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# Information Report On "Provides School Directors be Nominated by Zones" (Portland School District No. 1 Measure 26-2)

City Club of Portland (Portland, Or.)

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Information Report On  
"PROVIDES SCHOOL DIRECTORS BE NOMINATED BY ZONES"  
(Portland School District No. 1 Measure 26-2)

Question: "Shall school directors in Portland School District No. 1 (Multnomah County School District No. 1-J) be nominated by zones?"

Explanation: "Measure changes present practice of nominating school board directors. At present, directors are nominated at large. Measure would require that directors be nominated by zones within the district."

#### I. INTRODUCTION

Currently, school board members (the "Board") in Portland School District No. 1 (the "District") are nominated and elected at large in Districtwide elections. The seven Board positions are numbered, and candidates file and run for election by position number.

The ballot measure requires the District to be divided into seven "equally populated, contiguous, geographically identifiable and geographically compact zones" (the "Zones"), with one member elected from each Zone. (1) A candidate must live in the Zone for which he is nominated. Board members would be elected, however, by voters in the District as a whole. The Zone candidate with the greatest number of votes Districtwide would win. Because school board elections are held only every two years, the measure, if passed in the March 26 election, would have no effect until March 1987.

#### II. BACKGROUND

The petition was initiated in November 1983 by Frank Shields, an unsuccessful candidate for the Board in 1982, Wally Priestley, a former Board member, and the Committee for a More Representative Portland School Board. (2) Rev. Shields filed the petition because the present system of electing all seven Board members Districtwide does not guarantee a representative Board. The current Board has five members who are residents of the West Hills and Irvington neighborhoods.

Effective January 1, 1984, the 1983 legislature changed the number of signatures required on school board petitions from 10 percent of voters in the last school board election or 1,000 persons, whichever is less, to 25 percent of the votes cast in the District in the last Gubernatorial election. After the legislature voted to change the law but before the new law took effect, proponents of the petition collected 1,083 valid

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1. State elections law requires the District to provide a map showing the boundaries of the seven geographic Zones, with copies to be posted in the voting booths.

2. Before a change in the law in 1983, the District was exempt from provisions that allowed zoned board elections in all other school districts in the state.

7. Nomination by zone promotes a narrow view of major public issues by both Board members and voters.
8. The cost of campaigning would not be reduced. Candidates still must run and campaign Districtwide.

Respectfully submitted,

David Cook  
Helen Goodwin  
Gray Lambert  
Josephine Pope  
Jill Roake  
David Singer  
Jeff Tashman  
John Wight  
Christine Kitchel, Chair

Approved by the Research Board by authorization of the Board of Governors on March 18, 1985 for publication and distribution to the membership. Because this report carries no conclusions or recommendations, no official action is required of the membership.

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signatures. The new law would have required 47,000 signatures. The petition was filed with Multnomah County in December 1983, and received by the Board on January 12, 1984.

The Board took the position that the petition was not valid because the Board did not receive the petition until after the new law went into effect. The Secretary of State (Oregon's Chief Elections Officer), the Attorney General, and Legislative Counsel have all disagreed with the Board's position.

In February 1985, the Multnomah County Circuit Court ruled that the Secretary of State's office did not have legal standing to seek a declaratory judgment forcing the measure onto the ballot. Vickie Ervin, Multnomah County Clerk, Mr. Priestley, and Rev. Shields then sought a writ of mandamus requiring the Board to put the measure on the ballot. The writ was granted on March 5, 1985. That ruling automatically was stayed on March 6, 1985 when the Board appealed the order to the Oregon Court of Appeals. That same day, the Court of Appeals turned down the Board's request for an expedited hearing. On March 7, 1985, Secretary of State Barbara Roberts adopted a temporary administrative ruling placing the initiative on the March 26, 1985 ballot.

Nationally, 72.2 percent of school board members are elected at large (i.e., Districtwide), 17 percent are elected from geographic subdivisions, and 10.8 percent use a hybrid method with some members selected at large and some from zones. All school districts in Multnomah County are elected exclusively at large. Eugene elects its school board members at large, and Salem school members file by zone and are elected at large.

This is an information report, and the following arguments are only a summary of those presented to your Committee by proponents and opponents of the measure. Because it was uncertain until very recently whether or not the measure would be on the March 26th ballot, your Committee did not have time to analyze the validity of those arguments and to prepare a full report. Your Committee therefore takes no position on the measure itself, or on any of the individual arguments.

### III. ARGUMENTS PRESENTED BY PROPONENTS OF THE MEASURE

1. Nomination by Zone is a populist idea and supports basic democratic principles of fair representation. Board members must gain and maintain support from Zone residents and would be more closely accountable for decisions made.
2. It would tend to result in a more representative Board, rather than a Board primarily composed of upper middle class members that fails to represent or to understand large segments of the District.
3. Voters would have more knowledge and more contact with their representatives and community participation and involvement within the Zone would increase.

4. Particular geographic areas would have representation on the Board. A resident of any Zone would be assured of having at least one geographic representative.
5. More diverse views would be represented on the Board. The present Board is not responsive enough to unrepresented portions of the District.
6. Overall expense in running for the Board would decrease because a candidate only would have to run against other candidates from his or her Zone, even though the election is Districtwide. Candidates with lesser name familiarity will have an easier time running successfully from a Zone.
7. Zone-nominated Board members still would be accountable to the entire District. Parochialism (loyalty to only one's own Zone) would not increase because each candidate would be voted on Districtwide.
8. Nomination by Zone is not an unusual proposition. Some government bodies, for example, County Commissions, Education Service Districts, Community Colleges, and Metro Board Members successfully are selected in some manner by zone.

#### IV. ARGUMENTS PRESENTED BY OPONENTS OF THE MEASURE

1. Dividing the District into geographic Zones would lead to parochialism. Some issues need to be appraised from a perspective that transcends zoned boundaries and interests. Nomination by Zone would discourage such a Districtwide perspective, and would make Board members more vulnerable to personal attack in making sound but unpopular decisions.
2. It would limit the choices available to the voters. Qualified and interested potential members develop by talent and community interest, not by geographic area. Only one of several well-qualified people residing in the same Zone could be elected.
3. It encourages ward politics ("deal making") in Board decision making. A member could bargain with other members for the benefit of his or her own Zone without regard to a potentially detrimental effect on the whole District.
4. Democratic principles of fair representation are not dependent upon geographic location. A truly representative government requires making decisions based on what is best for the District as a whole.
5. People would not be as interested in voting when candidates from their own Zone were not up for election, and therefore voter participation Districtwide would decrease.
6. The entire District is a unit for tax, administrative and supervisory purposes. Members should represent the entire District and legislative control should be unified. Such members would be more able to view the District as a whole and more apt to take a long-range view.