

OAK GROVE SCHOOL DISTRICT

MEASURE S

To improve education, student achievement, and safety in neighborhood schools by:

- Hiring, retaining, and training high-quality teachers;
- Maintaining class sizes;
- Expanding math, science and technology education;
- Ensuring adequate student supervision and safety through appropriate staffing; and
- Providing physical education programs.

Shall the Oak Grove Elementary School District levy a parcel tax of \$132 per parcel for nine years, providing \$3.4 million ongoing annually, exempting seniors, with annual audits, citizens' oversight, and all funds used locally?

YES

NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE S

A school district may levy a tax upon approval by two-thirds of the votes cast on a proposal pursuant to section 4 of article XIII A of the California Constitution and section 50075 *et seq.* of the California Government Code. Subject to voter approval, the Board of Trustees (Board) of the Oak Grove Elementary School District (District) has placed on the ballot a new \$132 per year school parcel tax to be levied beginning July 1, 2020 for nine (9) years from that date, ending June 30, 2029.

State law requires the District to state the specific purposes for which the tax proceeds will be used and only spend the proceeds of the tax for these purposes. The stated purposes of the tax proposed by Measure S are to improve education, student achievement, and safety in neighborhood schools by hiring, retaining, and training high-quality teachers; maintaining class sizes; expanding math, science and technology education; ensuring adequate student supervision and safety through appropriate staffing; and providing physical education programs.

The District is required by law to provide additional accountability measures for the proceeds. These measures include (1) depositing the proceeds into a fund that is separate and apart from other District funds; (2) providing an annual written report to the Board detailing the amount of funds collected and expended and the status of any project authorized to be funded from the tax; and (3) establishing a citizens' oversight committee, which will provide oversight regarding the expenditure of the proceeds of the proposed tax revenues and submit an annual report to the Board on the expenditure of these funds.

The proposed tax does not apply to any parcel that is a principal residence of, and owned by, one or more persons 65 years of age or older subject to application to the District in accordance with procedures established by the District or otherwise required by the law or the Santa Clara County Tax Collector. Applications for such exemptions must be made to the District on or before July 1, 2020, or before July 1 of any succeeding year. Any approved application from a qualified applicant will be provided an exemption for the parcel for the remaining term of the special tax so long as such applicant continues to own and occupy the parcel as his or her principal residence.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE S-Continued

A "yes" vote is a vote to approve a special tax of \$132 per parcel on parcels within the District for nine years.

A "no" vote is a vote to not approve a special tax of \$132 per parcel on parcels within the District for nine years.

James R. Williams
County Counsel

By: Mary E. Hanna-Weir
Deputy County Counsel

COMPLETE TEXT OF MEASURE S

INTRODUCTION

The State of California does not fully fund local public schools. Passing this measure will provide critical funding to improve education, student achievement and safety in the Oak Grove School District. Without it, the District will be faced with eliminating programs and services, increasing class size, and staff and teacher layoffs. The District and its Board of Trustees believe that a local parcel tax is critical to maintain and improve neighborhood schools and to keep cuts away from the classroom.

PURPOSES

To improve education, student achievement, and safety in neighborhood schools by:

- Hiring, retaining, and training high-quality teachers;
- Maintaining class sizes;
- Expanding math, science and technology education;
- Ensuring adequate student supervision and safety through appropriate staffing; and
- Providing physical education programs.

Shall the Oak Grove Elementary School District levy a parcel tax of \$132 per parcel for nine years, providing \$3.4 million ongoing annually, exempting seniors, with annual audits, citizens' oversight, and all funds used locally?

EDUCATION PARCEL TAX AND PROCEDURES

Amount of Education Parcel Tax. Subject to two-thirds approval of the voters, the education parcel tax of \$132 per parcel (except exempt parcels, as described below) shall become effective commencing July 1, 2020, and expiring in nine (9) years on June 30, 2029, and be collected by the Santa Clara County Tax Collector at the same time as and along with, and shall be subject to the same penalties as general *ad valorem* taxes collected by said tax collector.

Definition of Parcel. A parcel shall be defined as any unit of land in the District that receives a separate tax bill from the Santa Clara County Tax Collector, and shall be collected in the same manner and subject to the same penalty or penalties as other taxes fixed and collected by the County on behalf of the District.

