

VOTING RIGHTS ACT LITIGATION

ELIZONDO V. SBISD

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PRESENTATION AGENDA

- School Board Configurations in Texas
- The Voting Rights Act
- Lawsuit History
- The Court's Decision
- Remedial Plan
- Timeline
- Insurance
- Questions?

SCHOOL BOARD CONFIGURATIONS IN TEXAS

- SBISD has 7 total trustee positions
- Permissible configurations under state law include:
 - 7 at-large positions (current configuration)
 - 5 single-member district positions and two at-large positions
 - 7 single-member district positions

SINGLE-MEMBER DISTRICTS / AT-LARGE

- At-large:
 - Trustees can live anywhere in SBISD and run for any one of the 7 at-large positions
 - Examples of at-large systems:
 - US Senators are elected by at-large vote within each state
 - Texas Governor is elected by the at-large vote in Texas
 - SBISD trustees are currently elected at-large
- Single-member districts:
 - Trustee positions are designated by geographic region within the school district
 - School Board trustees are eligible to run only for the position designated for the single-member district in which they live
 - Examples of SMD systems:
 - US Congresspersons are elected from SMD's within each state
 - Members of the Texas House are elected from SMD's within Texas

THE VOTING RIGHTS ACT

- The Voting Rights Act prohibits any voting practice or procedure that discriminates on the basis of race, color, or membership in a language minority group.
- The US Supreme Court has interpreted the VRA to prohibit any electoral system (including an at-large election system) that prevents minority groups from electing candidates of their choice.

THE VOTING RIGHTS ACT

- Basic claim: at-large systems dilute minority votes
- Simple example:
 - Minority group A is 30% of the population
 - 100% of minority group A votes for Candidate Carl
 - Majority group B is 70% of the population
 - 100% of majority group B votes for Trustee Tommy
 - Under these facts, Trustee Tommy will always win 70%-30% in the at-large system
- Every VRA lawsuit is different because every community is different

LAWSUIT HISTORY

- Virginia Elizondo filed suit in 2021
- Vote dilution claim arguing that SBISD's at-large system violated the Voting Rights Act by diluting the votes of Hispanic voters
- Requested a court order requiring SBISD to transition to a single-member district system

COURT'S DECISION






- Week-long trial in Fall of 2024
- Plaintiff prevailed
- Court issued 100+ page opinion on April 28, 2025
 - SBISD's May, 2025 Trustee elections were permitted to proceed as planned
 - SBISD may not conduct future elections under the at-large system
 - By June 6, SBISD was required to submit a proposed SMD map (remedial plan) to the Court

REMEDIAL PLAN REQUIREMENTS

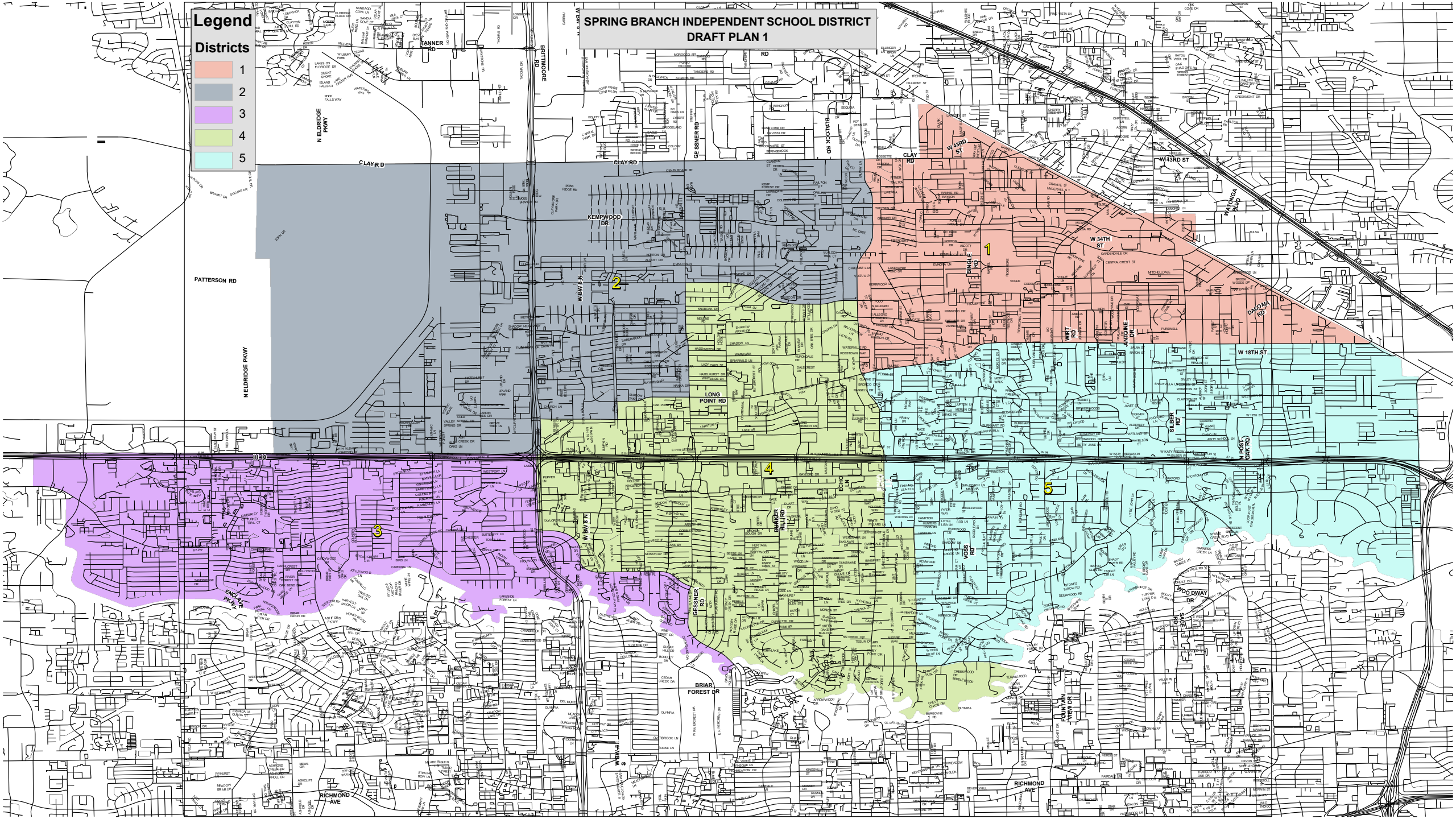
- 5-2 or 7-0
- Must include at least one CVAP Hispanic-majority SMD
- SMD's must respect “communities of interest” and adhere to “traditional redistricting principles”
 - Relatively equal population in each SMD (Approx. 36,000)
 - Respect neighborhoods, census blocks, major roadways
 - No strange lines / gerrymandering
- SBISD must go through this process before it can appeal

