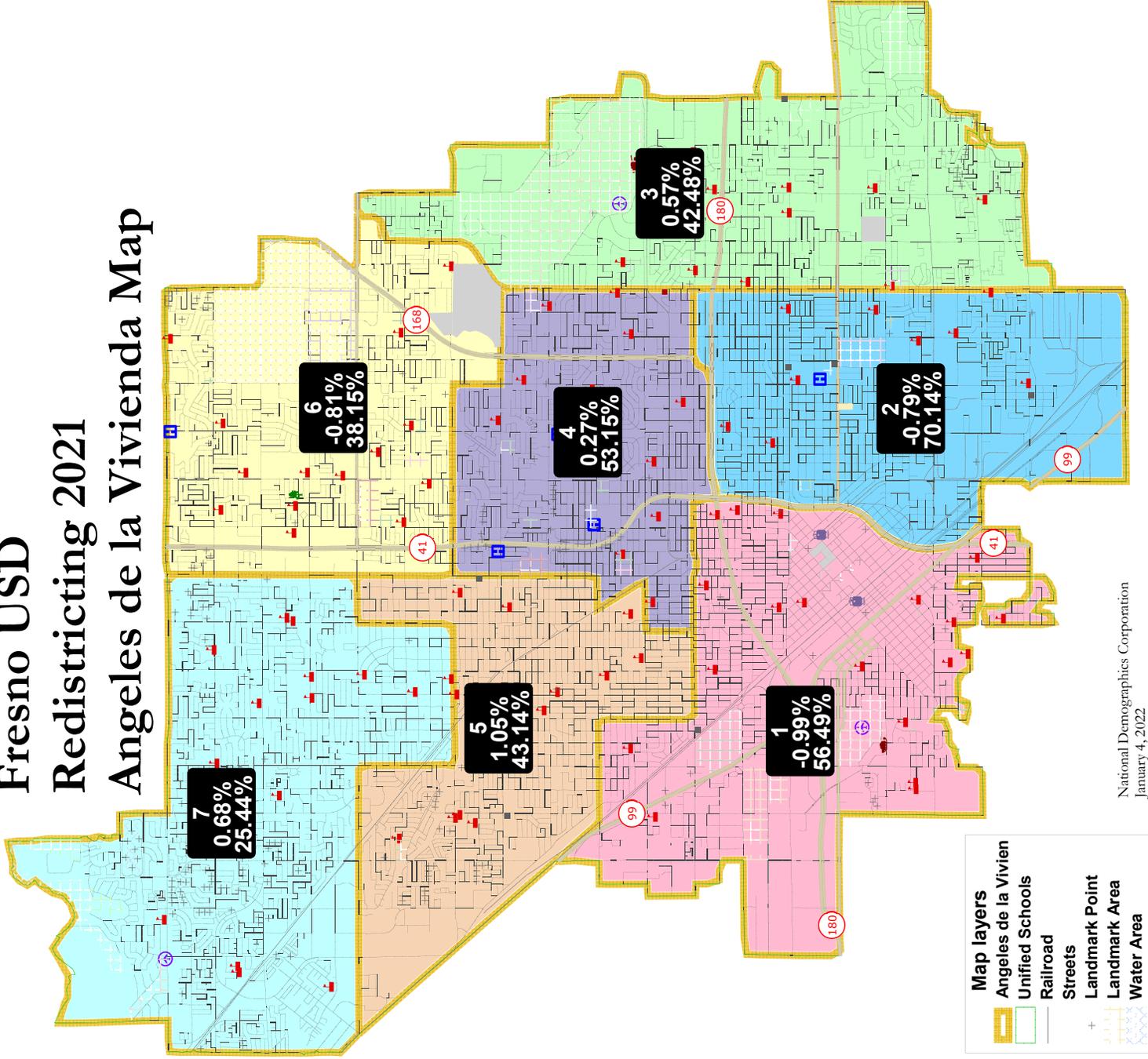


Genoveva Islas
Clerk, Board of Trustees
Fresno Unified School District

EXHIBIT A

FINAL ADOPTED TRUSTEE AREA PLAN

Fresno USD Redistricting 2021 Angeles de la Vivienda Map



National Demographics Corporation
January 4, 2022

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Fresno Unified School District - Angeles de la Vivienda

