

Demographic Evaluation of Current Monterey Peninsula Community College District Trustee Areas Using Census 2010 Data

May 21, 2011; revised 7/6/11

This report presents the results of our demographic evaluation of the current trustee areas of the Monterey Peninsula Community College District (MPCCD, MPC, the District) in order to determine whether the populations of those areas are balanced or “equal.” We have found that the populations are out of balance and that boundaries need to be adjusted. However, relatively minor adjustments could bring the current plan into compliance with the equal population requirement. In this report, we detail our findings and suggest one possible approach to balancing the current trustee area populations.

What is Redistricting?

Jurisdictions that elect board members by election district must review those district boundaries and make adjustments, if necessary, after each Census. This applies to the election districts for the U.S. House of Representatives, state legislatures, and local political entities (such as community college districts, county boards of supervisors, city councils, school districts, and special districts). Jurisdictions in Monterey County must preclear any changes with the U.S. Department of Justice before the changes take effect.

Legal Requirements

The equal protection clause of the 14th Amendment of the U.S. Constitution and Section 5019.5 of the California Education Code require that after each U.S. Census, trustee areas must be evaluated for population equality and adjusted, if necessary:

California Education Code, Section 5019.5

(a) Following each decennial federal census, and using population figures as validated by the Population Research Unit of the Department of Finance as a basis, the governing board of each school district or community college district in which trustee areas have been established, and in which each trustee is elected by the residents of the area he or she represents, shall adjust the boundaries of any or all of the trustee areas of the district so that one or both of the following conditions is satisfied:

(1) The population of each area is, as nearly as may be, the same proportion of the total population of the district as the ratio that the number of governing board members elected from the area bears to the total number of members of the governing board.

(2) The population of each area is, as nearly as may be, the same proportion of the total population of the district as each of the other areas.

(b) The boundaries of the trustee areas shall be adjusted by the governing board of each school district or community college district, in accordance with subdivision (a), before the first day of March of the year following the year in which the results of each decennial census are released.¹ If the governing board fails to adjust the boundaries before the first day of March of the year following the year in which the results of each decennial census are released, the county committee on school district organization shall do so before the 30th day of April of the same year.

¹ The post-2010 Census redistricting must be completed before March 1, 2012.

In addition to population equality, the Education Code (Section 1002a) states that trustee area boundaries may take into account topography; geography; cohesiveness, contiguity, integrity, and compactness of territory; and communities of interest.

Other important redistricting requirements are specified by the federal Voting Rights Act, which is intended to protect the voting power of certain classes, such as ethnic/racial/language minority groups. If the population of a protected class is sufficiently large, geographically compact, and politically cohesive, the law says that boundaries should be drawn so that members of the group can elect representatives of their choice. For the purposes of redistricting, the protected classes include African Americans, Asian Americans, Pacific Islanders, Latinos/Hispanics, Native Americans, Alaska Natives, and some language minority groups.

The Voting Rights Act (particularly Section 5) prohibits “retrogression,” which refers to any changes that have the purpose of, or will have the effect of, diminishing the ability of any citizens of the United States because of race, color, or membership in a language minority group (as defined in the Act) to elect their preferred candidates of choice.² Any adjustments of the District’s trustee area boundaries must not have retrogressive effects. The data presented in this report will provide the baseline against which any proposed modification of trustee area boundaries will be compared to determine if the modification would have retrogressive effects.

In *Shaw v. Reno*, the U.S. Supreme Court ruled that election districts should not be oddly shaped solely for the purpose of forming an ethnic minority election district. Essentially, other factors, such as communities of interest, should be considered, as well as the shape of the trustee area.³ The Appendix to this report contains a series of maps that are intended to help suggest some possible communities of interest within the District.

Current Trustee Areas

MPC has five trustee areas. Map 1 shows the current boundaries of these areas. We translated the trustee areas into Census 2010 geography (Census blocks),⁴ and computed each trustee area’s population characteristics.

² See the February 9, 2011, “Guidance Concerning Redistricting Under Section 5 of the Voting Rights Act” Notice by the U.S. Justice Department, <http://federalregister.gov/a/2011-2797>.

³ Although not specifically applicable to community college districts, the legislation that created the California Citizens Redistricting Commission (-Section 2(d)(4) of Article XXI of the California Constitution) defines a community of interest as “a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.”

⁴ In order to maintain precinct geography, it was necessary to split one large census block that includes residences and population on the north side of Military Avenue in Seaside. The boundary between Trustee Areas 1 and 2 is the back property line of the homes on the north side of Military Avenue, so that homes on both sides of Military Avenue in Trustee Area 1. One census block (060530141071046) includes the north side of Military Avenue plus other residences to the north. The other residences are in Trustee Area 2, while those on Military Avenue are in Trustee Area 1. As a result, this Census block needed to be split. We used the distribution of registered voters in the split census block to allocate the Census population between Trustee Areas 1 and 2. Of the registered voters in the census block, 83.4 percent live on Military Avenue, and the other 16.6 percent live north of Military Avenue. We used these shares to allocate the block’s 591 persons (493 persons to Trustee Area 1 and 98 persons to Trustee Area 2). We assumed identical ethnic shares in both parts of the census block. All data on trustee area populations reported in this document assume this of Census block 06053041071046.

Population Equality

Census 2010 counted 128,205 people living within the MPC jurisdiction.⁵ Each of the five trustee areas would have an ideal population of 25,641, which is one-fifth of the District's total population. In actuality, trustee area populations range from 23,406 (Area 3) to 27,461 (Area 2).

Table 1 shows the population of each trustee area, its deviation from the ideal district size, and its percentage deviation from the ideal size. For example, Area 1 has a Census 2010 population of 25,828, which is (slightly) too large (187 persons). That represents a deviation of 0.7 percent from the ideal size. Area 2, with the largest population, has a deviation of 7.1 percent, while Area 3, with the smallest population, has a deviation of minus 8.7 percent.

Table 1 presents the evaluation of population equality among the trustee areas. Trustee area populations do not need to be exactly equal; the guideline is that a districting plan should not exceed a "10 percent deviation," which we define below.

There are several ways one can calculate a districting plan's deviation. One way is to measure the difference between the most and least populous trustee areas and divide by the ideal trustee area size. For MPC, the difference between Areas 2 and 3 (the most and least populous trustee areas) is 4,055. The current plan has a deviation of 15.8 percent (4,055 divided by the ideal trustee area size of 25,641).

Another way to calculate a plan's deviation is to sum the absolute values of the percentage deviations of the most and least populous trustee areas. For MPC, the least populous trustee area has a deviation of 8.7 percent while the most populous trustee area has a deviation of 7.1 percent. These deviations combine to the total of 15.8 percent deviation.

