

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the Los Angeles Unified School District regarding the following subject: an independent redistricting commission for the Los Angeles Unified School District.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the Los Angeles Unified School District at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the Los Angeles Unified School District at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

INDEPENDENT REDISTRICTING COMMISSION FOR THE LOS ANGELES UNIFIED SCHOOL DISTRICT. CHARTER AMENDMENT ____.

Shall the City Charter be amended to establish an independent redistricting commission to redraw Board of Education district lines every ten years in the Los Angeles Unified School District?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the Los Angeles Unified School District.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT ____

Section 1. Sections 810 to 819 are added to the Charter of the City of Los Angeles to read as follows:

Los Angeles Unified School District Independent Redistricting Commission

Sec. 810. Commission Establishment and Purpose.

(a) There shall be a Los Angeles Unified School District Independent Redistricting Commission (the "Commission") that shall have the powers, duties, and responsibilities set forth in the City Charter and by ordinance.

(b) The purpose of the Commission is to strengthen the governance of the Los Angeles Unified School District by developing Board of Education district boundaries through a fair, transparent, inclusive, and independent redistricting process that empowers public participation and public access to its proceedings.

Sec. 811. Commission Organization, Powers, and Duties.

(a) The Commission shall consist of 14 members and four alternate members.

(b) A new Commission shall be established every ten years after each federal decennial census. The members of the Commission shall be selected no later than April 1 of each year ending in the number zero.

(c) The term of office of each member of the Commission shall begin on the date of that commissioner's respective selection and shall expire upon the selection of the first member of the succeeding Commission.

(d) The Commission shall have the power and duty to:

(1) adopt the boundaries of the Board of Education districts of the Los Angeles Unified School District following each federal decennial census;

(2) comply with the redistricting criteria and process set forth in the Charter and by ordinance;

(3) act in an impartial manner that ensures the integrity and fairness of the redistricting process;

(4) educate and inform the public about redistricting, solicit and encourage public participation in the redistricting process, and hold public

meetings and hearings that are accessible and provide the public the opportunity to participate and provide comment throughout the process;

(5) make recommendations to the Mayor, City Council, and City Ethics Commission regarding redistricting matters; and

(6) perform other redistricting functions as prescribed by ordinance.

(e) The Commission may provide for youth participation on the Commission with participants selected through a process, and possessing the powers and duties, as provided by ordinance.

Sec. 812. Commissioner Qualifications and Restrictions.

(a) Each Commission member shall be at least 18 years old, unless a lower minimum age requirement is established by ordinance. Each Commission member shall be a resident of the Los Angeles Unified School District at the time of selection, and shall have resided in the Los Angeles Unified School District for at least three years immediately preceding the person's submission of an application. A Commissioner is not required to be a registered voter or a citizen of the United States.

(b) A person shall not be eligible to apply to or serve on the Commission if the person has been an employee of the Los Angeles Unified School District or a member of a Los Angeles Unified School District commission at any time in the four years immediately preceding the person's submission of an application.

(c) A person shall not be eligible to apply to or serve on the Commission if the person or person's spouse or family has engaged in the prior political and lobbying activities described in the California Elections Code provisions regarding eligibility requirements for independent redistricting commissions. Additional eligibility requirements may be provided by ordinance.

(d) Applicants to the Commission shall demonstrate collaborative skills, experience in civic engagement, and the ability to analyze complex data.

(e) While serving on the Commission, a member of the Commission shall not endorse, work for, volunteer for, or make a campaign contribution to, any member of the Board of Education or candidate for elective Board of Education office, or serve on a redistricting commission for any other governmental body.

(f) A member or former member of the Commission shall not do any of the following:

(1) Be a candidate for an elective Board of Education office unless more than five years have elapsed from the commissioner's last date of service on the

Commission or ten years have elapsed from the date of the commissioner's selection to the Commission, whichever is less.

