

**ALUM ROCK UNION SCHOOL DISTRICT
MEASURE I**

Without increasing current rates, to help protect schools from budget cuts, to continue improving local elementary/middle schools by protecting reading, writing, math, science, technology and arts/music, recruiting/retaining qualified teachers and counselors, extending student support, shall Alum Rock Union Elementary School District's measure renewing its existing \$214.10 parcel tax for 7 years, adjusted annually, providing \$4,500,000 yearly, be adopted, with senior exemptions, independent citizens oversight, no funds for administrator salaries, and all funds staying local to benefit students?

**YES
NO**

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE I**

A school district may levy a special 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 sections 50075 *et seq.* of the California Government Code. Subject to voter approval, the Board of Trustees (Board) of the Alum Rock Union Elementary School District (District) has placed on the ballot a measure to renew the existing \$214.10 per year school parcel tax, adjusted annually by the local Consumer Price Index, which will commence on July 1, 2022, and continue for seven (7) years from that date, ending on 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 I are to:

- Protect reading and writing programs;
- Retain and attract qualified teachers and counselors;
- Protect math, science, technology, arts, and music programs;
- Ensure that schools meet children's essential social, emotional, and academic needs; and
- Prepare students for college and 21st Century careers.

The measure also states that tax proceeds shall not be used for administrator salaries or benefits. State law requires the District to provide additional accountability measures for the proceeds including (1) depositing the proceeds into a fund that is separate from other District funds, and (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. An independent citizens' oversight committee will be appointed or designated by the Board to provide oversight regarding the expenditure of the proceeds of the proposed tax revenues.

The proposed tax does not apply to any parcel, upon approval of an application submitted for exemption by the District, that is an owner-occupied single-family residence of one or more persons 65 years of age or older; persons receiving Supplemental Security Income for a disability, regardless of age; or persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services.

The measure states that beginning on July 1, 2023, and every July 1 thereafter, the rate of the qualified special tax shall be increased by an

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE I-Continued**

amount equivalent to the change in the San Jose Statistical Area Consumer Price Index from the prior year. In the event this Index is no longer available, the measure states that Board shall reasonably determine and adopt a comparable index.

A "yes" vote is a vote to renew a tax of \$214.10 per parcel, adjusted annually, on parcels within the District for seven years.

A "no" vote is a vote to not renew the tax.

James R. Williams
County Counsel

By: Mary E. Hanna-Weir
Deputy County Counsel

COMPLETE TEXT OF MEASURE I

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

Quality Education Parcel Tax Measure I

RECITALS

Alum Rock Union Elementary School District (the "District") offers a wide variety of opportunities for students to participate in the visual and performing arts. Students across the District are using their creativity and expressing themselves in the form of music, poetry, drawing, sculpture, and digital media. This Measure will ensure these arts and music programs can continue to be offered.

Passing this Measure can help keep qualified teachers in District schools and recruit new teachers.

District schools must be equipped to meet students' social, emotional and academic needs, especially during the COVID-19 pandemic. By providing funding to keep qualified teachers and school support staff in local schools, this Measure will help ensure students get the support they need to succeed.

If this Measure does not pass, the District may have to make major budget cuts, including laying off teachers and counselors, closing schools and making cuts to academics.

Funds generated by this Measure will stay in the community and can only be used to improve local schools. There are legal requirements prohibiting the State from taking any of these funds.

This Measure includes strict accountability requirements including a citizens' oversight committee, and independent annual financial and performance audits. No money from this measure will go towards administrators' salaries or pensions and all funds will be spent locally.

TERMS

Without increasing current rates, to help protect schools from budget cuts, to continue improving local elementary/middle schools by protecting reading, writing, math, science, technology and arts/music, recruiting/retaining qualified teachers and counselors, extending student support, shall Alum Rock Union Elementary School District's measure renewing its existing \$214.10 parcel tax for 7 years, adjusted annually, providing \$4,500,000 yearly, be adopted, with senior exemptions, independent citizens oversight, no funds for administrator salaries, and all funds staying local to benefit students?