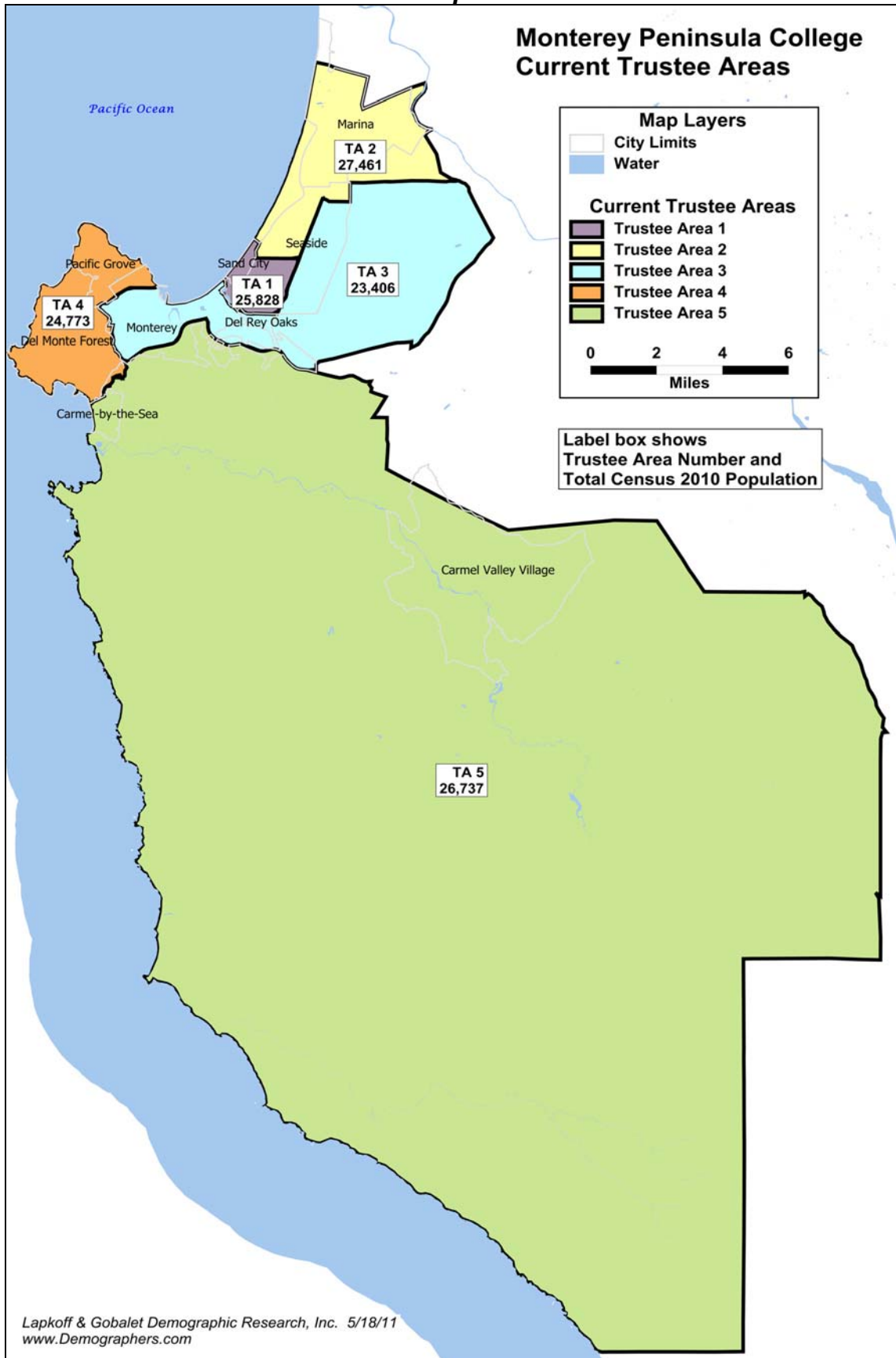
The current plan's deviation, 15.8 percent, is too high. The difference between the most and least populous trustee areas needs to be below 10 percent in order to achieve the requirement of population equality. Therefore, some boundary adjustment is needed. However, as we explain below, this adjustment could be relatively minor. The deviation could be reduced to below 10 percent by shifting a yet-to-be-defined area with about 2,000 residents from Area 2 to Area 3.

⁵ The MPC jurisdiction consists of the combination of Monterey Peninsula, Pacific Grove, and Carmel Unified School Districts.

Table 1: Trustee Area Census 2010 Population Totals

Election District	Population	Deviation	% Deviation of Each Area
Trustee Area 1	25,828	187	0.7%
Trustee Area 2	27,461	1,820	7.1%
Trustee Area 3	23,406	-2,235	-8.7%
Trustee Area 4	24,773	-868	-3.4%
Trustee Area 5	26,737	1,096	4.3%
Total	128,205		
Ideal Trustee Area Size	25,641	(one fifth of the total population)	
This Plan's Deviation	4,055	(largest minus smallest district)	
Plan Deviation	15.8%	(deviation divided by ideal trustee area size)	

Map 1



Voting Rights Act

The Federal Voting Rights Act has been interpreted to mean that if there are sufficiently numerous, geographically compact, politically cohesive, protected groups (including Hispanics, Asian Americans, and African Americans) in a jurisdiction, political subdivisions should be drawn (and adjusted) so as to permit members of these groups to elect representatives of their choice. For Voting Rights Act purposes, the population over age 18 is most relevant, since this is the group eligible to vote.

Census 2010 showed that Non-Hispanic Whites are the District's most numerous adult population group, with 64 percent of the voting age (aged 18+) population (VAP), followed by Hispanics with 18 percent, non-Hispanic Asians with 11 percent, Non-Hispanic African-Americans with five percent, and others comprising the remainder. Maps 2a and 2b, along with Table 2, show the geographical distributions of these groups.