(2) Be a candidate for an elective Board of Education office for any district for which the election will be conducted using district boundaries that were adopted by the Commission on which the member served.

(g) For a period of four years after the last date of service on the Commission or ten years after the date of selection to the Commission, whichever is less, a member or former member of the Commission shall not do any of the following:

(1) Accept appointment to another commission of the Los Angeles Unified School District.

(2) Accept employment as a paid staff member of, or receive compensation as a consultant to, a member of the Board of Education or candidate for elective Board of Education office.

(3) Receive a non-competitively bid contract with the Los Angeles Unified School District.

(4) Act as a registered Los Angeles Unified School District lobbyist.

(5) Accept appointment to a Los Angeles Unified School District office.

(h) Alternate members of the Commission shall be subject to the same eligibility requirements, standards of conduct, and restrictions as other Commission members.

Sec. 813. Commissioner Selection and Removal.

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the Los Angeles Unified School District's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section 812.

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section 812 and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk shall conduct a random drawing at a public meeting to select one person residing in the geographic region of each of the seven Board of Education districts. The result of this selection process shall be the selection of seven members of the Commission, one from the geographic region of each of the seven Board of Education districts.

(h) The seven selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select seven additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the seven initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the City's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the Los Angeles Unified School District's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, and geographic diversity. However, formulas or ratios shall not be applied for this purpose. These selections also shall be made in a manner that ensures that at least four of the 14 members of the Commission are parents or guardians of pupils who attend a school within the Los Angeles Unified School District at the time of selection.

(i) After the 14 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section 812,

unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section 207(c). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

Sec. 814. Redistricting Criteria.

(a) The Commission shall adopt Board of Education district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or as allowable by law.

(b) In addition to following the requirements of subsection (a), the Commission shall adopt Board of Education district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subsection, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to,

cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the Los Angeles Unified School District. District boundaries should be easily identifiable and understandable by residents.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(c) The Commission shall not adopt district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party, and the place of residence of an incumbent or candidate shall not be considered in the development of district boundaries.

(d) Other additional criteria should be considered by the Commission when adopting district boundaries, including consideration of the community and cultural association with economic and cultural landmarks and resources. All decisions concerning additional criteria shall be considered and approved in public meetings. The Commission's consideration of additional criteria should be considered in compliance with and subordinate to the applicable requirements of subsections (a) through (c).

(e) After the Commission has adopted district boundaries, the Commission shall number each Board of Education district such that, for as many residents as possible, the number of the Board of Education district they reside in remains the same.

Sec. 815. Public Meetings, Outreach, and Accessibility.

(a) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws.

(b) The Commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.

(c) The Commission shall hold public hearings and workshops in a manner that ensures that the public has the opportunity to participate and comment in each phase of the redistricting process.

(d) The Commission shall provide live translation of Commission meetings in English and Spanish and as further provided by ordinance. The Commission shall

provide materials in the languages required by federal and state law and as provided by ordinance.

(e) The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. The Commission shall develop this plan prior to the initiation of public hearings.

(f) For purposes of providing testimony, members of the Board of Education shall be subject to the same public comment procedures as members of the public.

(g) Ex Parte Communications.

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, any mapping staff member or mapping consultant of the Commission, and other Commission staff as designated by the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such member or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the City Ethics Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

(4) The Commission may adopt other rules regarding communications provided the rules comply with the Brown Act, do not conflict with the provisions in this subsection, and are adopted in a public meeting of the Commission.

Sec. 816. Commission Conduct of Business, Administration, and Personnel.

(a) Each member and alternate member of the Commission shall be a designated employee in the conflict of interest code for the Commission adopted pursuant to the California Political Reform Act, and shall file with the City Ethics Commission a statement of economic interests and other financial disclosure statements as required by law.

