Efforts to split Santa Monica-Malibu district gain new traction

School board's decision to redistribute PTA funds to less wealthy schools is a turnoff for many in Malibu. Some in Santa Monica also see potential pluses in a breakup.

By Matt Stevens, Los Angeles Times

5:32 PM PDT, April 27, 2013

The PTA at Point Dume Elementary in Malibu is a fundraising machine. Parents collected about $2,100 per student in the 2009-10 school year, money that helped pay for music and art programs, as well as a dedicated marine science lab.

But now the Santa Monica-Malibu school board wants to funnel much of that money away and, in the name of educational equality, give it to other district campuses.

The move has sparked an effort in Malibu to secede from the district, igniting a battle between one wealthy community and its less wealthy neighbor that echoes across the state.

The district's effort to redistribute PTA money adds to the trend in California since the 1970s to equalize funding between rich and poor schools. Gov. Jerry Brown rolled out a new plan earlier this year that would radically alter the status quo, moving the lion's share of educational dollars to poor schools.

Some Malibu parents are just fed up.

"It's not fair," said Maria Kuznetsova, who has a 6-year-old son at Point Dume. "You don't want to donate to somebody else. You know how it goes. It disappears."

Still, secession is a hard idea to swallow for some in the community known as much for its liberal politics as its sandy beaches and Creamsicle sunsets.

Deborah Allen, who has two sons in the district and helps run Malibu High's booster club, said she has no problem with the policy that will send money her school raises to students who need it most.

"Some of the kids in Santa Monica, the only hot meal they get each day is lunch," Allen said. "So if half of my money, or whatever portion, goes to them, I'm OK with it."
Only in this awkward marriage between two beach cities could Santa Monica be considered the poor spouse. Its median household income is 27% higher than the rest of the county. Its ocean-front homes are the stuff of California dreams, although there are less affluent pockets inland.

The city's wealth, however, pales in comparison with Malibu, where median incomes, at $133,000 a year, are nearly double Santa Monica's.

When the Santa Monica school district first added a campus in Malibu more than 60 years ago, the joining of the two communities made sense. Santa Monica had an established system; Malibu was just a rustic beach town.

But over the decades, the two cities have grown — and grown apart. Malibu opened its own high school in 1992. It now has three elementary schools and about 2,000 students. Leaders of the separation movement say it's time for city to make its own educational decisions for its schools.

The core of the problem is the mismatch between the wealth of Malibu, population 13,000, and the political power of its southern neighbor Santa Monica, population 90,000. Santa Monica has 10 schools and about 9,000 students. There hasn't been a Malibu resident on the school board since 2008.

In 2003, Malibu parents launched the first of at least three serious attempts to secede from the joint school district.

The latest effort was sparked in 2011, when the joint school board unanimously passed a policy that beginning in 2014 will bar PTAs from raising money for professional development or staff, such as instructional aides.

Instead, the district will funnel privately raised dollars into a foundation that will distribute the funds more equally among all schools. PTAs could still raise money for classroom items under the new plan.

The goal, Supt. Sandra Lyon said, was to ensure that "every student gets the best education we have to offer."

In a presentation to the school board, she showed how some PTAs in the district raised thousands of dollars per student for their schools while others brought in less than $100.

That PTA money had helped keep the district running during the recession. In addition to parcel taxes paid by area residents, PTAs contributed about $3 million to the $120-million general fund in the 2011-12 school year.

At Malibu's Point Dume, for example, the PTA has organized fundraising dinners that cost $100 or more per ticket, golf tournaments that charge $200 per player, book fairs and countless other
events. A "direct investment form" that is available online tries to make donations at levels between "$25,000" and "$3,000 per child" look easy.

Steven Bard, whose son goes to Malibu High, is one of many parents who have contributed. He's written checks and — along with his wife — poured in the volunteer hours.

He called the money redistribution scheme "ludicrous."

"The parents will just spend money on tutors and special programs for their own kids. The money will end up where they want it to in the end. People aren't dumb."

The picture is somewhat different in Santa Monica, with its diverse and urbanized populations. At schools with lower-income students, parents can't continually open up their wallets.

