



**CITY OF SAN DIEGO  
MEMORANDUM**

**DATE:** February 28, 2017

**TO:** Council President Myrtle Cole

**FROM:** Councilmember Lorie Zapf, Second District

Councilmember Mark Kersey, Fifth District

Councilmember Chris Cate, Sixth District

Councilmember Scott Sherman, Seventh District

*Lorie Zapf*  
*Mark Kersey*  
*Chris Cate*  
*Scott Sherman*

**SUBJECT:** Proposed Amendments to City Charter Article VI, Section 66

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Election rules for the San Diego Unified School District (SDUSD) are currently defined in Article VI, Section 66 of the San Diego City Charter (Charter). Per the Charter, Board of Education members shall serve for a term of four years and may continue to serve as long as reelection is secured. Additionally, Charter Section 66 states that two Board of Education candidates will be chosen during a primary election from one of five districts. Those candidates shall subsequently be elected in a general election by registered voters from the San Diego Unified School District.

These election rules are in direct conflict with City, County, and State elections processes, all of which place limitations on terms and require district-specific general elections. In an effort to establish consistency in both the City's Charter and the City's own municipal election rules, we are proposing the following amendments:

- Amend Article VI, Section 66 to include that no person shall serve more than two consecutive four-year terms as a San Diego Unified School District Board member from any particular district.
- Amend Article VI, Section 66 to include that in the general election held for the purpose of electing San Diego Unified School District Board members, the electors of each Board District shall select from among the candidates chosen at the primary election in that district, one candidate for the office of San Diego Unified School District Board.

Per Section 2.9.2. of the Rules of Council, we respectfully request these Charter amendments be docketed for hearing at a regularly scheduled meeting of the City Council within 30 days to be considered for the 2018 ballot. We further request the City Attorney review the aforementioned provisions and the attached proposed Charter amendments for accuracy and consistency.

Attachment: 1

## ARTICLE VI

### BOARD OF EDUCATION

#### Section 66: Board of Education

The government of the San Diego Unified School District shall be vested in a Board of Education (the Board), composed of five members who shall be nominated and elected at the regular municipal primary elections and the general municipal elections at the same time as the election of Council members. All Elected Members shall be nominated ~~At~~ the municipal primary election. At the municipal primary election, there shall be chosen by the registered voters of each Board of Education District whose Elected Member's term is expiring the succeeding December, two candidates for that District's Elected Member. ~~the office of any Board of Education member from a District whose term expires the succeeding December.~~ -At the general municipal election the registered voters of each such Board District shall select, from among the two candidates receiving the highest number of votes at the primary election in that district, one candidate for the office of the Elected Member representing that Board District. ~~the whole San Diego Unified School District shall select from among the candidates chosen at the primary election in each district one candidate for the office of each Board of Education member whose term expires the succeeding December.~~ Each candidate for ~~the~~Elected Member of the Board of Education shall have been a registered voter of the San Diego Unified School District and an actual resident of the election district from which he seeks to be nominated for thirty (30) days immediately preceding filing of a nominating petition. The Elected Mmembers shall serve for a term of four years from and after 10 a.m. the first Monday after the first day of December next succeeding this election and until their successors are elected and qualified, except as herein provided. Notwithstanding any other provision of this Charter and commencing with elections held in 2018, no person shall serve more than two consecutive four-year terms as a San Diego Unified School District member from any particular district. If for any reason a person serves a partial term as board member from a particular district in excess of two (2) years, that partial term shall be considered a full term for purposes of this term limit provision. Persons holding office as of the 2018 election shall not have prior or current terms counted for purposes of applying this term limit provision. Any vacancy occurring in the Board shall be filled from the election district in which the vacancy occurs by appointment by the remaining Board members; but in the event that said remaining members fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause to be held a primary election in the district in which the vacancy occurs ~~and a general election within the entire school district~~ to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.