(b) The affirmative votes of a majority of the Commission shall be required for any official action, except the following actions which shall require the approval of two-thirds of the Commission:

(1) a vote for the final redistricting plan;

(2) a vote to remove a commissioner;

(3) a vote for the selection of the seven commissioners described in Section 813(h);

(4) a vote to hire the Executive Director, mapping consultant or mapping staff member, and any other position designated as key staff by the Commission; and

(5) a vote to authorize the delegation of hiring or contracting authority, to the extent such authority is delegable under state and City law.

(c) The alternate members of the Commission may fully participate in Commission deliberations but may not vote and may not be counted towards the establishment of a quorum.

(d) The Commission shall select one commissioner to serve as the Chair of the Commission. The Commission may designate other officers from its membership.

(e) Consideration of principles for the development of district boundaries for draft and final redistricting plans shall be conducted in a public meeting and approved by a vote of the Commission.

(f) The Commission shall post proposed map principles and any proposed final map on the Commission's website for a minimum of seven days before consideration at a Commission hearing or meeting.

(g) The Commission shall hire an Executive Director and redistricting, technology, and outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.

(h) The Commission shall have the authority to hire consultants through a competitive process consistent with the contracting provisions of the Charter and as provided by ordinance.

(i) The City Clerk shall provide support to the Commission in accessing City resources, coordinating with City and Los Angeles Unified School District departments and personnel, and other administrative matters as needed. The executive office of the Board of Education also shall provide support to the Commission.

(j) The Commission may utilize the City Attorney as legal counsel or may request the City Attorney to retain legal counsel for the Commission.

Sec. 817. Adoption of Final Redistricting Plan.

(a) The Commission shall adopt its final redistricting plan establishing new Board of Education district boundaries no later than September 30 of each year ending in the number one.

(b) If the Commission does not adopt a final redistricting plan by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Board of Education district boundaries in accordance with the redistricting criteria described in Section 814, and those boundaries shall apply to Board of Education elections until the Commission is able to adopt a final redistricting plan.

(c) The Commission shall issue, with the final plan, a report that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria described in Section 814.

(d) Upon adoption of a final redistricting plan, the Commission shall submit the plan, final report, and any other accompanying materials to the City Clerk and publish this material on the Commission's redistricting website.

(e) The City Clerk shall post the Commission's final redistricting plan and report on the City's website. The City Clerk shall publish the final plan and description of the new Board of Education district boundaries in the same manner as an ordinance of the City.

(f) The final redistricting plan establishing new Board of Education districts shall become effective 31 days from its publication as provided for ordinances in the Charter.

(g) The final redistricting plan shall be subject to referendum in the same manner as a City ordinance.

(h) No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to the expiration of the term of office for which the member was elected.

(i) District boundaries adopted by the Commission shall not be altered until after the next federal decennial census occurs except to settle a legal claim or in response to an order of a court.

(j) Any territory annexed to or consolidated with the Los Angeles Unified School District shall be added to an adjacent district or districts by the Commission. The addition shall be effective upon the completion of the annexation or consolidation proceedings.

Sec. 818. Commission Funding.

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) The Los Angeles Unified School District shall reimburse the City for costs incurred by the City, including City departments, for the formation and operation of the Commission.

(d) Commissioners shall be compensated as provided by ordinance.

Sec. 819. Commission Recommendations.

(a) The Commission may recommend changes to the independent redistricting process described in the City Charter and Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the Commission's recommendations.

(b) The City Ethics Commission shall review the Commission's recommendations and may transmit a report to the City Council containing recommendations for amendments to the City Charter and Administrative Code regarding redistricting. To the extent the recommendations include amendments to the Administrative Code, the Ethics Commission shall also prepare and transmit, with the assistance of the City Attorney, any proposed ordinance that would be required to effectuate the recommended amendments.

(c) Administrative Code Amendments. Within 60 days of submission of an Ethics Commission report and accompanying proposed ordinance recommending amendments to the Administrative Code regarding redistricting, the City Council shall hold a public hearing concerning the matter and act to approve, without change, or

disapprove the proposed ordinance. If the Council fails to disapprove within the 60-day period, the proposed ordinance shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the proposed ordinance shall be deemed approved.