The proceeds of this Measure shall be authorized to be used only for the following purposes in accordance with priorities established by the Board and to the extent of available funds:

- Protecting reading and writing programs
- Retaining and attracting qualified teachers and counselors
- Protecting math, science, technology and arts programs
- Ensuring that schools meet children's essential social, emotional and academic needs
- Preparing students for college and 21st century careers

No funds will be spent on administrative salaries or benefits.

COMPLETE TEXT OF MEASURE I-Continued

A. Amount and Basis of Tax

The qualified special tax shall be levied at the rate of \$214.10 per Parcel of Taxable Real Property beginning July 1, 2022 and continuing for a period of seven (7) years. Beginning on July 1, 2023, and every July 1 thereafter, the rate of the qualified special tax shall be increased by an amount equivalent to the change in the San Jose Statistical Area Consumer Price Index from the prior year. In the event this index is no longer available, the Board shall adopt a comparable index as it shall reasonably determine.

This qualified special tax is estimated to raise \$4.5 million of annual local funding for District schools. The amount of annual local funding raised by this qualified special tax will vary from year-to-year due to changes in the number of parcels subject to the levy and the annual adjustment.

The District shall provide the Santa Clara County Tax Collector ("County Tax Collector") a report indicating the parcel number and amount of tax for each Parcel of Taxable Real Property. "Parcel of Taxable Real Property" shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector. All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall not be considered a Parcel of Taxable Real Property for purposes of the special tax in such year.

B. Exemptions

Pursuant to any procedures adopted by the District, upon application an exemption from payment of the special tax may be granted on any parcel owned by one or more:

1. Persons who are 65 years of age or older and occupying said parcel as his or her principal residence ("Senior Citizen Exemption"); or,
2. Persons receiving Supplemental Security Income for a disability, regardless of age, and occupying said parcel as his or her principal residence ("SSI Exemption"); or
3. Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services and occupying said parcel as his or her principal residence ("SSDI Exemption").

C. Claim/Exemption Procedures

With respect to all general property tax matters within its jurisdiction, the County Tax Collector or other appropriate County tax official 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 special tax, including the Senior Citizen Exemption, the SSI Exemption, the SSDI exemption, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s) or any other disputed matter specific to the application of the special tax, 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

COMPLETE TEXT OF MEASURE I-Continued

exemption, refund, reduction, or re-computation of the 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.

D. Appropriations Limit

Pursuant to California Constitution and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

E. Accountability Measures

1. *Specific Purposes.* The proceeds of the special tax shall be applied only to the specific purposes identified above.
2. *Annual Reports.* The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District, pursuant to the Government Code. No later than December 31 of each year while the tax is in effect, the District shall prepare and file with the Board a report detailing the amount of funds collected and expended during the prior fiscal year, and the status of any project authorized to be funded by this measure. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.
3. *Independent Citizens' Oversight Committee.* An independent citizens' oversight committee shall 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 funds. The Board shall provide by resolution for the composition, duties, funding, and other necessary information regarding the committee's formation and operation. The Board shall have the option to extend any current independent citizens' oversight committee and its membership to serve as the independent citizens' oversight committee for this Measure.

F. Protection of Funding

Current law forbids any decrease in State or federal funding to the District resulting from the adoption of an education parcel tax. However, if any such funding is reduced or affected because of the adoption of this local funding measure, then the Board may reduce the amount of the special taxes levied as necessary in order to restore such State or federal funding and/or maximize the District's fiscal position for the benefit of the educational program. As a result, whether directly or indirectly, no funding from this measure may be taken away by the State or federal governments.

G. Severability

The Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board 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 of the measure or taxing formula be found by a court of competent jurisdiction to be

COMPLETE TEXT OF MEASURE I-Continued

invalid for any reason, all remaining parts of the measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.

