

UNION SCHOOL DISTRICT MEASURE R

To improve school health and safety systems; fix deteriorating roofs, plumbing, and electrical; remove asbestos/lead pipes; and repair, acquire, construct classrooms, sites, science labs, facilities, equipment, and instructional technology that support student achievement in math, science, engineering, reading, arts and technology, shall Union School District's measure authorizing \$128,000,000 in bonds at legal rates be adopted, levying 2¢/\$100 assessed value (\$7,000,000 annually) while bonds are outstanding, with independent citizen oversight and all money locally controlled?

BONDS—YES
BONDS—NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE R

California law permits school districts to issue bonds with the approval of 55 percent of the voters. Such bonds may only be used for construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities. These bonds are required to be paid by the levy of *ad valorem* taxes—a tax on the assessed value of property within a district.

The Board of Trustees (Board) of the Union School District (District) proposes to issue such bonds in the amount of up to \$128 million for the purposes of improving school health and safety systems; fixing deteriorating roofs, plumbing, and electrical; removing asbestos and lead pipes; and repairing, acquiring, and constructing classrooms, sites, science labs, facilities, equipment, and instructional technology that support student achievement in math, science, engineering, reading, arts and technology.

As identified in the measure, projects may include but are not limited to:

- Repair or replace deteriorating roofs, plumbing, sewer, and electrical systems.
- Upgrade older schools so they meet current health codes, building safety codes, and provide proper access for students with disabilities.
- Remove hazardous materials including asbestos and lead pipes.
- Improve heating, ventilation, insulation, doors, and windows to improve energy efficiency.
- Repair or replace playground equipment, athletic facilities, and physical education facilities.
- Replace aging portable classrooms with modern, permanent classrooms.
- Improve student safety and campus security systems including security fencing, security cameras, emergency communications systems, intruder protection systems, smoke detectors, fire alarms, and sprinklers.
- Provide the classrooms, facilities and technology needed to support high quality instruction in math, science, engineering, and technology as well as art and music.

Project costs include the costs of furnishing and equipping facilities, and all costs that are incidental, but directly related, to the types of projects described in the measure.

The Board has certified that it has evaluated safety, class size reduction, and information technology needs in developing its project list.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE R-Continued

Under the California Constitution, these bond funds cannot be used for teacher and administrator salaries or other school operating expenses. The District also must conduct independent annual performance and financial audits. State law requires the District to have an independent citizens' oversight committee to help make sure bond funds are spent only for projects included in the measure.

The District's stated best estimate of the highest tax rate to be levied to repay the proposed bonds is \$20 per \$100,000 of assessed value. The District estimates that the total debt service during the life of the bond, including principal and interest, will be approximately \$240,412,475.

Measure R was placed on the ballot by the Board.

A "yes" vote is a vote to authorize the issuance of the bonds in the amount of up to \$128 million to be secured by the levy of *ad valorem* taxes on property located within the District.

A "no" vote is a vote to not authorize the issuance of the bonds.

James R. Williams
County Counsel

By: Mary E. Hanna-Weir
Deputy County Counsel

COMPLETE TEXT OF MEASURE R

FULL TEXT BALLOT PROPOSITION OF THE UNION SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 8, 2022

The following is the full proposition presented to the voters of the Union School District.

"To improve school health and safety systems; fix deteriorating roofs, plumbing, and electrical; remove asbestos/lead pipes; and repair, acquire, construct classrooms, sites, science labs, facilities, equipment, and instructional technology that support student achievement in math, science, engineering, reading, arts and technology, shall Union School District's measure authorizing \$128,000,000 in bonds at legal rates be adopted, levying 2¢/\$100 assessed value (\$7,000,000 annually) while bonds are outstanding, with independent citizen oversight and all money locally controlled?"

PROJECT LIST

The Board of Trustees of the Union School District is committed to providing safe, secure, upgraded classrooms, labs and technology needed to support high quality instruction in **math, science, engineering and technology**. To that end, the Board evaluated the District's urgent and critical technology and facility needs, including safety issues, class size reduction, **basic repairs**, computer and information technology in developing the types of projects to be funded by this measure as described below.

