

Measure C - Impartial Analysis, Ballot Title, and Summary

BALLOT TITLE

Amendments to San Diego Charter Section 66 Regarding Board of Education Elections.

BALLOT SUMMARY

This measure would amend San Diego Charter (Charter) section 66 to change, in certain circumstances, the election of members of the Board of Education (School Board) for the San Diego Unified School District (School District). If two or fewer candidates, including write-in candidates who meet the requirements set out in the San Diego Municipal Code (Municipal Code), qualify to run for a particular School Board seat in a Municipal Primary Election (Primary), voters will vote on that seat at the Municipal General Election (General Election) and not the Primary. For example, if only two candidates qualified to run for a particular School Board seat in the Primary, both candidates would automatically proceed to the General Election and would not be voted on at the Primary.

The City Council placed the measure on the ballot. Passage of this measure requires the affirmative majority vote of those qualified electors registered within the legal boundaries of the School District voting on the matter at the Municipal Special Election. Under Article IX, section 16(b) of the California Constitution, only those voters registered to vote within the geographic boundaries of the School District may vote on a City Charter amendment regarding School Board members, their removal from office, and their election. If approved by a majority vote of those qualified to vote on the measure, the Charter amendments would become effective after they are chaptered by the California Secretary of State.

CITY ATTORNEY'S IMPARTIAL ANALYSIS

Charter section 66 governs the composition and elections of the School Board. In 2020, voters approved amendments to Charter section 66 which changed the election of members from a district-wide vote to individual district-based elections and amended the elections process when there is a vacancy on the School Board. Under Charter section 66, the two candidates that qualify to run for a particular School Board seat and receive the most votes in the Primary advance to the General Election. Under this Charter language, when there are only two candidates on the ballot for a School Board seat in the Primary, those two candidates must run twice: first in the Primary and again in the General Election. A candidate running unopposed for a School Board seat must also run twice, in the Primary and the General Election.

Under the proposed amendments, if two or fewer candidates, including write-in candidates who meet the requirements for write-in candidates in the Municipal Code, qualify to run for a particular School Board seat in the Primary, voters will vote on that seat at the General Election and not the Primary. For example, if only two candidates qualified to run for a particular School Board seat, both candidates would automatically proceed to the General Election and would not be voted on at the Primary.

The proposed amendments were proposed by the School Board as part of the Council Policy 000-21 process, and were heard by the City Council's Rules Committee on April 18, 2024, and again on June 5, 2024. The City Council voted to place this measure on the ballot.

Passage of this measure requires the affirmative majority vote of those qualified electors registered within the legal boundaries of the School District voting on the matter at the Municipal Special Election. Under Article IX, section 16(b) of the California Constitution, only those voters registered to vote within the geographic boundaries of the School District may vote

on a City Charter amendment regarding School Board members, their removal from office, and their election.