ARGUMENT IN FAVOR OF MEASURE I

VOTE YES on Measure I to protect the outstanding education students receive at Alum Rock Union School District elementary and middle schools without raising tax rates!

Measure I simply continues an existing measure to maintain the high quality of education students receive by protecting core academic programs in math, science, technology, reading, writing, the arts and helping to attract and retain the highest quality teachers and keep class sizes low.

Unfortunately, woefully inadequate State funding and the expiration of our existing community supported parcel tax are threatening the quality of local education. If we don't pass Measure I, Alum Rock Union School District will have to make drastic cuts to academic programs, including laying off teachers and counselors, closing schools and increasing class sizes. These types of cuts will harm our children's education.

Our District has tightened its belt, made cuts as far away from the classroom as possible, but a funding gap remains. **Measure I is necessary!**

Measure I will:

- **Protect** math, science, technology, and arts programs.
- **Retain and attract** qualified teachers and counselors.
- **Protect** reading and writing programs.
- **Ensure** that schools meet children's essential social, emotional, and academic needs.
- **Prepare** students for college and 21st century careers.

Senior citizens and certain disabled persons are eligible for an exemption. We do not want this measure to become a burden to those living on a fixed income.

Taxpayer protections are REQUIRED. NO funds are allowed for administrators' salaries. Independent Citizens' Oversight and mandatory audits will ensure fiscal accountability.

The most important factor in improving student achievement is ensuring that every student has an experienced, effective teacher. By passing measure I we can help keep excellent teachers in our schools and recruit good new ones.

Good schools protect local property values and keep our community strong.

Alum Rock Union School District schools are critical to educating our local students, help protect them.

ARGUMENT IN FAVOR OF MEASURE I-Continued

PLEASE, VOTE YES on I.

Camille Llanes-Fontanilla
Community Organizer

Teresa A. Gonzalez
Parent

Corina Herrera-Loera
School Board Trustee

Alison Cingolani
Chair, Citizen's Bond Oversight Committee

Tanya M. Freudenberger
Life Time Resident Alum Rock

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE I

Proponents launched their argument with two absurd claims.

CLAIM 1: Current district education is "outstanding."

NOPE—it's APPALLING:

- 62.17% of students don't meet standard literacy proficiency
- 70.83% don't meet math proficiency.

—Ed-Data.org

Worse, those 2018-19 figures overlook the learning loss politicians caused by ousting children from school during COVID-19.

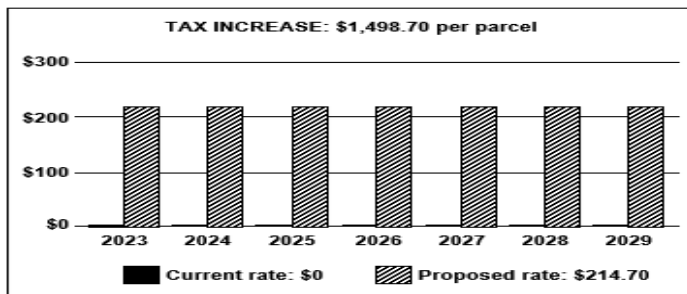
Alum Rock Union School District **should be preparing all students to ACHIEVE GRADE LEVEL in literacy and math, BEFORE turning to college prep.**

"Protecting" the three Rs should be REGULARLY BUDGETED—not left to voters.

CLAIM 2. Measure I won't raise tax rates.

Proponents assert that they can **raise a tax FROM COSTING \$0 to COSTING NEARLY \$1,500 "without raising tax rates."**

Here's how we see it:



What books, tutoring, museum visits could YOUR family afford with \$1,500?

"Drastic cuts" sure sounds scary. But having lost 3,522 students (26.34%) from 2009-2021—a trend Alum Rock Union School District has known of for years—downsizing seems appropriate. Whereas raising taxes to "attract teachers" seems wildly irresponsible.