John Rogers, head of UCLA's Institute for Democracy, Education and Access, said the conflict between the two cities springs from a situation of "scarcity for all."

"When we don't have enough," said Rogers, who has a son attending Santa Monica schools, "people are going to try to protect their own."

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Education officials said creating a new Malibu district could take years. The idea has to pass through several county and state agencies before being voted on by residents in both communities.

Separation advocates in Malibu believe they have a better chance of succeeding this time around, in part because frustration has been brewing in Santa Monica as well.

Some Santa Monica residents and school board members have said they are tired of focusing time and energy on Malibu issues, such as whether football field lights were too jarring so close to the ocean. The superintendent has assembled a committee to explore breaking the district apart.

Because of several bond measures and parcel taxes passed in recent years, the fiscal future of Santa Monica schools hangs less on Malibu property values than it once did.

In addition, the funding plan proposed by Brown to distribute a greater percentage of state money to poorer schools could bolster the case for separation.

Santa Monica-Malibu stands to go from $6,147 per student to $9,058 per student if the governor's plan passes.

A Santa Monica-only district would probably get a similar, if not greater boost, and Malibu too would do fine on its own. In fact, the city is so wealthy that it could operate primarily on local
property tax revenues — without relying on state general funds. It could take in an additional $4.5 million annually on its own.

Santa Monica "will prosper … and we'll prosper," said Craig Foster, president of the secession group, Advocates for Malibu Public Schools. "The money helps this make sense."

Eric Biren, a Santa Monica parent, said he generally supports the separation and understands the desire to keep what's yours.

Biren's daughter, Charlotte, graduated from Santa Monica High, where she played violin in the school's top orchestra. His son, Abe, is now a junior and plays bass. Biren said he has written checks to support the music program, taken tickets at concerts and worked backstage.

"As a parent, you want to fix your local school, but you don't want to have it all diluted and dispersed for the energy that you're putting in," he said. "It's a balance. It's a tricky moral question."

But after this many decades, there are some residents who are hesitant to break apart a touchy but still-working marriage that has brought benefits to both communities.

Some parents in Malibu have cherished the diversity of the joint district and opportunities to expose their children to a less-insular world down the highway.

As a district, Santa Monica-Malibu is among the few in the state with a racial makeup that is evenly split between white and nonwhite students.

If Malibu goes it alone, however, the new district would be 78% white.

"We always felt like we wanted our kids to be well-integrated, to feel like they're part of a community," said Agnes Gibson, who has a daughter attending Malibu High. "We like the interaction, the diversity."

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L.A. County rejects Santa Clarita districts' elections proposal

Six school districts and a water district were seeking to consolidate elections to avoid possible voting rights lawsuits brought against other local governments.

By Abby Sewell, Los Angeles Times

8:07 PM PDT, April 30, 2013

Los Angeles County supervisors rejected a bid Tuesday from several Santa Clarita Valley school districts and a water district hoping to consolidate elections in a bid to avoid the kind of voting rights lawsuits that other local governments have been hit with.

The measure failed on a 2-2 vote, with Supervisor Mark Ridley-Thomas abstaining. County election officials opposed the change, arguing that shifting the districts to November even-year elections would exceed their ability to conduct elections.

An increasing number of cities and districts have been sued in recent years over allegations that their election rules violate the California Voting Rights Act by diluting the power of minority voters.

The cities of Compton and Modesto switched from at-large to district elections after unsuccessfully fighting costly voting rights suits. More recently, the city of Palmdale and the ABC Unified School District in southeastern Los Angeles County have been hit with similar complaints.

Gloria Mercado-Fortine, a board member with the William S. Hart Union High School District in Santa Clarita, said that system and the others that joined in the request — four feeder elementary school districts and the Santa Clarita Community College District — have not received a specific threat of litigation.

But she said the districts had received inquiries about their election systems and saw the writing on the wall in the lawsuit against neighboring Palmdale.

