

WAKE COUNTY BOARD OF EDUCATION
March 15, 2022

**RESOLUTION ADOPTING NEW ELECTION
DISTRICT BOUNDARIES AND MAKING SUGGESTIONS TO THE BOARD
OF ELECTIONS REGARDING THE METHOD OF ELECTING BOARD
MEMBERS**

WHEREAS, the Wake County Board of Education includes nine members elected from nine single-member districts; and

WHEREAS, the nine election districts are subject to the constitutional and statutory requirement of one-person/one-vote; and

WHEREAS, the Board of Education has recently received and reviewed the population of the districts as determined by the 2020 federal census; and

WHEREAS, the Board of Education has determined that the population of the districts is out of balance and that the boundaries of the districts need to be altered to provide equal representation; and

WHEREAS, the Board of Education is authorized and required by North Carolina General Statutes 115C-37(i) to revise its district boundaries to correct population imbalances shown by a federal census; and

WHEREAS, on September 21 and December 7, 2021, and February 1, 2022, the Board of Education, meeting in public session, discussed the redistricting process and reviewed and considered alternative plans for redistricting; and

WHEREAS, on February 16, 22, and 23, 2022, the Board of Education held public engagement sessions to receive comments on proposed Options A, B, and C; and

WHEREAS, on March 1, 2022, the Board requested that certain changes be made to Option B; and

WHEREAS, on March 9, 2022, the Board determined that "Option B4" was the preferred plan of the Board and would satisfy the requirements of one-person/one-vote; and

WHEREAS, the Board of Education understands and acknowledges that the method for electing Board members is distinct from the redrawing of election districts and that the authority to determine the method of election rests with the General Assembly; and

WHEREAS, in 2013, the General Assembly passed Session Law 2013-110, which modified the method for electing members to the Board of Education; and

WHEREAS, litigation was brought to challenge the constitutionality of Session Law 2013-110; and

WHEREAS, the districts created by Session Law 2013-110 were ultimately found to be unconstitutional; and

WHEREAS, the remainder of Session Law 2013-110 was not found to be unconstitutional; and

WHEREAS, to give the General Assembly the opportunity to enact a constitutional plan, the United States District Court for the Eastern District of North Carolina adopted an interim remedial order; and

WHEREAS, that order had all nine seats stand for election for two-year terms in 2020; and

WHEREAS, that interim remedial order expired upon either the adoption of a constitutional plan by the General Assembly, or upon the return of the 2020 census; and

WHEREAS, the General Assembly has not adopted a new plan; and

WHEREAS, the 2020 census has been returned and the Board has redrawn its districts as required by law; and

WHEREAS, in open session at its March 1, 2022, meeting, the Board discussed how best to interpret the remaining portions of Session Law 2013-110 that still govern the method of electing Board members; and

WHEREAS, the Board offers the following best legal interpretation to the Wake County Board of Elections:

- Non-partisan plurality method elections with four-year staggered terms in even years.
- While the Board acknowledges that nothing in the law specifically addresses how to achieve a stagger moving forward, the Board suggests that the Board of Elections consider the following method:
 - In 2022, Districts 1, 2, 7, and 9 could be elected for four-year (longer) terms since they received three-year (shorter) terms under Session Law 2013-110.
 - In 2022, Districts 3, 4, 5, 6, and 8 could be elected for two-year (shorter) terms since they received five-year (longer) terms under Session Law 2013-110.
 - Subsequently, all elections would be for four-year terms.

NOW, THEREFORE, BE IT RESOLVED by the Wake County Board of Education as follows:

1. The boundaries of the nine districts for election of the Wake County Board of Education are altered to follow the lines depicted on the attached maps (Attachment 1) entitled Option B4.
2. The attached maps have been prepared using United States Census Bureau data and the district boundaries have been drawn to follow the boundaries of census voting districts, which are representations of 2020 election precincts composed of census blocks. A list of the voting districts in each district is attached for reference (Attachment 2) and to resolve any issue that might arise concerning the boundaries of the districts.
3. The new district boundaries shall be used for the next election of Board members and for each subsequent election until the boundaries are altered according to law.
4. A copy of this resolution and the map showing the district boundaries shall be retained in the office of the Superintendent.

5. Maps and information about the new district boundaries shall be provided to the Wake County Board of Elections with the request that the Board notify residents of the Wake County Schools administrative school unit of changes in the districts in which they vote.
6. The Board of Education offers the following legal interpretations to the Wake County Board of Elections regarding the method of electing Board members:
 - Non-partisan plurality method elections with four-year staggered terms in even years.
 - It is suggested that in 2022, Districts 1, 2, 7, and 9 could be elected for four-year (longer) terms since they received three-year (shorter) terms under Session Law 2013-110.
 - It is suggested that in 2022, Districts 3, 4, 5, 6, and 8 could be elected for two-year (shorter) terms since they received five-year (longer) terms under Session Law 2013-110.
 - Subsequently, all elections would be for four-year terms.

ADOPTED this 15th day of March 2022.