Legend

Districts

	1
	2
	3
	4
	5

**SPRING BRANCH INDEPENDENT SCHOOL DISTRICT
DRAFT PLAN 1**



SPRING BRANCH INDEPENDENT SCHOOL DISTRICT

2020 CENSUS TOTALS

Trustee District	TOTAL POPULATION						TOTAL POPULATION PERCENTAGES					
	Anglo	Asian	Black	Hispanic	Other	Total	Anglo	Asian	Black	Hispanic	Other	Total
1	5,852	1,517	1,642	26,660	758	36,429	16.1%	4.2%	4.5%	73.2%	2.1%	100.0%
2	12,524	2,901	2,412	18,779	1,192	37,808	33.1%	7.7%	6.4%	49.7%	3.2%	100.0%
3	20,247	4,214	3,046	5,981	1,666	35,154	57.6%	12.0%	8.7%	17.0%	4.7%	100.0%
4	16,420	4,294	1,238	14,042	1,407	37,401	43.9%	11.5%	3.3%	37.5%	3.8%	100.0%
5	21,378	3,228	1,321	9,239	1,379	36,545	58.5%	8.8%	3.6%	25.3%	3.8%	100.0%
TOTALS	76,421	16,154	9,659	74,701	6,402	183,337	41.7%	8.8%	5.3%	40.7%	3.5%	100.0%

5 DIST AVG 36,667 7.5% Percent Differential *

Trustee District	VOTING AGE POPULATION (VAP) PERCENTAGES						CITIZEN VOTING AGE POPULATION (CVAP) PERCENTAGES					
	Anglo	Asian	Black	Hispanic	Other	Total	Anglo	Asian	Black	Hispanic	Other	Total
1	19.6%	5.0%	4.7%	68.7%	1.9%	100.0%	34.8%	5.4%	7.3%	51.4%	1.1%	100%
2	37.4%	8.9%	6.2%	44.8%	2.7%	100.0%	57.6%	5.9%	6.2%	29.4%	0.9%	100%
3	59.1%	12.3%	8.7%	16.1%	3.7%	100.0%	67.8%	6.5%	8.5%	15.5%	1.8%	100%
4	46.9%	12.0%	3.6%	34.4%	3.1%	100.0%	61.4%	11.8%	3.1%	22.8%	0.8%	100%
5	60.8%	9.0%	3.7%	23.5%	3.0%	100.0%	69.5%	6.1%	5.5%	16.5%	2.4%	100%
TOTALS	44.7%	9.4%	5.4%	37.7%	2.9%	100.0%	58.2%	7.1%	6.1%	27.1%	1.4%	100%

VAP: Voting Age Population

SOURCE: Total Population and Voting Age Population summarized from 2020 Census PL 94-171 Redistricting Data at the block level.