"It appears that it's coming right down the state, from north to south," she said. "We're trying to do the right thing here. We truly believe that we want to be very inclusive and increase participation."
The districts — all of which use at-large voting systems — commissioned a joint demographic study that found moving to by-district elections would not necessarily increase minority voting power because the minority population was "substantially dispersed." So instead they requested that the county allow them to consolidate their elections with the statewide general election in a bid to increase voter participation in their elections.

Newhall County Water District joined in the request.

The districts would not provide a copy of the demographic study, citing attorney-client privilege. The population of the Santa Clarita Valley was 60.7% white and 24.4% Latino in 2011, according to the college district.

Officials with the county registrar-recorder said that allowing the districts to move their elections might overload the county's voting system, which has limited room on each ballot. According to the office, large portions of the county are already at 75% capacity in even-year November elections.

The office is in the process of modernizing its system, but officials said the new one will not be in place in time for the November 2014 election.

Supervisors Michael D. Antonovich, whose district includes the Santa Clarita Valley, and Don Knabe sided with the school districts.

No governmental entity has successfully fought a lawsuit under the California Voting Rights Act to date. Rod Pacheco, a former Riverside County district attorney who has made a study of the act, said most cities and districts initially fought the suits vigorously but eventually settled.

"Government entities are starting to see the light and starting to make changes in their governance structure" to comply with the act before facing litigation, Pacheco said.

Paul Mitchell, whose firm, Redistricting Partners, did the study for the Santa Clarita school districts, said his company has fielded an increasing number of requests in recent years from governments interested in preemptively switching to by-district elections, and dozens throughout the state have made the change.

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For much of Woodland's history, there have been two constants: Its City Council members have always been elected citywide, and they have nearly always been white.

Though Latinos constitute almost half of Woodland's residents – enough to be a plurality – none currently sits on the council. Only three have served in the city's 142-year history.

While Woodland's elections are nonpartisan, all five councilmen are registered Republicans in a city where Democrats hold a 43.7 percent to 30.4 percent voter registration advantage.

"If you look at the demographics, (the City Council) clearly doesn't reflect the city of Woodland," said former Mayor Art Pimentel, one of the three past Latino council members and a registered Democrat. "That's problematic."

More than a decade after lawmakers passed the California Voting Rights Act, Woodland and other California governments are shedding at-large elections in favor of using neighborhood-based districts to diversify their leadership ranks.

The 2002 law prohibits at-large elections – commonplace in much of the state – if it is shown the contests disenfranchise minority voters. It also gives groups the ability to sue to compel cities to change their election systems.

California Watch, a nonprofit investigative news group, last year identified 13 California cities where either Latino or Asian residents make up a majority but have all-white city councils. That list did not include Woodland, where Hispanics fall just shy of a majority at 47 percent, according to U.S. census data.

In the San Joaquin Valley, the city of Modesto and school districts in Ceres, Madera and Hanford have paid out sizable settlements to avoid court fights over their at-large elections.

At least 77 school districts have applied to the California Department of Education to change their systems from at-large to district-based to comply with the state's Voting Rights Act, said
Joanna Cuevas Ingram, a voting rights fellow at the Lawyers' Committee for Civil Rights of the San Francisco Bay Area.

"A lot of cities are confronting the issue," said Cuevas Ingram. "It's not only about increasing diversity, it's also about accountability. It's a good governance issue."

In an at-large election, voters select candidates from across a city or jurisdiction. In a district-based election, voters in a designated electoral area select a candidate who resides there.

At-large elections have been commonplace for years in California.

Tales of corrupt ward bosses, political machines and sweeping Tammany Hall-style influence over neighborhood elections in other states were fresh in the minds of early lawmakers.

But over time, concerns arose that at-large elections would allow higher-voting, wealthier, whiter electorates to trump poorer neighborhoods and those with large ethnic minority populations, said Paul Mitchell, president of Sacramento-based consultancy Redistricting Partners, which advises local governments on the voting rights act.

In Woodland, advocates for diversity say the long-standing contrast between the city's minority population and its council leadership demonstrates the need for change.

More than 26,000 of the city's 55,584 residents are Hispanic, according to U.S. census data. Supporters of district-based elections say concerns about underrepresentation have long played out at the ballot box.

Evelia Genera is among them. Genera was a Woodland Community College dean, Woodland school board member and principal at Woodland High School before retiring last year.