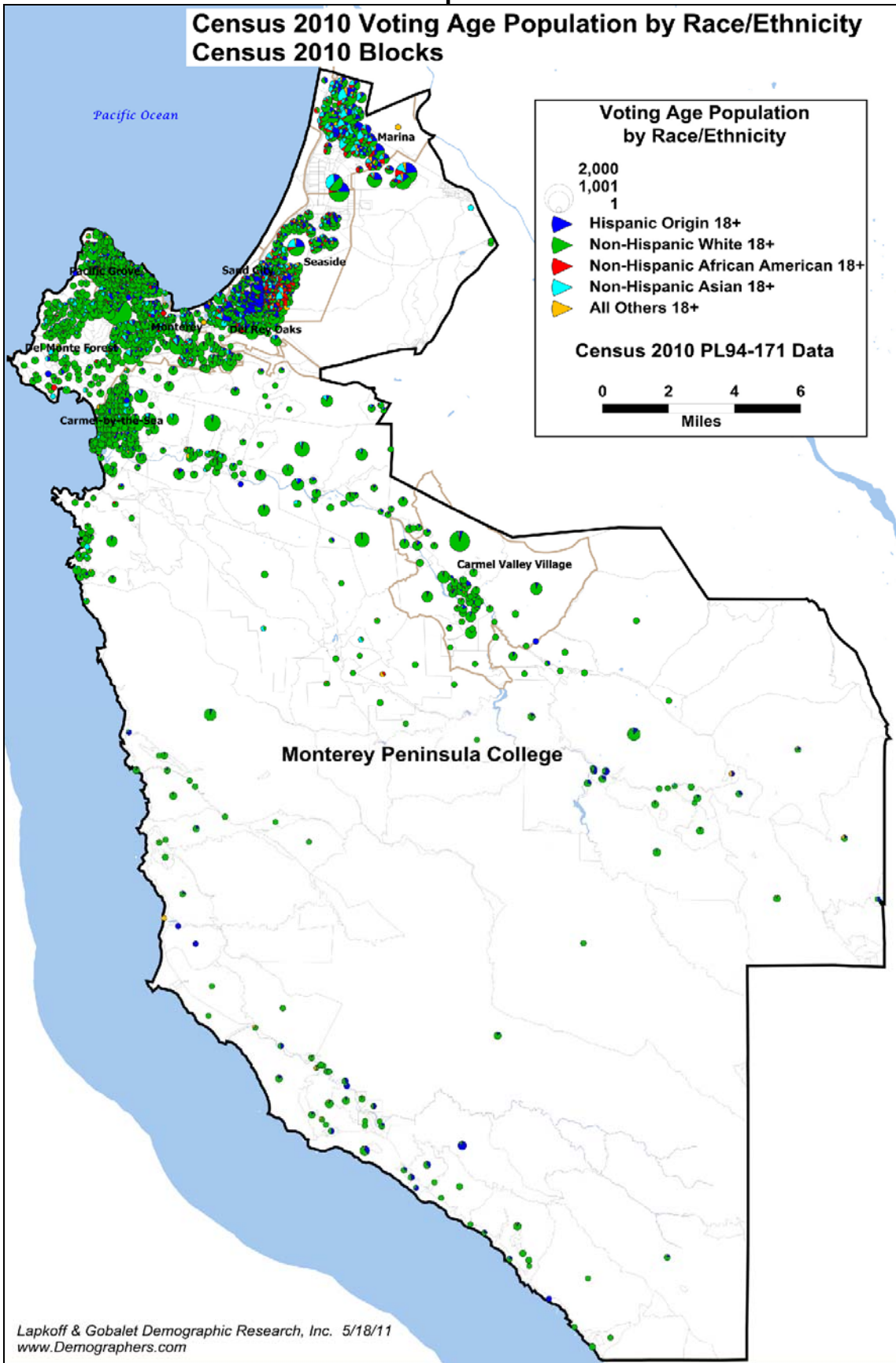
The Census 2010 enumerations show that MPC does not have a *single* protected group that is sufficiently numerous to elect representatives of choice from any current trustee area. Hispanics are a substantial minority group in Areas 1 and 2, comprising 44 and 21 percent of the voting age population (VAP), respectively. The lower citizenship rates of Hispanics compared to Whites causes their influence to be less than the VAP share would suggest.

However, the geographical concentrations of members of these protected groups in the District and the fact that the various groups live together (along with non-Hispanic Whites) in northern MPCCD communities suggest that they may qualify as a single community of interest. Representatives of these groups have made statements over the years that they, collectively, are a community of interest and are politically cohesive. The combined protected group populations comprise 70 percent of Area 1's VAP and 55 percent of Area 2's.

We geocoded the registered voters in the college district, and noted the ones with Spanish Surnames. This allowed us to develop an estimate of the number and share of registered voters in each Census block that are likely to be Hispanic. In Area 1, 20 percent of 2010 registered voters had Spanish surnames, as did 16 percent of actual voters in the November 2008 general election. Trustee Area 2 had the next largest concentration of Spanish surname voters, with 15 percent of 2010 registered voters and 14 percent of 2008 actual voters. Unfortunately, there is no way to identify African American registered voters, and the Asian surname analysis methodology is relatively untested, so that we cannot estimate the share of registered and actual voters who belong to all of the protected groups. Nevertheless, in both the current Areas 1 and 2, protected groups have large population shares.

These measurements and estimates of the VAP, registered voter, and actual voter shares that protected groups have of populations in each current trustee area will be used as the baseline against which to compare any proposed boundary modification during the redistricting process. Section 5 of the federal Voting Rights Act prohibits retrogression, and this means that any proposed modification of current trustee area boundaries, even if it results in population balance, is not legal if it reduces the voting power of protected groups. In the request that the U.S. Department of Justice preclear trustee area boundary modifications, it will be necessary to establish that those modifications are not retrogressive.