(d) Charter Amendments. An Ethics Commission report recommending an amendment to the City Charter regarding redistricting shall be considered by the City Council in time to allow for submittal of the charter amendment to the voters at the next available election. An amendment to the City Charter requires the approval of the voters of the City.

Sec. 2. Section 802 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 802. Board of Education Redistricting.~~

~~(a) Redistricting by Ordinance. Every ten years, the Council shall by ordinance redistrict the Los Angeles Unified School District into seven districts designated in the ordinance by numbers from one to seven, inclusive. Those districts shall be used for all elections of members of the Board of Education, including their recall, and for filling any vacancy in the office of member of the Board of Education, after the effective date of the ordinance and until new districts are established.~~

~~(b) Redistricting Commission. There shall be a Redistricting Commission to advise the Council on drawing of Board district lines. The Commission members shall be appointed in the following manner: one by each member of the Board of Education, four by the Council President, and four by the Mayor. Notwithstanding the provision of Section 501(d), one of the Council President's appointees, and one of the Mayor's appointees, must reside within the Los Angeles Unified School District but outside the limits of the City. No officer or employee of the School District shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.~~

~~(c) Redistricting Process. The Redistricting Commission shall be appointed before the date by which the Census Bureau is to release the decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after appointment, but no later than June 1, 2021, and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.~~

~~The Council shall adopt a redistricting ordinance no later than December 31, 2021, and each subsequent tenth anniversary of that date. Nothing in this section shall~~

~~prohibit the Council from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total population of the Los Angeles Unified School District as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates as may be determined by the Council to be substantially reliable.~~

~~(d) **Criteria for Redistricting.** All districts shall be drawn in conformance with the requirements of state and federal law and to the extent feasible shall keep neighborhoods and communities intact, utilize natural boundaries or street lines, be geographically compact, and conform to high school attendance zones.~~

~~(e) **Effect of Redistricting on Incumbents.** No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to expiration of the term of office for which that member was elected.~~

~~(f) **Annexation or Consolidation.** Territory added to the Los Angeles Unified School District after the adoption of a districting ordinance shall be added to an adjacent and contiguous district or districts by the Council by ordinance.~~

~~(g) **Terms.** Members of the Board of Education shall hold their office for a term of four years except as provided in Section 806. The terms of office of those Board members elected from odd-numbered districts shall commence during each fourth anniversary of 1979, and for the members elected from even-numbered districts shall commence during each fourth anniversary of 1981, except as provided in Section 806 and until the year 2020. Beginning in the year 2020, the terms of office of those Board members elected from odd-numbered districts shall commence during each fourth anniversary of the year 2020 and for the members elected from even-numbered districts shall commence during each fourth anniversary of the year 2022. No person may serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007.~~

Sec. 3. Section 806 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 806. Board of Education Term of Office.

(a) Members of the Board of Education shall hold their office for a term of four years except as provided in subsection (b).

(b)(a) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, Board of Education members elected in 2015 shall

be elected for a term expiring in December 2020 and members elected in 2017 shall be elected for a term expiring in December 2022.

~~(c)(b)~~ The term of a member of the Board of Education shall commence on the first day of July next following his or her election until the year 2020. Beginning in the year 2020, the The terms of office for those members of the Board of Education from odd-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for those members of the Board of Education from even-numbered districts shall commence during each fourth anniversary of the year 2022. The term of a member of the Board of Education shall commence on the second Monday in December next following his or her election.

~~(d)(e)~~ No person shall serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007. For purposes of this subsection the term limits contained in Section 802(g), the term of office of Board of Education members elected in 2015 and 2017 as described in subsection (b)(a) of this section shall count as one term.

Sec. 4. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.