



Vander Zee, Glenn <vanderzeeg@esuhsd.org>

East Side UHSD trustee-area maps

1 message

Kevin Shenkman <shenkman@sbcglobal.net>

Mon, Sep 8, 2025 at 9:18 AM

To: "vanderzeeg@esuhsd.org" <vanderzeeg@esuhsd.org>

Cc: Paul Mitchell <paul@redistrictingpartners.com>

Mr. Vander Zee,

I am writing to express our concern regarding some the trustee-area maps that East Side UHSD is considering at its upcoming board meetings. Specifically, it appears that the population deviation calculated by the mapping tool offered to the public by East Side UHSD, is calculated incorrectly, rendering many of those maps violative of the FAIR Maps Act (Elec. Code section 21130).

Generally, a population deviation greater than 10% is constitutionally suspect. (See *Larios v. Cox* ([N.D.Ga. 2004](#)) 300 F.Supp.2d 1320.) Population deviation is calculated by first calculating the population difference between the highest- and lowest-populated districts, and then dividing that number by the population of the "ideal" district (the total population of the jurisdiction divided by the number of seats on the governing board) (See *Larios*, supra.) In *Larios v. Cox*, for example, rural districts were all under-populated by nearly 5% compared to the ideal district population, and urban districts were all over-populated by nearly 5%, resulting in an overall population deviation of 9.98%. The court recognized that a deviation of no more than 10% is normally acceptable, but nonetheless found that systematically overpopulating urban districts and underpopulating rural districts was illegitimate.

It appears, from the online tool ESUHSD has provided to the public, that the population deviation percentage is miscalculated. Specifically, it appears that the population deviation listed is only the percentage difference between the most over/under-populated district and the ideal district, rather than the difference between the most over-populated and most under-populated. This has resulted in several proposed maps having an unconstitutional population deviation. For example, while the deviation reported for maps 316847, 316849 and 316855 is 5.55%, the actual deviation is 10.34%. Similarly, while the deviation reported for map 304224 is 6.73%, the actual deviation is 11.77%.

Other maps have lower deviations, and so even though the tool miscalculated the deviation, when correctly calculated it is still below 10%. For example, map 306924 has a deviation of 5.20% (reported as 3.38%); map 302751 has a deviation of 4.03% (reported as 2.62%); and map 302467 has a deviation of 8.34% (reported as 4.34%).

With ESUHSD's final meetings on the trustee-area mapping process coming up, I wanted to give you a heads-up, rather than having ESUHSD face opposition at the County Committee on School District Organization or litigation thereafter.

Please feel free to call me at 310-497-8675 if you would like to discuss.

-Kevin Shenkman
Shenkman & Hughes PC