Map 2a



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Map 2b

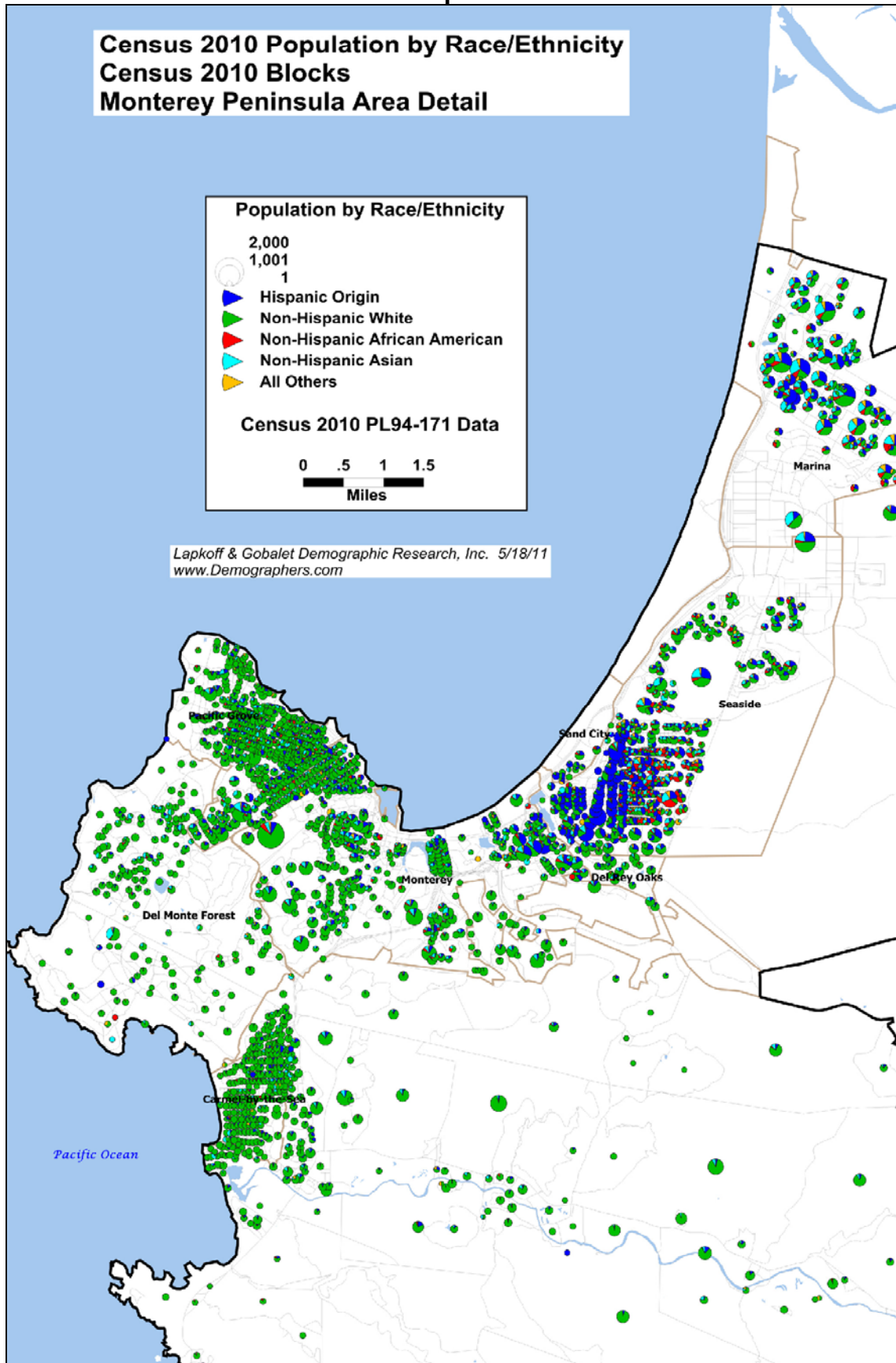


Table 2

Divisions	Population	Deviation from Ideal		Percent of Population in Each Ethnic Group								
		Number	Percent	Hispanic	NH White	NH Black	NH Indian	NH Asian	NH Hawaiian	NH Other	NH Multiple Race	Total
1	25,828	187	0.7%	51%	25%	9%	1%	10%	2%	0%	2%	100%
2	27,461	1,820	7.1%	25%	41%	8%	1%	19%	2%	0%	3%	100%
3	23,406	-2,235	-8.7%	16%	69%	3%	1%	10%	1%	0%	1%	100%
4	24,773	-868	-3.4%	10%	78%	2%	1%	8%	0%	0%	1%	100%
5	26,737	1,096	4.3%	7%	85%	1%	1%	5%	0%	0%	0%	100%
Total	128,205			22%	59%	5%	1%	11%	1%	0%	1%	100%
Ideal district size	25,641											
Smallest district	23,406											
Largest district	27,461											
% Deviation	15.8%											
Divisions	Total Pop 18+	Percent of Population 18+ in Each Ethnic Group										
		Hispanic	NH White	NH Black	NH Indian	NH Asian	NH Hawaiian	NH Other	NH Multiple Race	Total		
1	19,055	44%	30%	10%	1%	11%	2%	0%	2%	100%		
2	20,947	21%	45%	8%	1%	21%	2%	0%	2%	100%		
3	19,742	13%	72%	3%	1%	10%	0%	0%	1%	100%		
4	20,861	8%	81%	2%	1%	7%	0%	0%	0%	100%		
5	22,209	6%	88%	1%	1%	4%	0%	0%	0%	100%		
Total	102,814	18%	64%	5%	1%	11%	1%	0%	1%	100%		
Divisions	Registered Voters, 2010	2010 Registered Voters with Spanish Surnames			Voters, 2008		Voters, 2008 with Spanish Surnames					
1	9,138	20%			6728.5		16%					
2	10,857	15%			7689.5		14%					
3	10,945	8%			8511		7%					
4	15,488	6%			12535		5%					
5	17,536	4%			14802		4%					
Total	63,964	9%			50,266		8%					

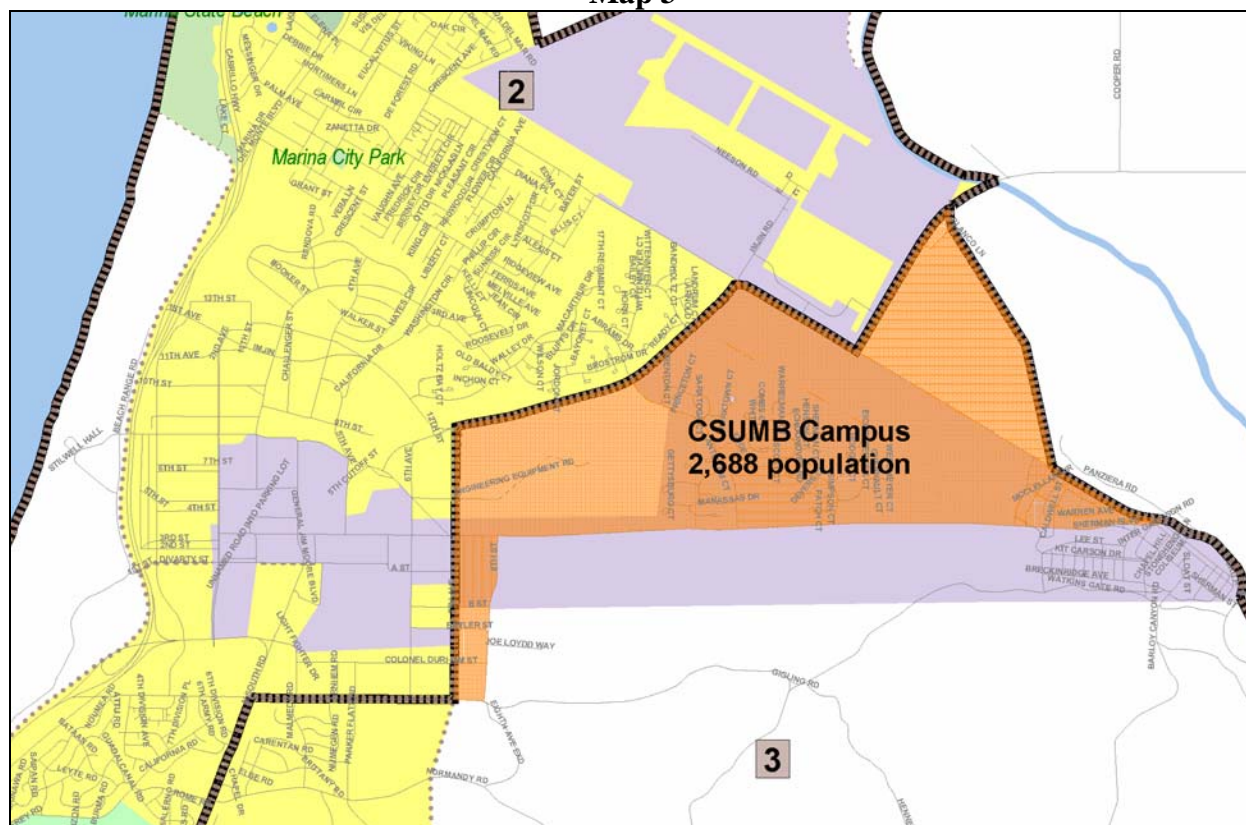
Preliminary Ideas about Adjusting Boundaries

Relatively small changes will be needed to balance MPC's trustee area populations. If approximately 2,000 people were moved from Area 2 to Area 3, the plan's deviation would drop below 10 percent. However, it is necessary to decide which area to move.

Option 1: Move main CSUMB campus from Area 2 to Area 3 (Map 3).

One approach would shift 2,688 persons from Area 2 to Area 3, reducing the current plan's deviation to 7.6 percent, well below the 10 percent maximum. The area that could be moved is shaded orange in Map 3, and it is the main part of the CSUMB campus.

