



City of Harrisonburg, Virginia

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G. Chris Brown
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MEMORANDUM

To: City Council

From: Chris Brown, City Attorney

Date: April 8, 2015

RE: School Board Election Process

Staff has had the opportunity to gather some background information for Council's review in preparation for its discussion of the election process of school board members. Staff has reviewed the Harrisonburg City Code going back to 1952, and researched minutes of Council meetings. Attached to this memo are copies of minutes relevant to the selection of school board members.

Prior to 1996, members of the Harrisonburg City School Board were appointed by City Council. From at least as early as 1952, the City was divided into an east ward and a west ward, with the dividing line being the center line of Main Street. Each ward constituted a separate school district. The School Board consisted of six members, with three members selected from each school district or ward. Each school board member was required to reside in the school district for which the member was appointed. This process remained relatively unchanged until 1996.

On November 7, 1995, a referendum was held in the City on the question of changing the selection of school board members from appointment by City Council to direct election by the voters. Direct election of school board members prevailed

On December 12, 1995, the City Attorney presented an ordinance amending Harrisonburg City Code Sections 17-1-2 and 17-1-3 to provide for the election of school board members. The proposed ordinance amendments provided for the continuance of a six member school board, with three members elected from the east school district and three from the west. The amendments further provided that at every election all registered voters in the City would be entitled to vote for the school board members, thus creating the City's unusual process of city-wide, at-large voting for specific district representation. The district residency requirements for candidates for school board remained.

The proposed amendments were unanimously approved on the first reading on December 12, 1995 and unanimously approved on the second reading on December 19, 1995.

Relevant excerpts from the December 12, 1995 and December 19, 1995 meetings are attached.

On October 9, 2001, proposed amendments to Sections 17-1-2 and 17-1-3 were presented to Council for its consideration. The proposed amendments provided for the election of four school board members from the east school district and two from the west. The minutes of the October 9, 2001 meeting (attached) indicate that the changes were in response to the 2000 census. The amendments were tabled. The minutes reflect that Vice-Mayor Peterson suggested inviting the Electoral Board and School Board to the next Council meeting to discuss maintaining the existing system or moving to an at-large election system. Minutes from the following Council meeting do not reflect comments from members of the Electoral Board or the School Board.

The amendments tabled at the October 9, 2001 meeting were addressed by Council at its meeting of October 23, 2001. The discussion again indicated the change from a 3 – 3 split to a 4-2 split between the east and west school districts was based on population shifts revealed by the 2000 census. The proposed amendments were approved unanimously on October 23, 2001 and again on November 13, 2001 as part of the consent agenda.

The only other minutes found relevant to the selection of school board members were related to the change of the City's elections from May to November. This change was approved by City Council on October 24, 2006 and November 14, 2006.

Council may want to consider several options in this matter. These options include:

1. Do nothing and leave the ordinances governing the election of school board members as they are.
2. Maintain the existing two school district system, but eliminate the at-large voting for district representation. In other words, amend City ordinances to provide that voters can only vote for candidates to represent their own school district.
3. Move to an at-large election of school board members.
4. Move to a process by which there are multiple school election districts, each represented by one school board member.
5. Move to a combination of at-large and district representation.

After staff receives feedback from Council on these or other options, staff will work with the Registrar, Electoral Board, and the Virginia Department of Elections to ensure that potential ordinance changes are fully evaluated, with positive and potential negative effects presented to Council.