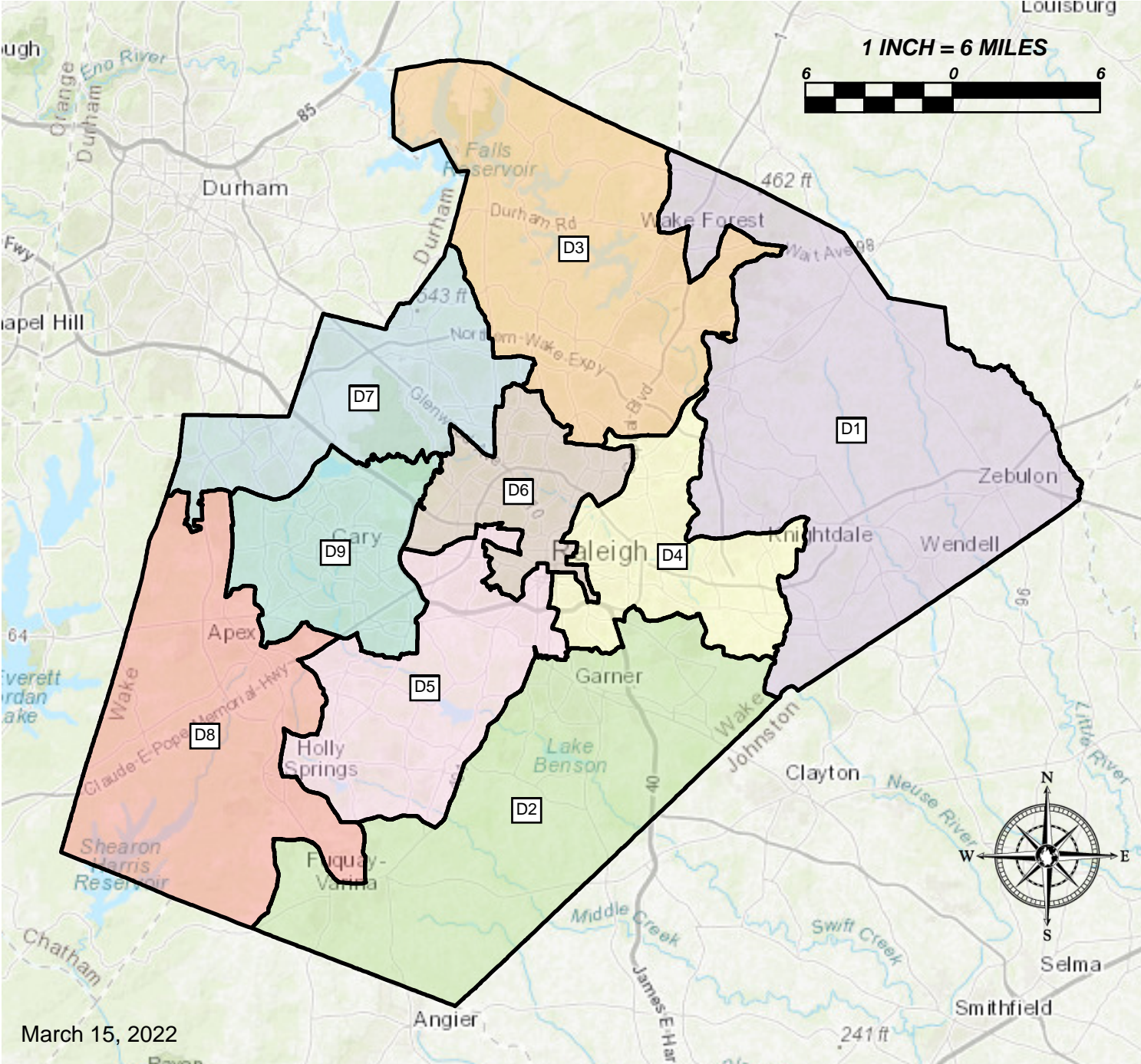
Lindsay Mahaffey, Chair
Wake County Board of Education

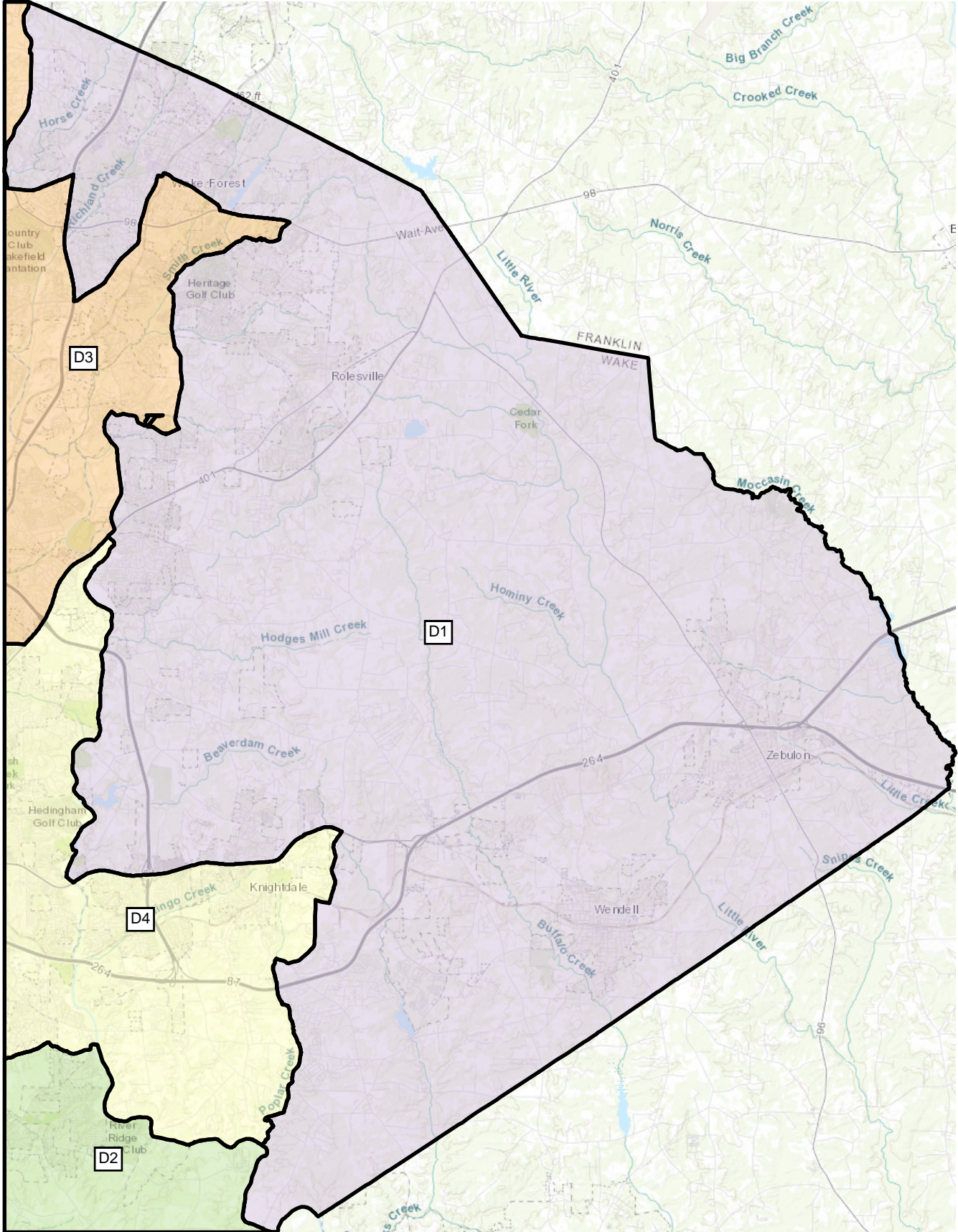
ATTEST:

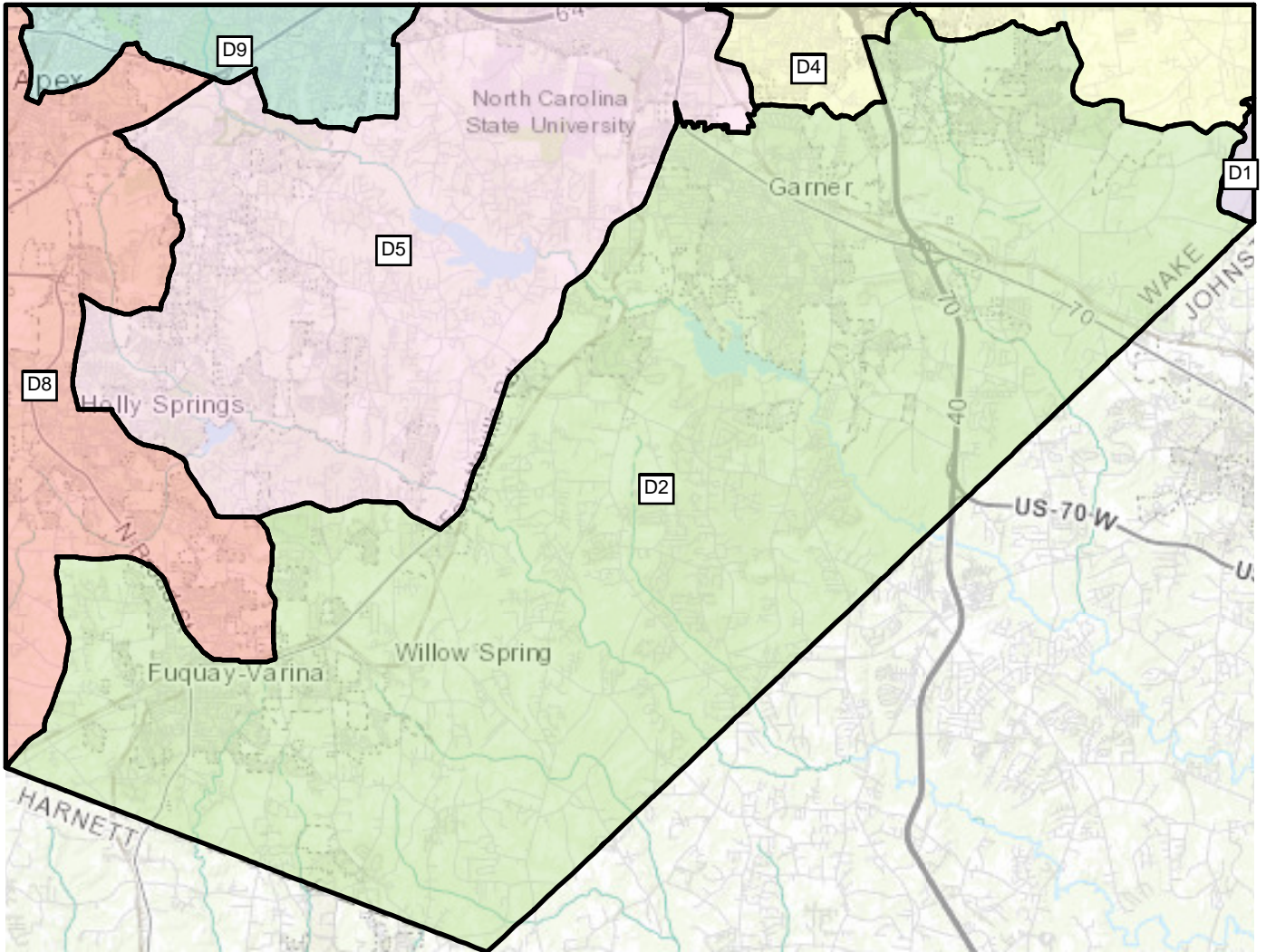
Cathy Q. Moore, Superintendent

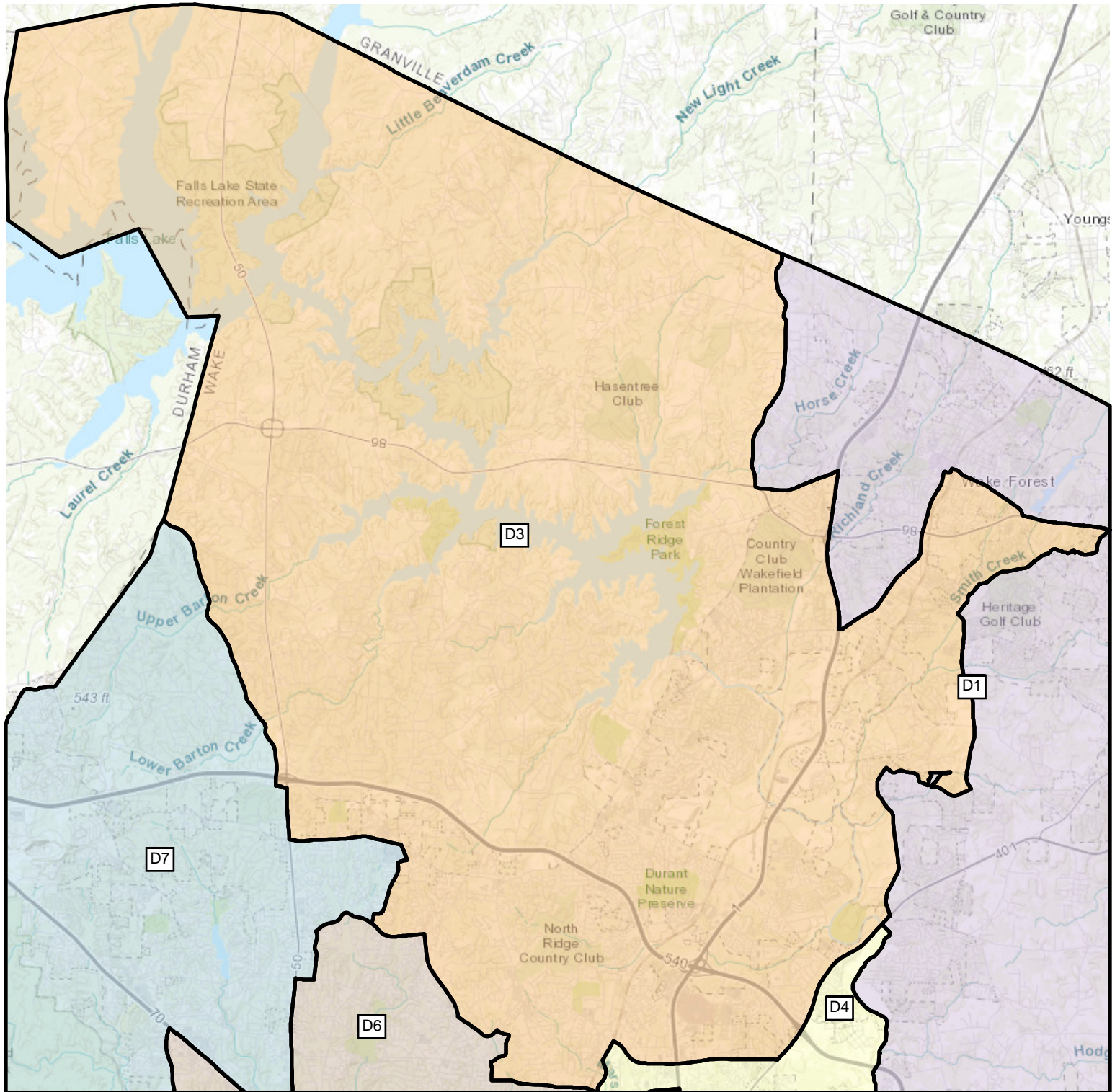