Map 3

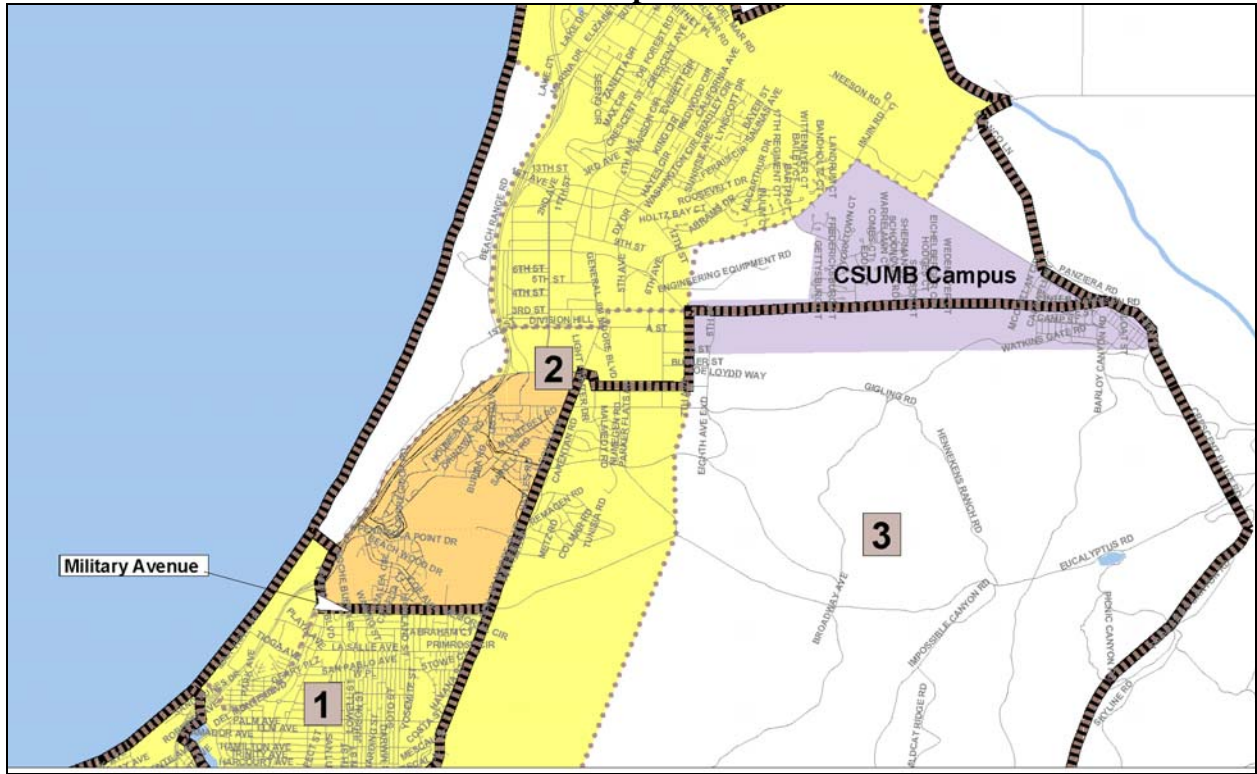


Option 2: Move some area north of Military Avenue from Area 2 to Area 3 (Map 4).

A second option might be to move some territory in the former Fort Ord portion of the city of Seaside from Area 2 to Area 3. This area gained substantial population between 2000 and 2010. It now is home to 4,602 persons and includes the Seaside Highlands housing development (just north of the north-side-of-Military Avenue homes). If about half of the population in this area was moved from Area 2 to Area 3, and no other changes were made, the plan deviation would drop below 10 percent.

The area that is shaded orange in Map 4 contains 4,602 persons. It is currently part of Area 2. Some of this territory (perhaps the southernmost portion) might be moved from Area 2 to Area 3.

Map 4



Appendix

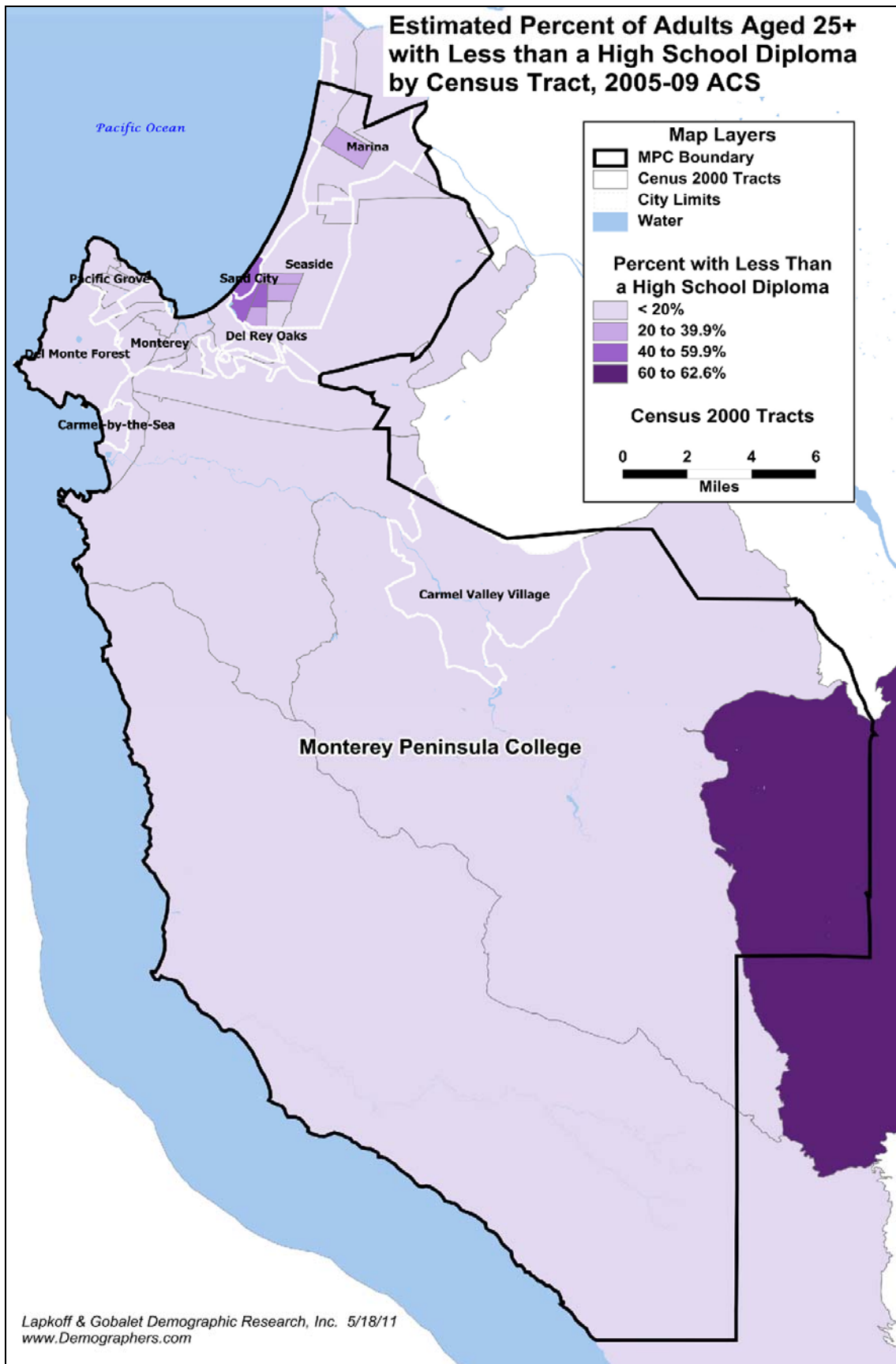
Background Maps Suggesting Some Possible Communities of Interest in Monterey Peninsula Community College District

