



Schleicher County Independent School District Initial Assessment

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What Legal Principles Govern the Redistricting Process?

There are three basic legal principles that govern the redistricting process:

1. "One person-one vote" (equal population) principle;
2. Non-discrimination standard of Section 2 of the Voting Rights Act; and
3. *Shaw v. Reno* and equal protection limitations on the use of race as a factor in redistricting.

“One Person-One Vote”

- Requires that members of an elected body be drawn from districts of substantially equal population.
- **Redistricting strives to create districts that have a total population deviation of no more than 10 percent between their most and least heavily populated districts.**
 - Total maximum deviation – 10 percent deviation
 - Ideal (or target) population – the population that an ideal sized district would have for a given jurisdiction. **Numerically, the ideal size is calculated by dividing the total population of the political subdivision by the number of elected positions**

Initial Assessment

- According to 2020 census, each of Schleicher County ISD's five single member districts has an ideal population size of 490 persons.
 - District 5 is the largest district, with 584 persons
 - District 3 is the smallest district with 274 persons
- The total deviation of population among the largest and smallest of the five single member districts is 63.24%, well in excess of 10%, the maximum deviation permitted.
- ***Redistricting of trustee districts is necessary to conform with the "one person, one vote" principle of the United States Constitution.***

Census Geography



The single-member population data are themselves derived from population data based on smaller geographical units.

The Census Bureau divides geography into much smaller units called **census blocks**. In urban areas, these correspond roughly to city blocks. In rural areas, census blocks may be quite large.

Census blocks are also aggregated into larger sets called **voting tabulation districts** or **VTDs** which often correspond to county election precincts.

Prohibited Purpose or Effect

A reviewing court may consider as relevant factors, to the extent to which:

- malapportioned districts deny or abridge the right to vote of minority citizens;
- minority voting strength is reduced by the proposed redistricting;
- minority communities are fragmented among different districts (“cracking”); and
- minority communities are over-concentrated in one or more districts (“packing”).

Principles Guide to the Redistricting Process

- Race may be considered;
- Race may not be the predominant factor to the subordination of traditional redistricting principles;
- Bizarrely shaped districts are not unconstitutional *per se*, but may be evidence that race was the predominant consideration;
- If race is the predominant consideration, the plan may still be constitutional if it is narrowly tailored to address compelling governmental interest such as compliance with the Voting Rights Act; and
- If a plan is narrowly tailored, it will use race no more than is necessary to address the compelling governmental interest.

Adoption of Redistricting Criteria

- Adoption of appropriate redistricting criteria and adherence to them during the redistricting process is potentially critical to the ultimate defensibility of an adopted redistricting plan.
- Traditional redistricting criteria that the school board may wish to consider adopting:
 - Use of identifiable geographic boundaries
 - Maintaining communities of interest
 - Using whole voting precincts, where possible and feasible;
 - Basing the new plan on existing districts;
 - Adopting districts of approximately equal size;
 - Drawing districts that are compact and contiguous;
 - Keeping existing trustees in their districts; and
 - Narrow tailoring the plan to comply with the Voting Rights Act

Timeline?

Board
Workshop(s)

Public
Hearing(s)

Adopt Plan by
1/19/2022