Attachment 1

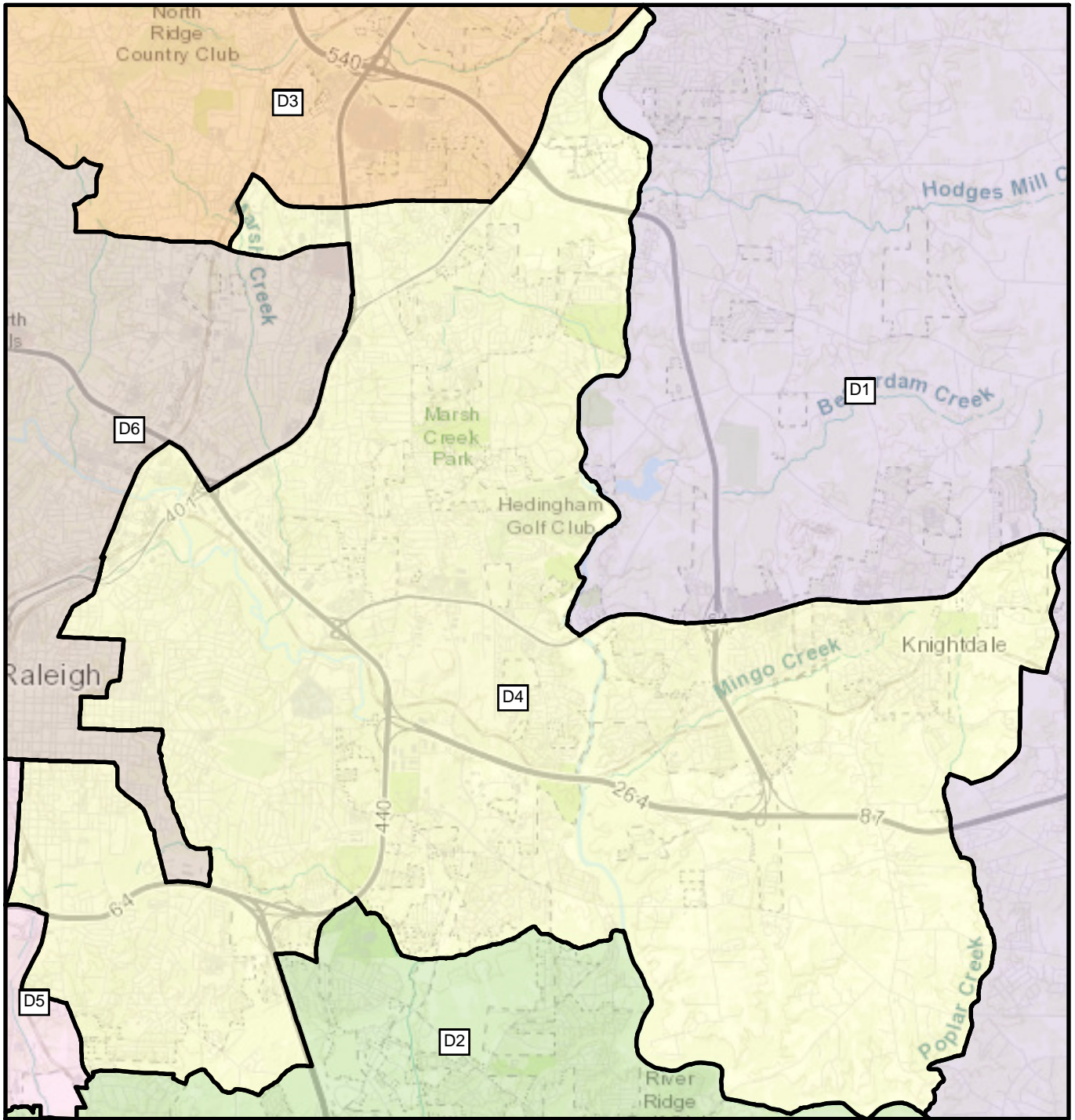
WCPSS Board of Education Redistricting Plan Option B4