Data from the U.S. Census Bureau: 2005-09 American Community Survey (ACS)

- Page 12. Educational Attainment: Estimated Percent of Adults Aged 25+ with Less than a High School Diploma by Census Tract, 2005-09 ACS
- Page 13. Educational Attainment: Estimated Percent of Adults Aged 25+ with an Associate's Degree or More by Census Tract, 2005-09 ACS
- Page 14. Educational Attainment: Estimated Percent of Adults Aged 25+ with a Bachelor's Degree or More by Census Tract, 2005-09 ACS
- Page 15. Population Age Structure: Estimated Median Age of the Population by Census Tract, 2005-09 ACS
- Page 16. Estimated Citizenship Rate by Census Tract, 2005-09 ACS (population of all ages)
- Page 17. Estimated Median Household Income by Census Tract, 2005-09 ACS (population of all ages)

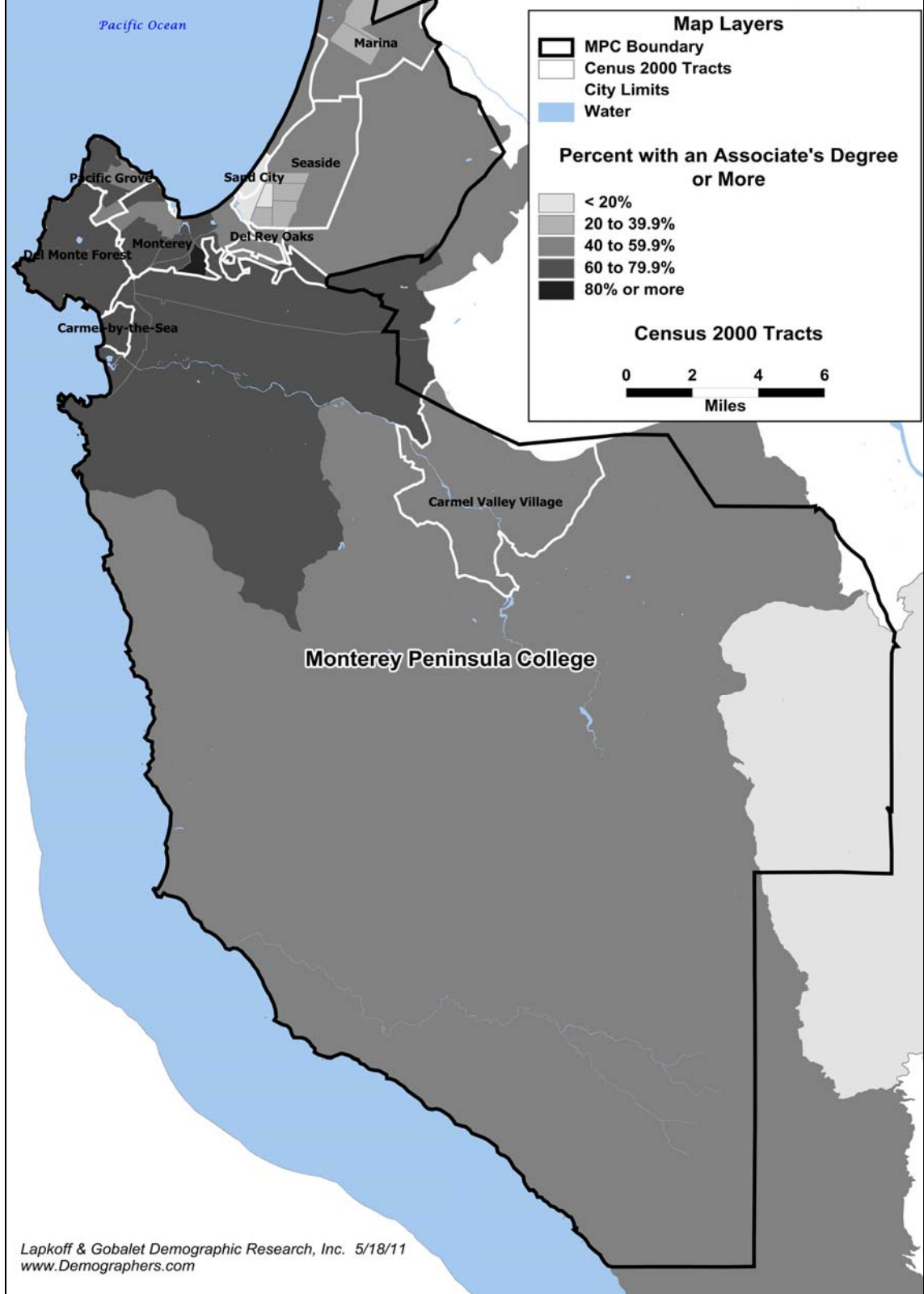
All maps show city limits because cities and unincorporated communities are possible communities of interest

Estimated Percent of Adults Aged 25+ with Less than a High School Diploma by Census Tract, 2005-09 ACS