"I know the challenges people face in wanting to serve and run for office," Genera said. "But it's also about neighborhood representation. Ethically, we have a responsibility to the city of Woodland to make it more accountable."

**City leaders back switch**

Four current Woodland councilmen are practically neighbors, living within about a mile of each other in south Woodland.

According to 2010 census figures, four of the five council members live on blocks where fewer than 20 percent of residents are Hispanic. The fifth, Sean Denny, lives on a block with about 33 percent Hispanic residents.

Woodland leaders support the switch to district elections despite the likelihood that some council members would lose their seats because they live in close proximity. Last week, the council unanimously approved a committee recommendation to move to a district-based vote.
"We're of the firm belief that the intent of the (voting rights act), the requirements … are that we form districts within the city," said Councilman William Marble, who together with Councilman Tom Stallard made up the committee that explored the issue and recommended the change.

Woodland has slated a ballot measure on the issue for June 2014, with the first district-based elections set for 2016. Public comment, drawing district maps and preparing ballot language will likely go deep into this year, Marble said.

"We're adamantly behind anything that opens up the electoral process," said Mark Pruner, chairman of the Yolo County Republican Central Committee. "All five (council members) are Republicans in a city where Democrats have the registration edge, all are duly elected, and all are doing the right thing. They're all behind opening up the process."

In cities and towns across the state, minority voters and legal advocates have used the California Voting Rights Act to press for more equal representation in city, school and community college governance, going to court to fight for district-based voting.

Woodland officials had already considered the legal and financial ramifications of not complying, made clear by the city attorney in March.

"I think the city is vulnerable" to a lawsuit, then-City Attorney Andrew Morris told the Woodland City Council at its March 19 meeting. "If there is a large minority population in the city and there is a history of relatively few minority council members, you're vulnerable."

Esparto Unified School District, west of Woodland, was among the latest to switch to district-based voting in 2012 to avoid costly litigation with the Lawyers' Committee over its at-large system.

The group has won judgments against a handful of Central Valley school districts and cities, including Modesto, the first city to be sued under the act in a 2004 landmark case that cleared the way for future challenges.

Modesto ultimately settled the case in 2008 for a reported $3 million after the U.S. Supreme Court and the California Supreme Court declined to review an appellate court decision against the city.

'It's the law'

The Woodland Joint Unified School District and the sprawling Yuba Community College District, which includes a Woodland campus, moved to district-based elections within the last two years.

Jesse Ortiz, a Woodland Joint Unified trustee, co-chaired the committee that drew the district's new trustee boundaries.
"I always come back to, 'It's the law,'" Ortiz said. He said results of district elections were immediate: more Latino and female candidates, and challenged seats in three trustee races for the first time in decades.

"From the standpoint of challengers, it worked. From the standpoint of diversity, it worked. We're turning out more women than before," Ortiz said. "It's very positive for the city of Woodland."

Sacramento moved to district-based elections in 1971, and former mayor and state assemblyman Phil Isenberg credits the switch for producing a diverse class of council members that year: Robert Matsui, Anne Rudin and minister and African American leader Rosenwald "Robbie" Robertson.

As Woodland's does today, the Sacramento City Council at the time lacked geographic diversity. In 1969, Manuel Ferrales became the first member who lived north of the American River and joined a council that included five white men from Land Park.

"I will not tell you that district elections solve all problems for all time," Isenberg said, "but most Americans believe they should have neighbors who represent them. It's a strong theme."

Proponents of at-large elections fret that in district-based elections, candidates can win with a thinner slice of votes and that elected leaders may prioritize the needs of their districts above those of the city.

"There's a concern that you create these little fiefdoms" by drawing districts, said Mitchell of Redistricting Partners.

In a city such as Woodland, where voter turnout is typically about 36 percent – about 9,000 of Woodland's roughly 25,000 registered voters – some also have concerns about voter turnout shrinking with district-based elections.

"There's a concern that the community's not politically engaged. It might take 10 years for an area to develop a political infrastructure," Mitchell said. "But that's what the law is trying to do: create a political voice."

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