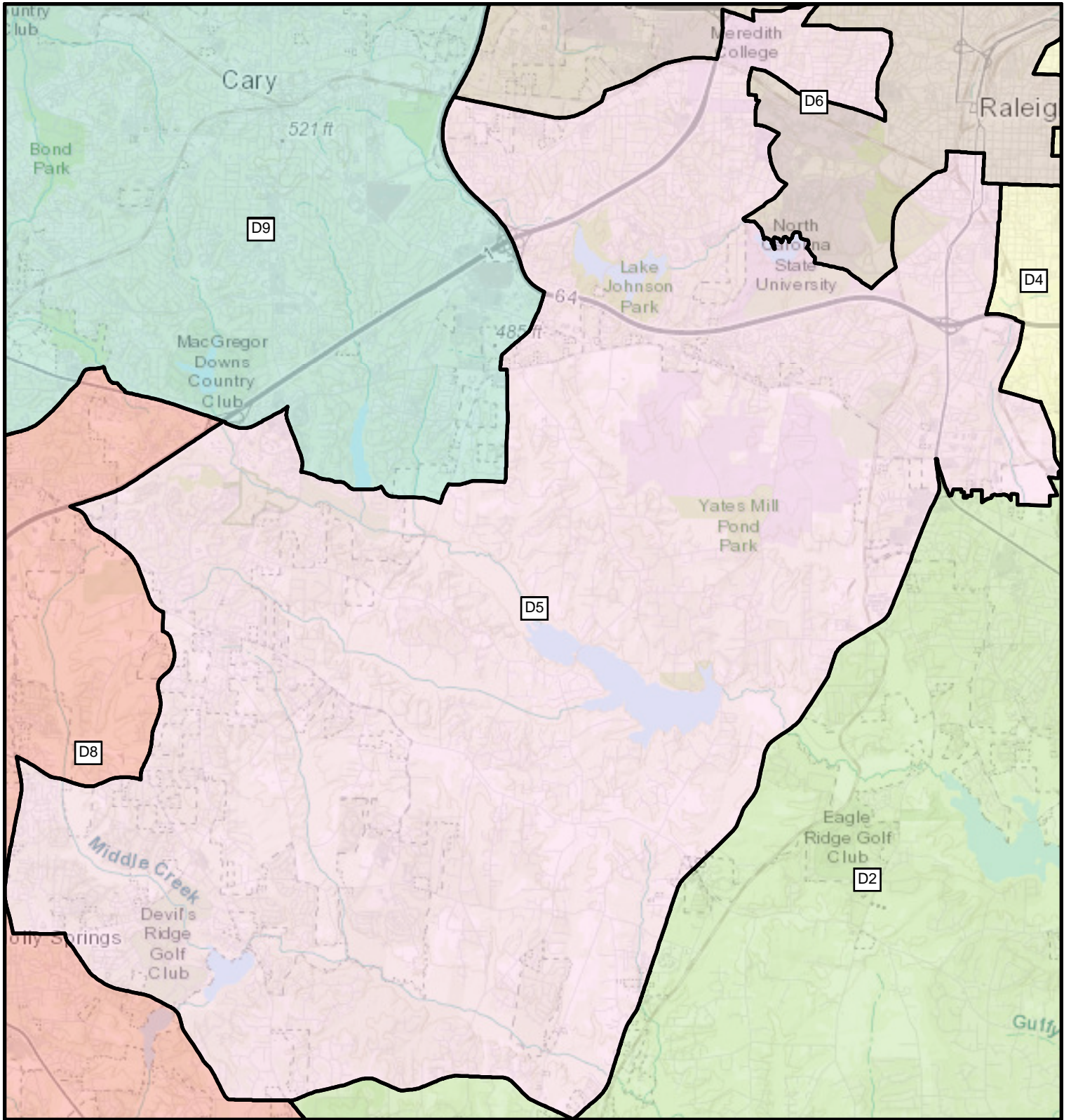


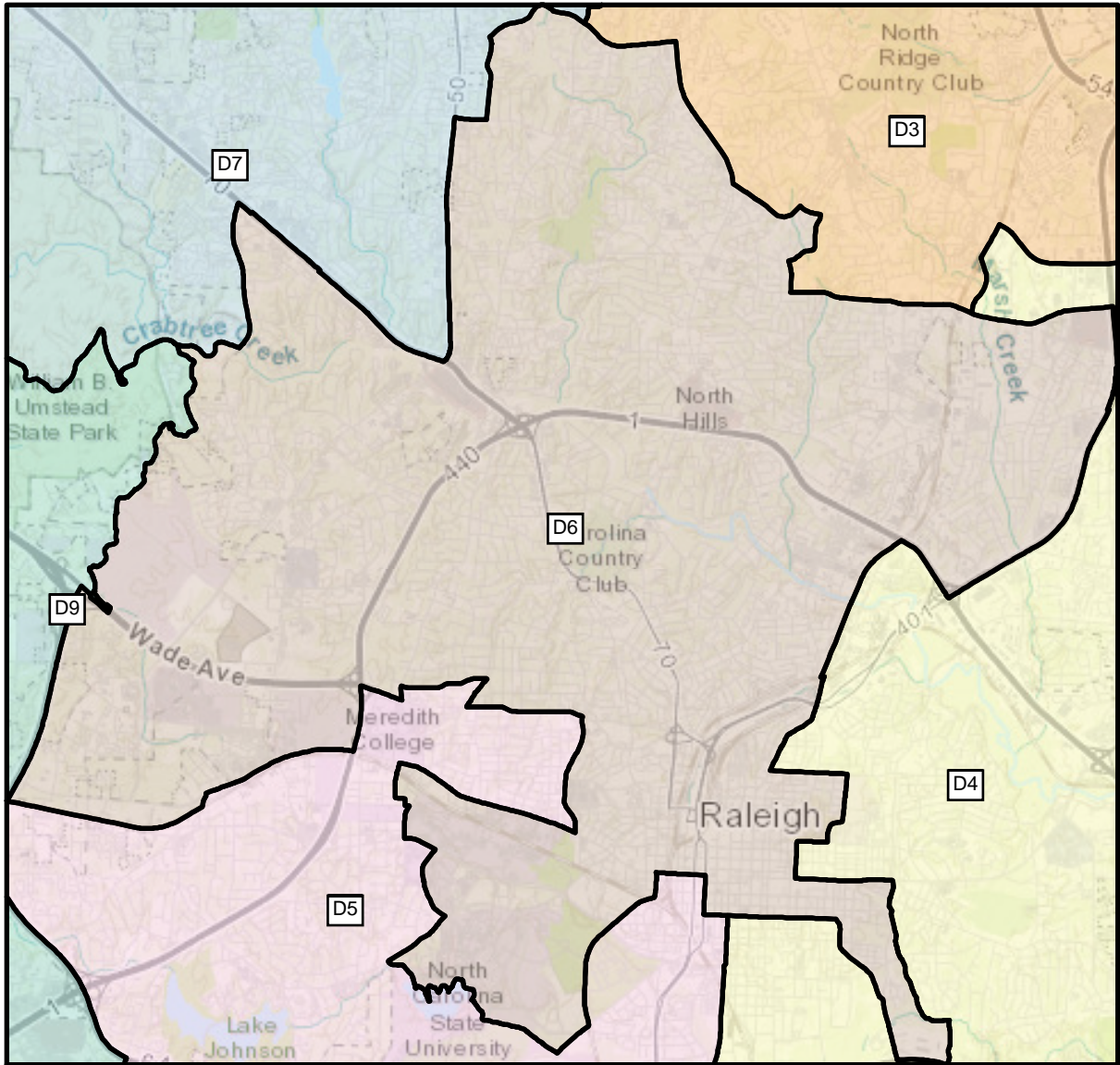


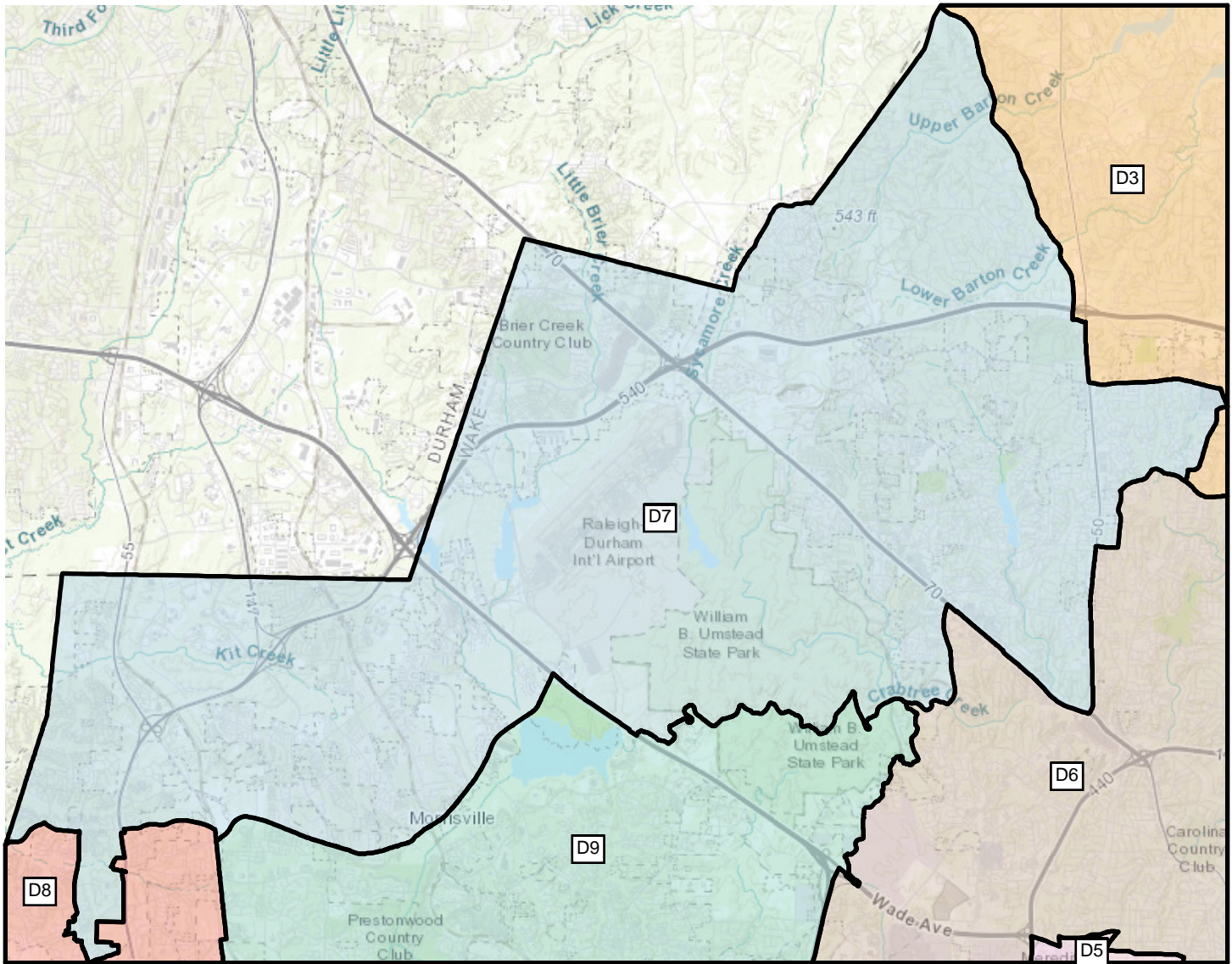


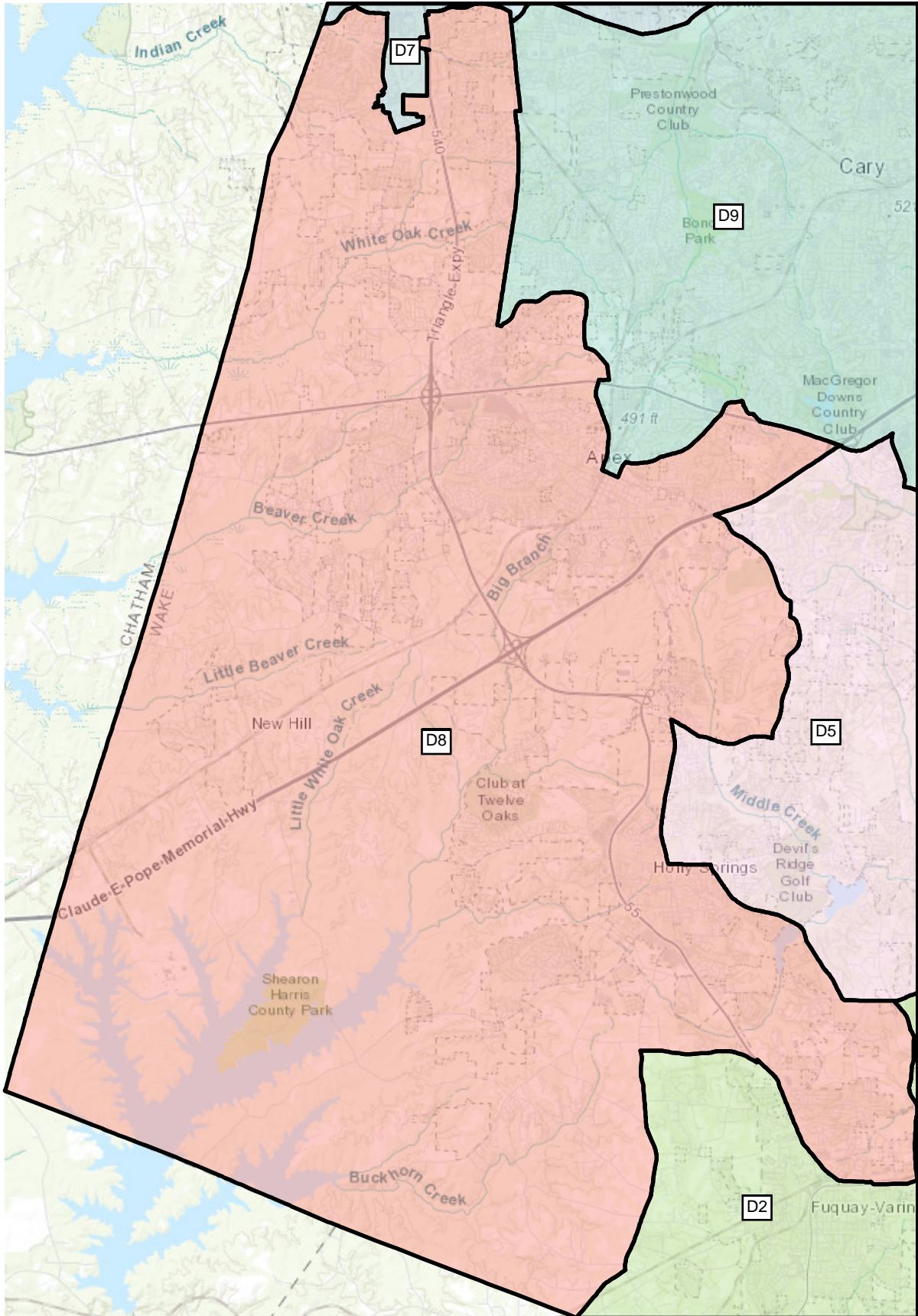


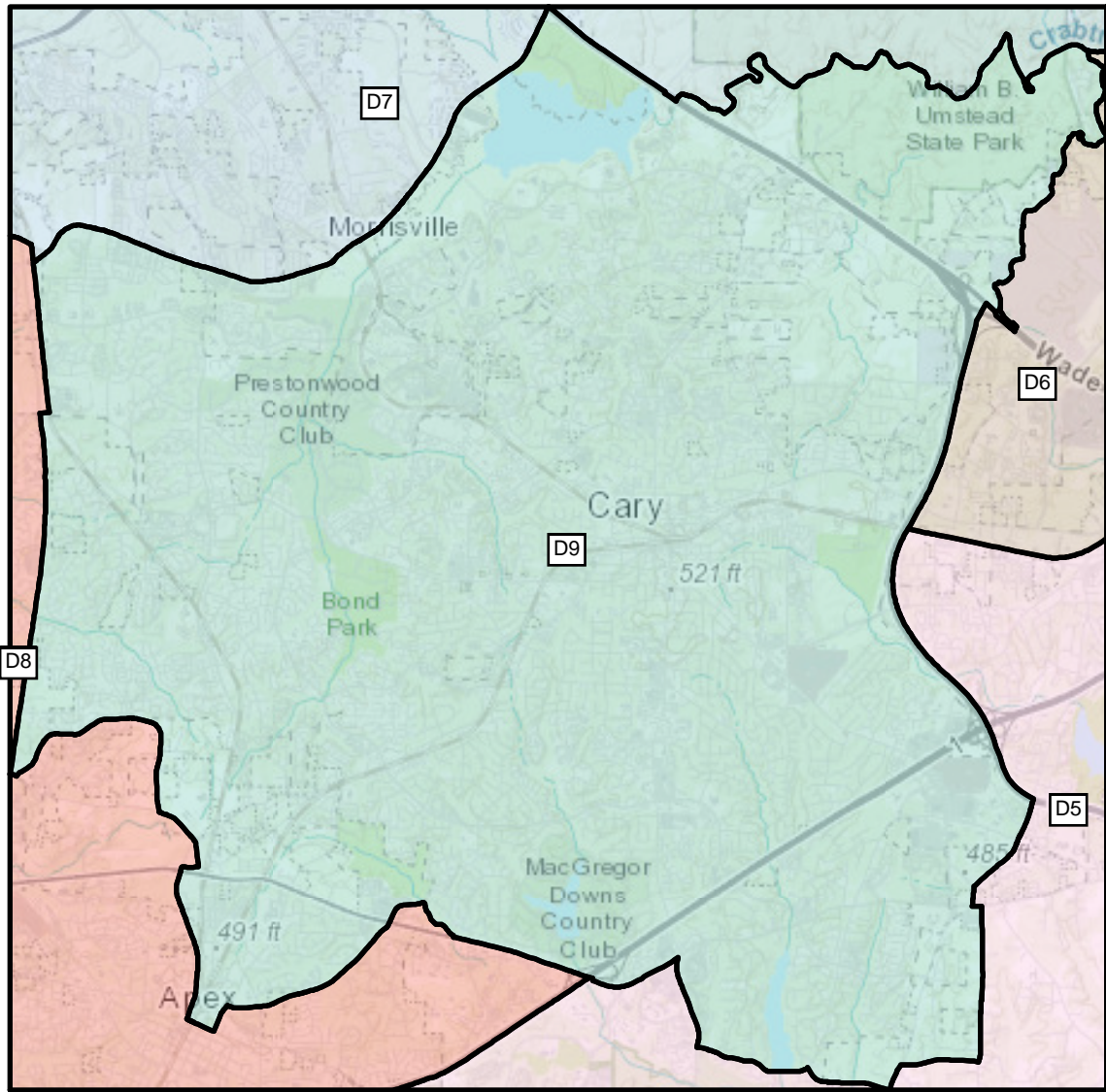












Attachment 2

The following delineation of the Board of Education district areas is based on the U.S. Census Bureau 2020 voting districts (VTDs) associated with the Census Bureau's 2020 P.L. 94-171 redistricting data

District 1: Wake County: Vtd 09-01, Vtd 09-02, Vtd 09-03, Vtd 10-01, Vtd 10-02, Vtd 10-03, Vtd 10-04, Vtd 17-04, Vtd 19-03, Vtd 19-05, Vtd 19-07, Vtd 19-09, Vtd 19-11, Vtd 19-16, Vtd 19-17, Vtd 19-18, Vtd 19-19, Vtd 19-21.

