




**OFFICE OF COUNCILMEMBER CHRISTOPHER WARD
THIRD COUNCIL DISTRICT**

M E M O R A N D U M

DATE: October 13, 2017
TO: City Attorney Mara Elliott
FROM: Councilmember Christopher Ward, Third Council District 
SUBJECT: Request for Legal Analysis: *Charter Section 66: Board of Education*

The California public schools system is under the policy direction of the Legislature governed by the General Education Code, although more local responsibility is legally granted to school districts and county education officials than to other government entities and officials.

Per Section 5200 of the State General Education Code, “any unified school district that is coterminous with or includes within its boundaries a chartered city or city and county shall be governed by the board of education provided for in the charter of the city or city and county”.

The purpose of this memorandum is to request a legal analysis of the City of San Diego’s authority to govern the election procedures of the Board of Education.

- *Does State Education Code allow a city charter to govern school district elections only if both are coterminous?*
- *What is the theoretical impact of repealing the entirety of Section 66: Board of Education from the San Diego City Charter?*

Your timely analysis is critical as the City Council begins to explore proposals for inclusion on the November 2018 ballot. Thank you for your prompt attention to this request.

cc:
Hon. Council President Myrtle Cole
Andrea Tevlin, Independent Budget Analyst