Category	Field	1	2	3	4	5	6	7	Total
2020 Census	Total Population	56,329	56,440	57,217	57,044	57,488	56,430	57,279	398,227
	Population Deviation	-561	-450	327	154	598	-460	389	1,159
	Pct. Deviation	-0.99%	-0.79%	0.57%	0.27%	1.05%	-0.81%	0.68%	2.04%
Total Pop.	Hispanic/Latino	66%	78%	54%	62%	56%	46%	34%	56%
	NH White	12%	5%	16%	15%	25%	31%	47%	22%
	NH Black	13%	4%	7%	7%	9%	8%	6%	8%
	NH Asian/Pac.Isl.	7%	11%	21%	14%	7%	13%	11%	12%
	NH Native Amer.	1%	1%	1%	1%	2%	2%	1%	1%
Citizen Voting Age Pop	Total	29,818	24,191	32,517	31,912	36,466	40,115	42,543	237,562
	Hisp	56%	70%	42%	53%	43%	38%	25%	45%
	NH White	19%	10%	26%	26%	38%	44%	58%	34%
	NH Black	18%	6%	8%	9%	12%	6%	7%	9%
	Asian/Pac.Isl.	7%	14%	24%	12%	7%	11%	9%	12%
	Native Amer.	1%	1%	1%	1%	1%	1%	1%	1%
Voter Registration (Nov 2020)	Total	21,749	21,085	25,360	24,668	29,132	28,330	37,279	187,603
	Latino est.	52%	71%	46%	53%	45%	37%	25%	45%
	Spanish-Surnamed	48%	65%	42%	48%	41%	34%	23%	41%
	Asian-Surnamed	2%	2%	6%	3%	2%	3%	3%	3%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%	1%	1%
	NH White est.	23%	16%	39%	36%	47%	56%	67%	46%
	NH Black	24%	10%	10%	10%	10%	6%	6%	9%
Voter Turnout (Nov 2020)	Total	11,985	11,090	16,347	14,694	19,689	20,070	30,530	124,405
	Latino est.	49%	71%	45%	51%	41%	35%	23%	41%
	Spanish-Surnamed	46%	66%	41%	48%	38%	32%	22%	38%
	Asian-Surnamed	2%	2%	6%	3%	2%	3%	3%	3%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%	1%	1%
	NH White est.	23%	16%	39%	36%	47%	56%	67%	46%
	NH Black	24%	10%	10%	10%	10%	6%	6%	9%
Voter Turnout (Nov 2018)	Total	7,296	6,822	10,176	9,088	13,163	13,813	23,216	83,574
	Latino est.	45%	70%	41%	47%	35%	30%	19%	36%
	Spanish-Surnamed	44%	67%	38%	44%	33%	28%	18%	34%
	Asian-Surnamed	2%	3%	5%	2%	2%	2%	3%	3%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%	1%	1%
	NH White est.	24%	16%	43%	40%	52%	61%	71%	51%
	NH Black est.	25%	9%	9%	9%	9%	5%	5%	9%
Age	age0-19	32%	36%	34%	35%	30%	29%	23%	31%
	age20-60	55%	52%	50%	51%	54%	56%	51%	52%
	age60plus	13%	12%	16%	15%	17%	16%	27%	17%
Immigration	immigrants	21%	33%	25%	19%	14%	15%	14%	20%
	naturalized	31%	29%	51%	41%	47%	52%	60%	42%
Language spoken at home	english	44%	27%	46%	51%	65%	67%	75%	54%
	spanish	49%	63%	36%	39%	29%	22%	13%	35%
	asian-lang	5%	9%	14%	9%	4%	8%	5%	8%
	other lang	1%	1%	3%	1%	2%	4%	7%	3%
Language Fluency	Speaks Eng. "Less than Very Well"	25%	34%	22%	18%	12%	11%	9%	18%
Education (among those age 25+)	hs-grad	46%	40%	50%	51%	52%	53%	45%	48%
	bachelor	6%	5%	9%	7%	12%	16%	22%	12%
	graduatedegree	2%	1%	4%	3%	6%	6%	14%	6%
Child in Household	child-under18	40%	50%	44%	44%	35%	31%	26%	38%
Pct of Pop. Age 16+	employed	52%	57%	56%	58%	63%	64%	62%	59%
Household Income	income 0-25k	46%	41%	34%	40%	30%	27%	15%	32%
	income 25-50k	27%	29%	24%	26%	25%	26%	22%	25%
	income 50-75k	13%	16%	18%	15%	18%	20%	19%	17%
	income 75-200k	12%	13%	22%	18%	24%	26%	37%	23%
	income 200k-plus	1%	1%	2%	1%	3%	2%	8%	3%
Housing Stats	single family	58%	73%	55%	59%	66%	54%	72%	62%
	multi-family	42%	27%	45%	41%	34%	46%	28%	38%
	rented	72%	65%	60%	64%	56%	60%	40%	58%
	owned	28%	35%	40%	36%	44%	40%	60%	42%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).