District 2: Wake County: Vtd 12-01, Vtd 12-02, Vtd 12-04, Vtd 12-06, Vtd 12-07, Vtd 12-08, Vtd 15-01, Vtd 15-02, Vtd 15-03, Vtd 15-04, Vtd 16-01, Vtd 16-02, Vtd 16-03, Vtd 16-04, Vtd 16-05, Vtd 16-06, Vtd 16-07, Vtd 16-09, Vtd 16-10, Vtd 16-11.

District 3: Wake County: Vtd 01-42, Vtd 01-43, Vtd 01-44, Vtd 01-45, Vtd 01-47, Vtd 02-01, Vtd 02-02, Vtd 02-03, Vtd 02-04, Vtd 02-05, Vtd 02-06, Vtd 07-05, Vtd 07-13, Vtd 13-02, Vtd 13-05, Vtd 13-06, Vtd 13-07, Vtd 13-08, Vtd 13-09, Vtd 13-10, Vtd 13-11, Vtd 14-01, Vtd 14-02, Vtd 19-12, Vtd 19-13, Vtd 19-14, Vtd 19-15, Vtd 19-20.

District 4: Wake County: Vtd 01-13, Vtd 01-19, Vtd 01-22, Vtd 01-26, Vtd 01-28, Vtd 01-34, Vtd 01-35, Vtd 01-40, Vtd 01-50, Vtd 13-01, Vtd 17-01, Vtd 17-02, Vtd 17-03, Vtd 17-05, Vtd 17-06, Vtd 17-07, Vtd 17-09, Vtd 17-10, Vtd 17-11, Vtd 17-12, Vtd 17-13.

