



## Local ballot measure: X-SC School trustee areas

# X

### City of Santa Cruz trustee areas for the Santa Cruz City School District

#### Ballot question

In order to allow Santa Cruz City Schools District to conduct elections by trustee areas adopted by the District, rather than specifying the makeup of the School District Board of Trustees in the City Charter, shall the City of Santa Cruz Charter be amended to rescind Article XVI?

#### Pregunta de Boleta

Con el fin de permitir que el Distrito Escolar de la ciudad de Santa Cruz realice elecciones por áreas de fideicomisarios adoptadas por el Distrito, en lugar de especificar la composición de la Junta de Fideicomisarios del Distrito Escolar en la carta de la ciudad, ¿deberá enmendarse la carta de la ciudad de Santa Cruz para rescindir el Artículo XVI?

#### What your vote means

YES	NO
A "Yes" vote changes the way the Santa Cruz City School District elects its governing board members from at-large to by trustee area.	A "No" vote would keep the current at-large election system for the Santa Cruz City School District.

#### For and against Measure X

FOR	AGAINST
<p><b>Deborah Tracy-Proulx</b> President Santa Cruz City School Board</p> <p><b>Casey E. Carlson</b> President, Greater Santa Cruz Federation of Teachers</p> <p><b>Paula Morin</b> 2nd Vice President, Santa Cruz Council Classified Employees</p> <p><b>Kris Munro</b> Superintendent, Santa Cruz City Schools</p> <p><b>Martine Watkins</b> Former Mayor, City of Santa Cruz</p>	<b>No argument against Measure X was filed.</b>



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Arguments and rebuttals are the opinions of the authors. We print them exactly as submitted, including errors.

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### Argument for Measure X

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Vote YES on Measure X to ensure that the Governing Board of the Santa Cruz City Schools district is able to transition to trustee area voting. In 2019, Santa Cruz City Schools received a “demand letter” under the California Voting Rights Act, urging the district to transition from at-large to trustee area voting. The School District embraced this concept and held multiple board meetings and community meetings to get public input on this incredibly important issue. Based upon the input from all stakeholders, the Governing Board passed a unanimous resolution to transition to trustee areas and establishing these trustee areas.

Typically, a city council would not have a role in determining the voting areas for a school district. However, the Santa Cruz City Charter contains a “School Department” Article, which would conflict with the School Board’s resolution. Therefore, in order to clear the path for trustee areas as unanimously approved by the School Board, the Santa Cruz City Charter must be amended! At the School Board’s request, the Santa Cruz City Council passed a resolution to amend the City Charter by removing the “School Department” Article. This will allow Santa Cruz City Schools to proceed with the transition to trustee areas.

We urge support of Measure X for many reasons. First, the transition to trustee areas will help to ensure that the elected school board reflects the diverse communities within the school district. Second, when a school district has trustee areas, it can be less expensive to run for the school board, which means that more individuals will have the opportunity to serve. Lastly, a YES vote means that School District’s unanimous vote in favor of trustee area elections will come to fruition!

All City of Santa Cruz residents should vote YES on Measure X!

**Deborah Tracy-Proulx**

President Santa Cruz City School Board

**Casey E. Carlson**

President, Greater Santa Cruz Federation of Teachers

**Paula Morin**

2nd Vice President, Santa Cruz Council Classified Employees

**Kris Munro**

Superintendent, Santa Cruz City Schools

**Martine Watkins**

Former Mayor, City of Santa Cruz

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**No argument against Measure X was filed.**



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### Impartial Analysis of Measure X

Tony Condotti, City Attorney

MEASURE X - REPEAL OF ARTICLE XVI "SCHOOL DEPARTMENT" OF THE SANTA CRUZ CITY CHARTER

Measure X, if adopted by the voters, would repeal Article XVI "School Department" of the Santa Cruz City Charter.

Although the Santa Cruz City Council generally has no role in their government, Article XVI of the Santa Cruz City Charter sets forth the territories and public schools for the Santa Cruz High School District and Santa Cruz School District (collectively "District"). It also specifies the election procedure for and election of members to the Board of Education, and currently provides for "at-large" elections.

In late 2018, the District received a letter demanding that it transition to a district-based election system and threatening a lawsuit against the District under the California Voting Rights Act ("CVRA"). The letter asserted that the District's at-large system violates the CVRA because it has resulted in inadequate representation of minority residents in District elections. The CVRA was enacted to implement the California constitutional guarantees of equal protection and the right to vote. It provides a private right of action to members of a protected class where, because of "dilution or the abridgment of the rights of voters," an at-large election system "impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of" elections. To establish a violation of the CVRA, a plaintiff must show that "racially polarized voting" occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters. Although the claim that District elections are tainted by racially polarized voting is dubious, since the CVRA was enacted in 2001 no jurisdiction has succeeded in defending against a CVRA lawsuit, and at least 88 cities, 165 school districts, and 12 other special districts have made the change to by-district elections.