Exemptions. The following exemptions shall apply to the levy of the qualified special tax.

- *Otherwise Exempt Property.* All property that would otherwise be exempt from property taxes shall also be exempt from the education parcel tax.
- *Senior Citizen Exemption.* An exemption shall be available to persons who are 65 years or older and own and occupy as a principal residence a parcel subject to the education parcel tax.

Property owners seeking the senior citizen exemption must apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Santa Clara County Tax Collector. Any approved application from a qualified applicant will be provided an exemption for the parcel for the remaining term of the special

COMPLETE TEXT OF MEASURE S-Continued

tax so long as such applicant continues to own and occupy the parcel as his or her principal residence. Approved exemptions therefore will not have to reapply annually.

Exclusive Procedures. With respect to all general property tax matters within its jurisdiction, the Santa Clara County Tax Assessor or other appropriate County tax official ("County") shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the education parcel tax, including the senior citizen exemption, the decisions of the District shall be final and binding. The procedures described herein, and any additional procedures established by the Board, shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the education parcel tax. Whether any claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary.

The procedures described herein with respect to the levy and collection of the education parcel tax and exemptions, and any additional procedures established by the Board of Trustees of the District, shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the qualified special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary. The District's Board of Trustees may adopt such additional or supplemental procedures as it deems necessary or convenient for the administration of the education parcel tax.

ACCOUNTABILITY MEASURES

In accordance with California Government Code sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the special taxes levied in accordance with this Measure:

- (a) Proceeds of this special tax shall be deposited into a fund which shall be kept separate and apart from other funds in the District and shall be applied only as set forth in this Measure.
- (b) An annual report, including the revenues generated by this special tax and the expenditures of these monies and the status of any projects funded by these monies, shall be filed by the chief fiscal officer of the District with the Board no later than January 1 of the year following the fiscal year during which the monies were expended.
- (c) In addition, an oversight committee of citizens will be appointed or designated by the Board to ensure that the special tax proceeds are spent for their authorized purposes, and to report annually to the Board and the public regarding the expenditure of such proceeds.

PROTECTION OF FUNDING

Current law forbids any decrease in State or Federal funding to the District because of the District's adoption of a parcel tax. However, if any such funds are reduced because of the adoption of this parcel tax, then the amount of the special taxes will be reduced annually as necessary in order to restore such State or Federal funding.

COMPLETE TEXT OF MEASURE S-Continued

SEVERABILITY

The Board of Trustees of the District hereby declares, and the voters by approving this measure concur, that every section, paragraph, sentence and clause of this measure has independent value, and the Board of Trustees and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

ARGUMENT IN FAVOR OF MEASURE S

Quality public schools are crucial to our community's health, our property values and our quality of life. With seventeen of our schools having earned the prestigious California Distinguished School Award, Oak Grove School District is one of the top performing districts in the County.

Many of us grew up attending the excellent public elementary schools in this District or sent our children and grandchildren there. **Measure S** invests in providing those learning opportunities for today's children and future generations.

- Great teachers are essential to a strong education. **Measure S helps attract and retain high quality teachers for every classroom and will enhance quality training for all teachers.**
- Studies show small class sizes lead to great gains in academic achievement. **Measure S maintains class sizes and creates better learning environments for students.**
- Today's students need to be prepared for college and careers. **Measure S expands science, technology, engineering and math programs** to give our students the academic background needed to thrive in Silicon Valley's economy.
- **Measure S continues our investment in student safety** by providing enhanced supervision and safety at all schools through appropriate staffing.

Measure S is a smart investment. **High quality schools protect property values and provide for a strong community.** It will cost homeowners only \$11 a month, cannot increase over time, expires in 9 years, and allows for an exemption for senior citizens. **Measure S** also has built in taxpayer protections requiring an annual audit, a citizen's oversight committee, and a requirement that all funds must be spent locally. **Measure S** funds cannot be taken away by the State government.

Measure S is our opportunity to ensure that our schools remain the pride of our neighborhoods where all of our children receive a world class education.

Our students deserve our support. Vote **YES** on **Measure S**.