Citizen Voting Age Population data was extrapolated from 2010 Block Group Data using the 2015-2019 American Community Survey

FEEDER PATTERNS


- SMD's DO NOT trace school feeder patterns
- There is no “Stratford” representative or “Northbrook” representative; All trustees represent the entire SBISD
- If feeder patterns change, SMD's do not change
- SMD's only change in response to population shifts
 - Ex: large increase in population in one SMD due to new housing development
 - Redistricting may occur in response to census data (federal 10-year census)


SPRING BRANCH INDEPENDENT SCHOOL DISTRICT DRAFT PLAN 1

Legend


 High Boundaries


Districts

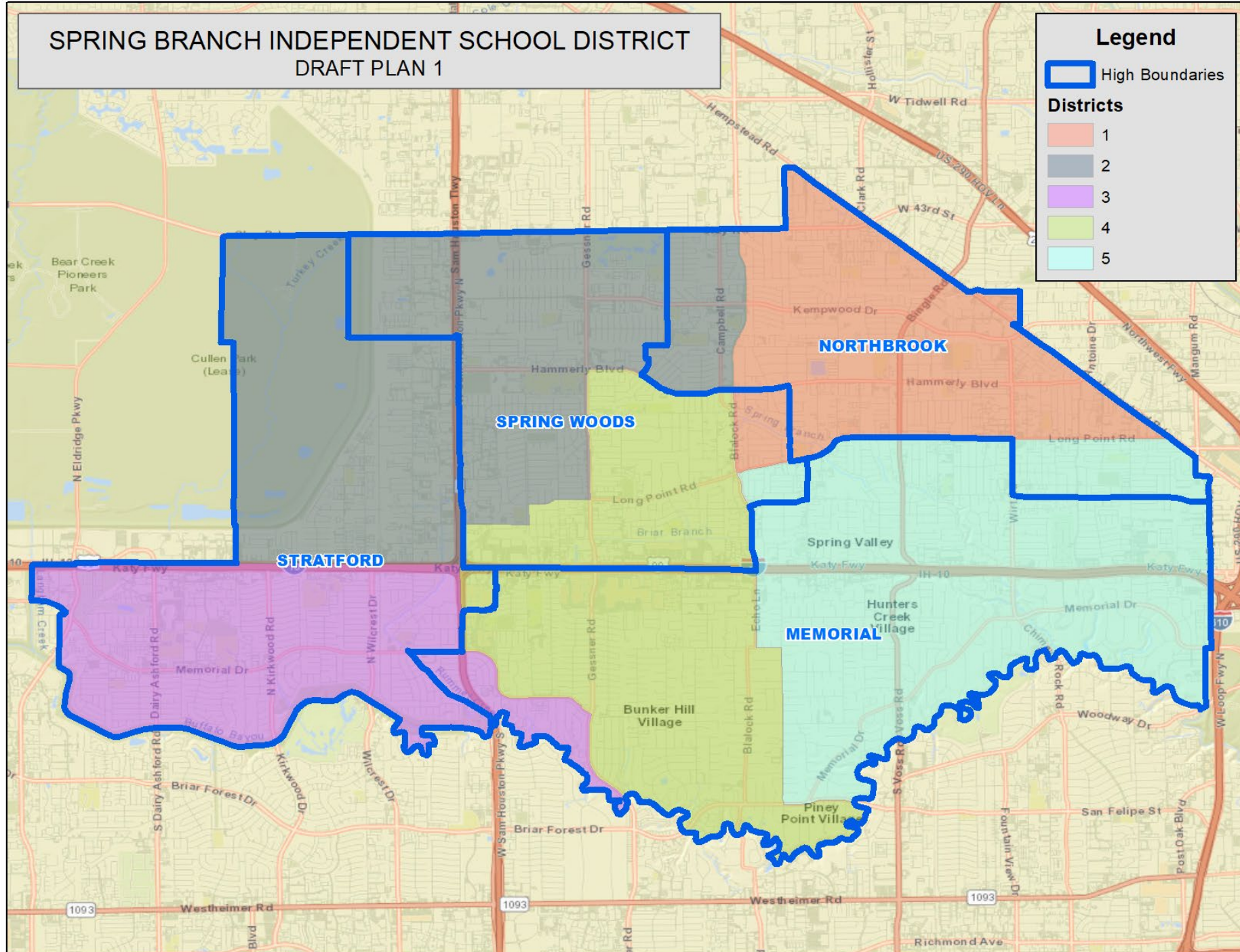
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TIMELINE

- Submit remedial plan to Court by June 6 (done)
- Plaintiff may object to remedial plan
- SBISD may respond to Plaintiff's objections
- Court will issue a FINAL ORDER approving remedial plan
- SBISD may then appeal the FINAL ORDER
- Appeal to the 5th Circuit Court of Appeals (New Orleans)
- Appeal does not automatically “stay” (pause) the remedial plan
- SBISD will adopt a plan for timing future elections (SMD I in May 2026)
- Court of Appeals timeline is within Court's discretion

INSURANCE

- TASB Risk Pool is paying SBISD's attorneys' fees at the trial court AND on appeal
- SBISD paid its deductible long ago
- SBISD will not be out-of-pocket for its own attorneys' fees moving forward

QUESTIONS?



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