In response to the demand letter, the District entered into a settlement agreement pursuant to which, in January of 2019, it adopted a resolution declaring its intent to transition from an at-large to trustee-area board elections. The Board has since adopted trustee-area elections and trustee-area boundaries. Voters in each district or trustee area will now choose their representative, who must also live in that district or trustee area.

Rescinding Article XVI of the Santa Cruz City Charter would be consistent with the Board's recent actions to conduct elections by trustee area, rather than specifying the makeup of the District's Board of Trustees in the City Charter. Doing so thus facilitates the transition from at-large to trustee-area board elections.

The above statement is an impartial analysis of Measure X, a proposed Charter Amendment to rescind Article XVI "School Department" of the City Charter.

### Full text of Measure X

Article XVI shall be repealed in its entirety.

#### Article XVI. SCHOOL DEPARTMENT

##### 1601 SCHOOLS AND DISTRICTS.

The school department shall comprise all of the territory and public schools of the Santa Cruz High School District and the territory and public schools of the Santa Cruz School District as such districts now or may hereafter exist. For the purpose of fixing the governing board thereof and the number of members of such board, their qualifications, manner of election and other matters relative thereto, said school department shall be divided into what shall be known as the Santa Cruz City High School District, hereinafter designated as High School District, and the Santa Cruz City Elementary School District, hereinafter designated as Elementary School District.

##### 1602 TERRITORY OF DISTRICTS.

All of the territory that is now, or that may hereafter be embraced within said High School District or Elementary School District shall be deemed a part of said districts for the purpose of holding elections, and shall comprise such number of election precincts as shall from time to time be designated and defined by the proper authority. All qualified electors within said school districts shall be qualified to vote for members of the Board of Education and on all questions pertaining to school matters submitted to the vote of the people of such districts. All of the territory within said school districts, not within the City of Santa Cruz, shall be deemed to be a part of said City for all matters and things relating to public education authorized for such City school districts by law.



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### 1603 BOARD OF EDUCATION. MEMBERSHIP. QUALIFICATIONS.

The Santa Cruz City High School District and the Santa Cruz Elementary School District, as such districts now or may hereafter exist, shall be governed by a Board of Education, which shall be known as the Santa Cruz City Board of Education.

Only persons who are qualified electors residing within the territory governed by said Board of Education and who are otherwise eligible under State law and this Charter to be nominated or elected shall be eligible to be nominated for, or elected to said Board of Education.

Said governing Board shall consist of seven members to be elected as follows:

(a) Three members of said Board of Education shall, at the time of their nomination and election, and during the time they hold office, be qualified electors and residents of the City of Santa Cruz;

(b) Three members of said Board of Education shall, at the time of their nomination and election, and during the time they hold office, be qualified electors and residents of that portion of the territory governed by said Board of Education lying outside the boundaries of the City of Santa Cruz;

(c) One member of said Board of Education may reside anyplace within the territory governed by said Board of Education. No candidate for this office may at the same time be a candidate for any other office on said Board of Education. The declaration of candidacy or nomination papers shall specify that the candidate seeks election to this office. (Amended 11-3-81)

### 1604 BOARD OF EDUCATION. ELECTION. TERM.

Members of the Santa Cruz City Board of Education shall, in all respects not herein otherwise provided for, be elected at the time, for the terms and in the manner now or as may hereafter be provided by the Education Code of the State of California for the election or appointment of governing Board members.

### 1605 BOARD OF EDUCATION. ELECTION. VOTER QUALIFICATION.

All registered voters residing within the territory governed by the Santa Cruz City Board of Education are eligible to vote at all elections held for the election of members of said Board of Education, and each member of said Board of Education shall be elected by the registered voters of the entire territory governed by said Board of Education.

### 1607 MEETINGS.

The Santa Cruz City Board of Education shall hold regular meetings at least once each month at such time and place as such Board may determine; provided, that such meeting shall be held at the office of the City Superintendent of Schools unless published notice is given to the contrary. At the first regular meeting in December of each year, the Santa Cruz City Board of Education shall meet to organize and choose one member for President and another for Vice-President, each of whom shall serve for one year. (Amended 11-4-80)

### 1608 BOARD. POWERS AND DUTIES.

The Santa Cruz City Board of Education is hereby vested with all the powers and charged with all the duties provided by this Charter and those now or hereafter provided for by the laws of the State of California applicable to such Board of Education.

### 1609 CITY SUPERINTENDENT OF SCHOOLS AND SECRETARY OF BOARD.

As authorized in the Education Code of the State of California, the Santa Cruz City Board of Education shall appoint a properly qualified person to serve as City Superintendent of Schools and Secretary of the Santa Cruz City Board of Education, and shall delegate to him or her such duties and responsibilities as are provided for in the Education Code of the State of California, and in the rules and regulations of said Santa Cruz City Board of Education.

### 1610 GENERAL PROVISIONS.

All other matters pertaining to the school department, not specifically provided for in this Charter, shall be governed by the Education Code and general laws of this State.

### 1611 REPEALED. (11-4-80)