

Section 66: Board of Education

The government of the San Diego Unified School District shall be vested in a Board of Education, composed of five members who shall be nominated and elected by the registered voters of the individual Board of Education District for which they are a candidate. Board of Education elections will be held at the regular Municipal Primary Elections and Municipal General Elections, at the same time as the election of Councilmembers. At the Municipal Primary Election, the registered voters of an individual Board of Education District shall nominate two candidates to fill the office of their Board of Education member in a District whose term expires the following December. The top two vote-getters in the Municipal Primary Election for an individual seat will advance to the Municipal General Election. In the event there are two or fewer candidates who qualify to participate in the primary election for one elective office, including write-in candidates, the office shall be voted upon at the general election and not the primary election. Write-in candidates are permitted to participate in the primary election. However, no write-in candidates are permitted to participate in the general election except in circumstances where there are two or fewer total candidates who qualify to participate in the primary election and one or both qualified candidates is a write-in candidate. When one or two write-in candidates qualify to participate in a primary election with two or fewer total candidates, the names of the write-in candidates who qualified to participate in the primary election shall be printed on the general election ballot in the same manner as non-write-in candidates who qualify for the general election. At the Municipal General Election, the registered voters of the individual Board of Education District shall select one of the nominees to fill the seat. Each candidate for 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 the candidate seeks to be nominated for thirty (30) days immediately preceding the filing of a nomination petition. The members 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 or the elections code ordinance provided for in Article II, Section 8, except for the Statement and Affidavit of Write-in Nominee filed pursuant to section 27.0306 of the San Diego Municipal Code, nomination papers for a write-in candidate for a school board election shall be submitted for filing in the Office of the Clerk not later than twenty-eight calendar days prior to the date of the election.

Notwithstanding any other provision of this Charter, and commencing in 2020, no person shall serve more than three four-year terms as a member of the Board of Education. Board members who hold the office as of the date of the Municipal General Election in 2020 shall not have prior or current terms counted for purposes of applying this term limit provision.

Article XVI of this Charter shall govern: (1) when a vacancy in the office of member of the Board of Education shall be deemed to occur, and (2) when a member of the Board of Education shall be removed for cause.

Vacancies for the office of member of the Board of Education shall be filled as provided in this Charter section.

Any vacancy occurring on 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 the 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 and a general election as set forth in this section 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.

For the purpose of electing members of the Board of Education, the San Diego Unified School District shall be divided into five (5) districts as nearly equal in registered voter population as practicable. For the first primary and regular

election held under this section, as amended, the boundaries of such election districts shall be established by the Board of Education as such Board existed on the effective date of the amendment to this section. Thereafter, the boundaries of such election districts shall be subject to alteration and change under the provisions of this section. The Board of Education, by resolution, may change and alter the boundaries of the election districts and in the resolution may describe the new boundaries by reference to a map on file in the office of the City Clerk; a metes and bounds description of the new boundaries need not be contained in the resolution.