

Pursuant to Art. 1, Section 2 of the U.S. Constitution, as well as Section 2 of the Federal Voting Rights Act of 1965, Districts must comply, as much as practicable, with “one-person, one-vote.” To that end deviations in excess of ten percent are acceptable only on a showing of justification by the State; deviations less than that ten percent require no justification and are deemed to be within a valid range. *Gaffney v. Cummings*, 412 U.S. 735 (1973).

2021 Single-Member Board Redistricting Guiding Principles

*****REQUIRED*****

Florida Statute 1001.36 states:

- Changes to school board member residence areas shall, as nearly as practicable, be equal in population, and;
- Changes to school board member residence areas shall be made only in odd-numbered years, and;
- That no change which would affect the residence qualifications of an incumbent member shall disqualify such incumbent member during the term for which he or she is elected, and;
- Seven district school board member residence areas. The electorate approved the school board to be comprised of nine members, seven of whom are to be elected from a single-member residence area by electors residing in the single-member residence area only, and two of whom are to be elected at-large.

Compliance with Public Law 89-110 Voting Rights Act of 1965 states that no voting qualifications or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color as amended and interpreted through case law.

The following Florida Constitutional provisions may also be considered when drawing new districts.

- a) No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice; and, shall consist of contiguous territory.
- b) Unless compliance with the standards in this subsection conflicts with the standards in subsection 1(a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and, districts shall, where feasible, utilize existing political and geographical boundaries.
- c) The order in which the standards within subsections 1(a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.

Guiding Principles Important to Broward School District:

- Alignment of single-member districts with high school innovation zones allows school communities to be represented by one board member with minimal disruption whenever possible.
- Alignment of single-member districts with equal numbers of schools within a district.
- Whenever possible maintain the existing geographic area population diversity within single-member districts.
- Preservation of communities of interest, including man-made boundaries, and municipal boundaries whenever possible.

**RESOLUTION #22-03
OF THE BROWARD COUNTY SCHOOL BOARD**

WHEREAS, Section 1001.36, Florida Statutes, provides that “Any district school board may make any change that it deems necessary in the boundaries of any district school board member residence area at any meeting of the district school board, provided that such changes shall be made only in odd-numbered years”; and

WHEREAS, certain provisions of the Florida Constitution require that the boundaries of legislative districts and county commission districts be reconfigured after each decennial census; and

WHEREAS, the federal government has completed the 2020 census and will be providing the Broward County School Board with the county’s population figures; and

WHEREAS, based on those 2020 census population numbers, the seven representative single-member districts for the Broward County School Board may no longer be equally proportioned and must have balanced populations to comply with the established legal principles regarding the distribution of population within the County; and

WHEREAS, the Broward County School Board has decided to authorize the District staff to procure a professional services contract with a four-year college or university to obtain services of outside legal counsel consultant(s) specializing in redistricting process and election law, and redistricting database mapping expert(s) for the purpose of 1) assisting with the complexities for the redistricting process; and 2) reviewing and advising the Board on the legal repercussions related to proposed legislation to recommend any necessary or desirable changes to the boundaries of the School Board districts based on the 2020 census; and

WHEREAS, the Broward County School Board recognizes the paramount importance of reapportionment in the School Board’s effort to comply with the “one person - one vote” principle; and

WHEREAS, Section 1001.36, Florida Statutes, also provides that “no change that would affect the residence qualifications of any incumbent member shall disqualify such incumbent member during the term for which he or she is elected”; and

WHEREAS, the Broward County School Board intends to adopt a reapportionment plan such that the seven single-member school board districts will continue to be contiguous and compact territories that are as nearly equal in population as practicable, while taking into consideration the geography of the neighborhoods, including man-made boundaries, municipal boundaries and current school attendance zones and the demographics of the county while preserving communities of interests and while avoiding the disqualification of any incumbent school board member for the duration of any term; and


WHEREAS, the Broward County School Board intends to adopt the redistricting plan in 2021 to allow the public, prospective candidates and the Broward County Supervisor of Elections ample time to observe and familiarize themselves with the newly created districts for the 2022 school board member elections; and

WHEREAS, the Broward County School Board desires that the reapportionment process be conducted in an open, public and fair forum in which all Broward County residents have a right to participate; and


NOW THEREFORE BE IT RESOLVED THAT the Broward County School Board moves for approval of the following items with respect to the 2021 Broward County School Board Redistricting review process:

SECTION 1. ADVISORY NATURE OF THE CONSULTANT. The recommendations of the Consultant are advisory only and are subject to such revisions and amendments as the School Board may elect. Failure by the Consultant to submit its recommendations by the first regular School Board meeting in December 2021, and failure by the School Board to adopt a redistricting plan before the conclusion of 2021, shall not affect the validity of the redistricting plan in any respect.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective upon adoption by the Broward County School Board. As approved by a vote of the Broward County School Board on this 17th day of August of 2021.



Dr. Rosalind Osgood, Chair
School Board of Broward County



Dr. Vickie L. Cartwright, Interim Superintendent
Broward County Public Schools