District 5: Wake County: Vtd 01-01, Vtd 01-02, Vtd 01-21, Vtd 01-25, Vtd 01-27, Vtd 01-31, Vtd 01-32, Vtd 01-41, Vtd 01-48, Vtd 01-49, Vtd 06-05, Vtd 06-06, Vtd 06-07, Vtd 12-05, Vtd 18-01, Vtd 18-02, Vtd 18-04, Vtd 18-05, Vtd 18-06, Vtd 18-07, Vtd 20-05.

District 6: Wake County: Vtd 01-03, Vtd 01-04, Vtd 01-05, Vtd 01-06, Vtd 01-07, Vtd 01-09, Vtd 01-10, Vtd 01-11, Vtd 01-12, Vtd 01-14, Vtd 01-15, Vtd 01-16, Vtd 01-17, Vtd 01-18, Vtd 01-20, Vtd 01-23, Vtd 01-29, Vtd 01-30, Vtd 01-33, Vtd 01-36, Vtd 01-37, Vtd 01-38, Vtd 01-39, Vtd 01-46, Vtd 01-51, Vtd 07-01, Vtd 07-03, Vtd 07-04, Vtd 07-09, Vtd 07-11, Vtd 11-01, Vtd 11-02.

District 7: Wake County: Vtd 05-05, Vtd 05-07, Vtd 05-08, Vtd 07-02, Vtd 07-06, Vtd 07-07, Vtd 07-10, Vtd 07-12, Vtd 08-02, Vtd 08-03, Vtd 08-04, Vtd 08-05, Vtd 08-06, Vtd 08-07, Vtd 08-08, Vtd 08-09, Vtd 08-10, Vtd 08-11, Vtd 20-15, Vtd 20-16.

District 8: Wake County: Vtd 03-00, Vtd 06-04, Vtd 06-08, Vtd 06-09, Vtd 06-10, Vtd 12-09, Vtd 20-01, Vtd 20-08, Vtd 20-09, Vtd 20-11, Vtd 20-12, Vtd 20-14, Vtd 20-17, Vtd 20-06A, Vtd 20-06B.

District 9: Wake County: Vtd 04-01, Vtd 04-02, Vtd 04-03, Vtd 04-04, Vtd 04-05, Vtd 04-06, Vtd 04-07, Vtd 04-08, Vtd 04-09, Vtd 04-10, Vtd 04-11, Vtd 04-12, Vtd 04-13, Vtd 04-14, Vtd 04-15, Vtd 04-16, Vtd 04-17, Vtd 04-18, Vtd 04-19, Vtd 04-20, Vtd 04-21, Vtd 05-01, Vtd 05-03, Vtd 05-06, Vtd 18-03, Vtd 18-08, Vtd 20-03, Vtd 20-04, Vtd 20-10.

Date Created: Fri Mar 11 2022 11:46:22 GMT-0500 (Eastern Standard Time)