Dominic Rizzi
President, Oak Grove Educators Association

Mary Noel
Vice President, Governing Board of Trustees

Jon Reinke
Citizens Bond Oversight Committee Chair

Mark Lepori
Principal, Santa Teresa Elementary School, OGSD

Roberto Plamenco
Ret. Police Officer

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE S

With this latest so-called "**temporary**" parcel tax, the Oak Grove Elementary School District trustees claim they need even higher amounts of our money in order to just continue providing quality education.

District want to drag out the 2010 parcel-tax burden for another 9 years, and they want a whopping increase to \$132 per year on most homeowners.

Has the District earned this extension that will cost us over \$1,188?

Let's look at their latest academic performance results:

2017-18 school year: **46.11% of students fall below grade level for English.**

2017-18 school year: **53.68% of students fall below grade level for math.**

The District "rewarded" students, parents, and us taxpayers for our granting them the 2010 parcel tax...by dropping our children's proficiency in both English and math!

That's probably why the district's enrollment is steadily declining.

(Source: Education Data Partnership: www.Ed-Data.org)

Should we, the voters, reward the District for dropping our children's scores in two vital subjects?

If your answer is "no," we urge you to vote **NO on Measure S**.

The District is already spending \$11,427 per student per year. Yet, they want more of our hard-earned money to pad their salaries and fat pension plans.

The measure says that none of the funds will be used for administration. But funds generated separately from this parcel tax **can be used for administration expenses, without limits.** Do not be fooled.

If we reward failure, we will get more failure!

Vote NO on Measure S.

For more information: www.SVTaxpayers.org.

Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

ARGUMENT AGAINST MEASURE S

With this latest so-called "**temporary**" parcel tax, the Oak Grove Elementary School District trustees claim they need even higher amounts of our money in order to just continue providing quality education.

Not only does the District want to drag out the 2010 parcel-tax burden for another 9 years, but they want a whopping increase to \$132 per year on most homeowners.

Has the District earned the right to this extension that will cost us over \$1,188 over the next 9 years (on top of the taxes we are already paying)?

Let's look at their latest academic performance results:

2017-18 school year: **46.11% of students fall below grade level for English.**

2017-18 school year: **53.68% of students fall below grade level for math.**

The District "rewarded" students, parents, and us taxpayers for our granting them the 2010 parcel tax...by dropping our children's proficiency in both English and math!

That's probably why the district's enrollment is steadily declining.

(Source: Education Data Partnership: www.Ed-Data.org)

Should we, the voters, reward the District for dropping our children's scores in two vital subjects?

If your answer is "no," we urge you to **vote NO on Measure S**.

The District is already spending \$11,427 per student per year. Yet, they want more of our hard-earned money to pad their salaries and fat pension plans.

The measure says that none of the funds will be used for administration. But funds generated separately from this parcel tax **can be used for administration expenses,** without limits. So, that is really an empty promise. Do not be fooled.

Tell Oak Grove Elementary School District's trustees to be financially responsible, by voting **NO on Measure S**.

If we reward failure, we will get more failure!

For more information, please visit us at www.SVTaxpayers.org.

Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

REBUTTAL TO ARGUMENT AGAINST MEASURE S

Those who live in the Oak Grove School District know that our schools provide a high-quality education to our students. However, our local schools need the resources to keep up that success.

That's why teachers, community leaders, and parents agree that Measure S is the best way to ensure that the Oak Grove School District remains one of the top performing districts in the County. **Our students outperform the State in English and in every student group category in math.** Our academic success is proven by the 2019 California Distinguished School Awards recognition and recipients of the Golden Bell Award for exemplary districtwide academic programs.

Measure S has strong taxpayer protections. It requires annual audits, citizen's oversight, expires in 9 years, and all funds must be spent in the school district. It cannot be taken away by the State.

Measure S improves Oak Grove schools by:

- **Hiring, retaining, and training high-quality teachers;**
- **Maintaining class sizes;**
- **Expanding math, science and technology education;**
- **Ensuring adequate student supervision and student safety through appropriate staffing; and**
- **Providing physical education programs**

High quality schools protect property values and provide for a strong community, making Measure S a smart investment in our children and neighborhoods.

Join local teachers, community leaders and parents in voting YES on Measure S. Learn more at www.citizensforabettereducation.com.

Dominic Rizzi
President, Oak Grove Educators Association

Mark Lepori
Principal, Santa Teresa Elementary School, OGSD