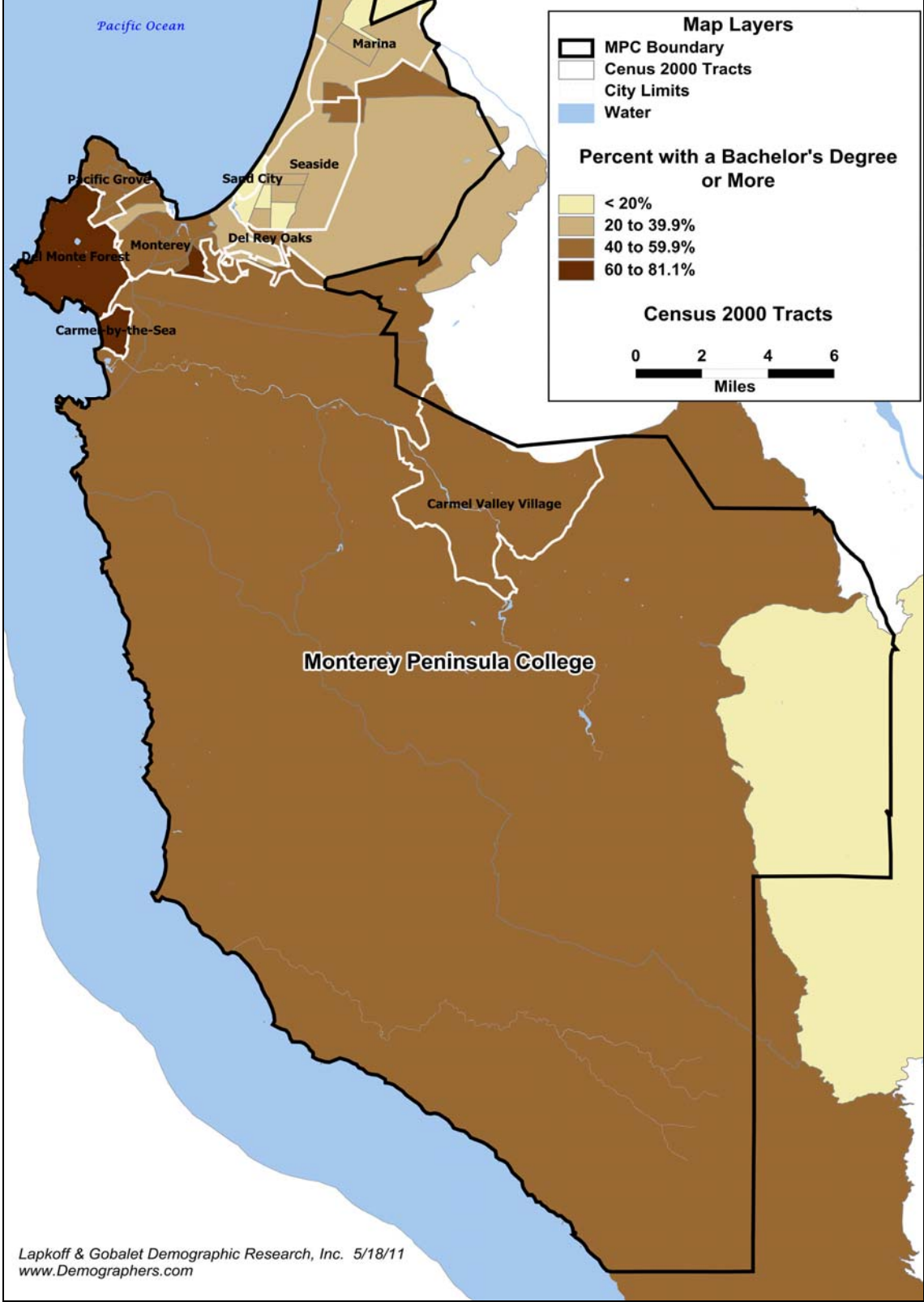
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Estimated Percent of Adults Aged 25+ with an Associate's Degree or More by Census Tract, 2005-09 ACS