Proponents may have a point about "inadequate" state funding—but taxing us again is NOT the solution.

Given California's \$31 BILLION SURPLUS, the **SOLUTION?** Districts **suffering from state mismanagement should demand California distribute funds to them, as required by law.**

Vote NO on Measure I.

You can be FOR children, FOR teachers, and FOR education—but AGAINST habitual tax hikes.

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE I-Continued

For information: www.SVTaxpayers.org

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

Elizabeth C. Brierly
District Homeowner

Linda Chavez
Trustee, Alum Rock Union School District

ARGUMENT AGAINST MEASURE I

In 2008, voters approved Alum Rock Union Elementary School District's \$179,000,000 bond measure to **"fix roofs"**.

Four years later, in 2012, Alum Rock Union Elementary School District got a \$125,000,000 bond measure passed to fix **"leaky deteriorated roofs"**.

Then again in 2016 voters approved another \$139,999,671 bond to fix **"leaky deteriorated roofs"**.

Amazing how fast roofs deteriorated in the District.

Now they're back, once again, asking for our approval to *extend that 2014 parcel tax increase* **for another 8 years**. The District always makes the same pleas to try to scare us into voting for more debt and higher taxes.

This time we should tell them NO.

The State government has an estimated **31-billion-dollar surplus** of our money.

Alum Rock Union Elementary School District has rapidly declining enrollment. Since the 2015-16 school year, **they have lost 1,804 students!**

With enrollment declining sharply, presumably they need fewer teachers and fewer classrooms. Why would they need a tax extension?

Have they put to good use the parcel taxes and loans they've already received? **Let's look at their students' academic proficiency (2019-20):**

English: 62.17% of students are below the state average.

Math: 70.83% of students are below the state average.

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

Please don't reward failure with your hard-earned money. **Demand better academic results**, and only *then* reward the District for their efforts.

Please vote NO on Measure I.

As parents, we know if you reward bad behavior, you just get more bad behavior.

For more information: www.SVTaxpayers.org

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

Joe Dehn
Chair, Libertarian Party of Santa Clara County

Elizabeth C. Brierly
District Homeowner

Linda Chavez
Board Trustee, Alum Rock Union School District

REBUTTAL TO ARGUMENT AGAINST MEASURE I

Don't be deceived by the opponents' inaccurate, cynical, and misleading statements. Measure I is absolutely needed and a sound investment in our local public schools.

As longtime community members—we know the facts, and we're voting **YES on Measure I.**

Here are the facts:

FACT: Alum Rock Union School District bonds funded a lot more than just roofs at our **22 community schools**. Unlike school bond measures, which can only be used to fund school facility improvements, parcel tax revenues are needed to fund instructional programs and teachers.

FACT: Without the renewal of Measure I, about \$4.5M, will disappear from existing local school budgets.

FACT: Measure I simply continues an existing measure **without raising tax rates**. Seniors and certain disabled persons will continue to be eligible for an exemption.

FACT: Alum Rock Union School District TK-8 schools will have to make major budget cuts, including laying off teachers and counselors, closing schools and making cuts to academics. Including cuts to: math, science, technology, reading, writing, and arts programs.

FACT: The quality of Alum Rock Union School District schools, teachers, class sizes, and instructional programs depends on local revenue to supplement limited State funding.

FACT: The most important factor in improving student achievement is ensuring that every student has an experienced, effective teacher. Measure I will help keep excellent teachers in our schools.

FACT: Measure I has a critical, positive impact on Alum Rock Union School District students. Without Measure I, our schools will lose funding supporting 11% of our teachers.

Please join Alum Rock parents, teachers, neighbors, businesses and community leaders fighting to protect our local quality of education. **Vote YES on Measure I.**

Dave Cortese
State Senator, 15th Dist.

David Williams
Parent

Elvia R. Díaz
Teacher

Blanca Alvarado
Former Supervisor