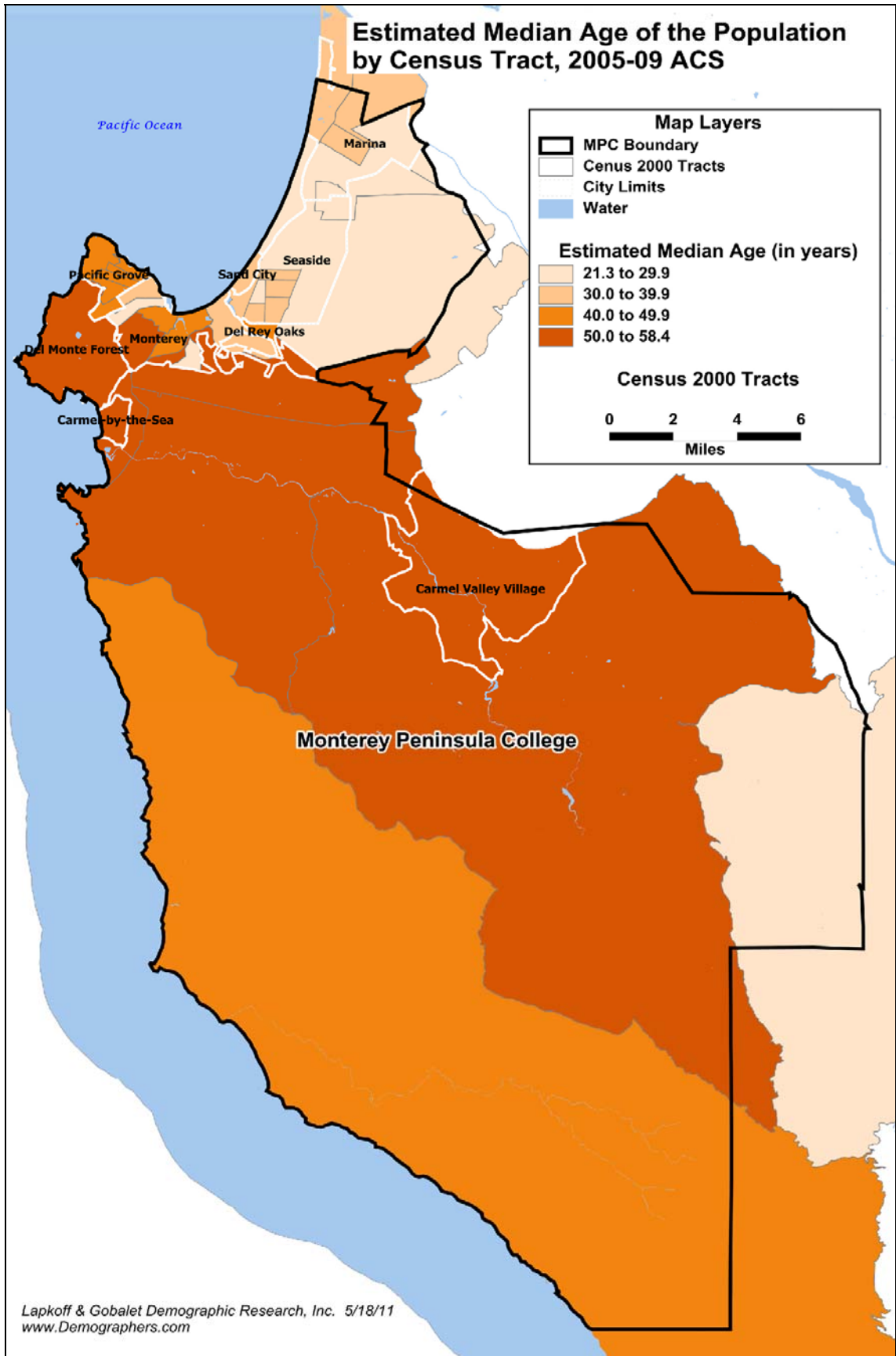


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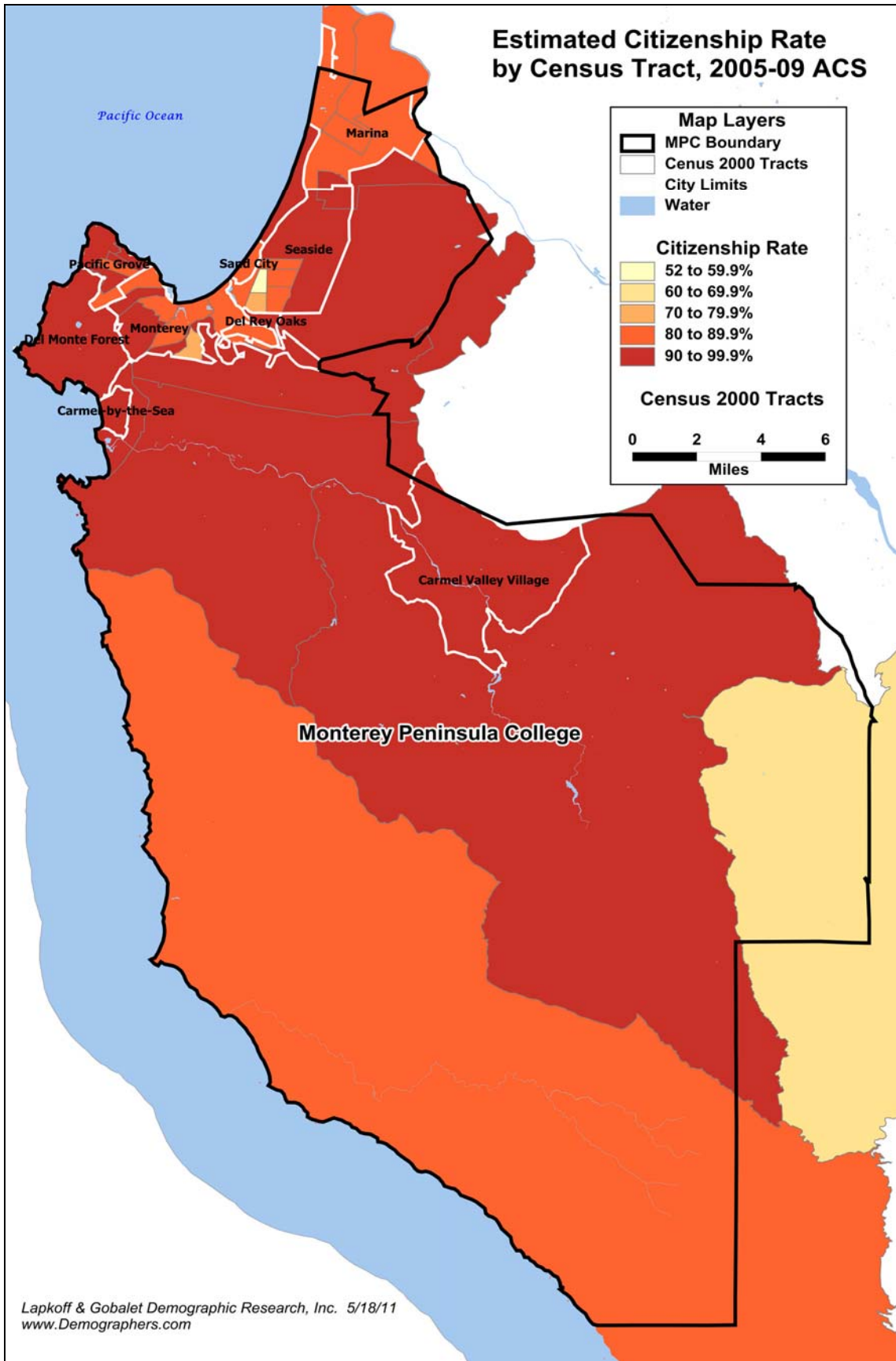
Estimated Percent of Adults Aged 25+ with a Bachelor's Degree or More by Census Tract, 2005-09 ACS



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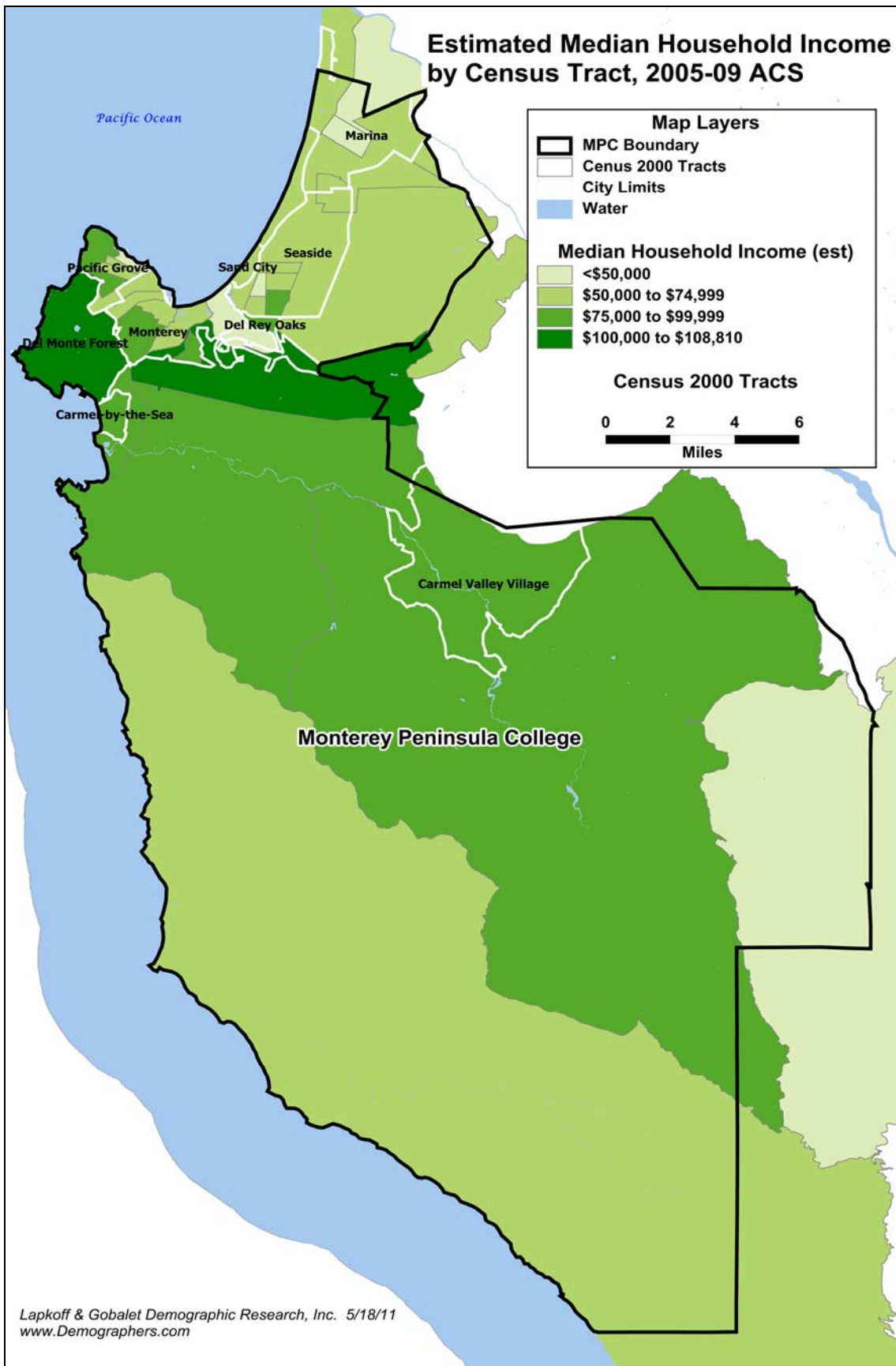


Estimated Citizenship Rate by Census Tract, 2005-09 ACS



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Estimated Median Household Income by Census Tract, 2005-09 ACS



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