In approving this Project List, the Board of Trustees determines that the District **must**:

- (i) **Fix deteriorating roofs, plumbing, sewer and electrical systems; and**
- (ii) **Upgrade older schools so they meet current health codes, building safety codes and provide proper access for students with disabilities; and**
- (iii) **Remove hazardous materials, like asbestos and lead pipes from older schools; and**
- (iii) **Provide classrooms, facilities and technology to support high quality instruction in math, science, engineering and technology; and**
- (iv) **Upgrade classrooms and computer systems to keep pace with technology.**

The Project List includes the following types of upgrades and improvements at schools, facilities and sites within the District:

REPAIR OLDER SCHOOLS AND IMPROVE THE QUALITY OF EDUCATION

School Repair and Upgrade Projects Funded By Money That Cannot Be Taken By Sacramento

Goals and Purposes:

Many of our schools and school facilities were built more than 50 years ago and do not meet modern building safety codes. Some buildings have

COMPLETE TEXT OF MEASURE R-Continued

hazardous materials such as asbestos and lead pipes, while others need to be retrofitted for earthquake safety.

There are 36 portable classrooms at our schools that are at least 20 years old and require major repairs to roofs, foundations, and heating and ventilation units. It's expensive to keep repairing these units. We need this bond to replace our aging portables with modern, permanent classrooms.

This measure will ensure that students who plan to go to college are prepared to succeed, and those who don't plan to go to college receive the career training they need to compete for good paying jobs in skilled trades.

- **Repair or replace deteriorating roofs, plumbing, sewer, and electrical systems.**
- Upgrade older schools so they meet current health codes, building safety codes, and provide proper access for students with disabilities.
- **Remove hazardous materials like asbestos and lead pipes from older school sites.**
- Improve heating, ventilation, insulation, doors, and windows to improve energy efficiency and save money on utility bills that is better spent in the classroom educating students.
- Repair or replace old, worn-out playground equipment, athletic facilities, and physical education facilities to improve safety and support student health and fitness.
- Replace aging portable classrooms that are expensive to repair and maintain with modern, permanent classrooms.
- Improve student safety and campus security systems including security fencing, security cameras, emergency communications systems, intruder protection systems, smoke detectors, fire alarms, and sprinklers.

STUDENT ACHIEVEMENT: LOCAL SCHOOL FUNDING TO SUPPORT HIGH QUALITY INSTRUCTION IN MATH, SCIENCE, ENGINEERING AND TECHNOLOGY

Projects That Improve Student Success

Goals and Purposes:

If we want our kids to succeed in college and careers, they must be skilled in the use of today's technologies and have a solid background in science, math, engineering and technology. This measure will make this possible.

Even if you do not have school-age children, supporting this school bond is a wise investment. Good schools improve the quality of life in our community and protect the value of our homes.

Some of our schools have modern classrooms, labs, and facilities, while others don't. This measure will ensure that ALL students have equal access to the classrooms, labs, and facilities they need to succeed.

Schools will benefit from a variety of achievement projects, such as:

- Provide the classrooms, facilities and technology needed to support high quality instruction in **math, science, engineering, and technology**.

COMPLETE TEXT OF MEASURE R-Continued

- Upgrade classrooms and computer systems to keep pace with technology.
- Create modern, multi-use classrooms to support hands-on science instruction and learning-by-doing.
- Provide the classrooms and facilities needed to support high quality instruction in art and music.

In addition to the projects listed above, the repair and renovation of each of the District's existing schools and facilities, may include, but not be limited to, some or all of the following: add or renovate student and staff restrooms; repair and replace electrical, plumbing, heating, ventilation and air conditioning systems; upgrade of facilities for energy efficiencies; repair and replace worn-out and deteriorated roofs, windows, walls, floors, doors and drinking fountains; construct or renovate offices and facilities for professional development of teachers, more efficient administration and multi-purpose learning spaces and libraries; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices; upgrade or construct support facilities including administrative, physical education, music, art, performing and fine arts classrooms or facilities, maker space/science, computer labs/classrooms, libraries and buildings, swing space, covered eating areas, shade structures; repair and replace fire alarms, emergency communications and security systems; improve facilities to satisfy ADA requirements; resurface or replace asphalt, broken concrete and improve hard courts, turf and irrigation/drainage systems; install signage, and fencing; expand parking and drop-off areas; improve all site utilities; acquire land; construct new school buildings; upgrade or replace interior and exterior painting, floor covering (including carpets), portable classrooms and school facades; demolition; upgrade kitchens, food service, and school cafeterias; construct various forms of storage and support spaces and classrooms; improve outdoor learning environments; repair, upgrade and install interior and exterior lighting systems; construct, acquire or improve playgrounds, play structures, athletic fields, tracks and facilities to support student health, fitness and safety, and other facilities serving District students; replace outdated security fences and security systems (including access control systems), provide lunch shelters, upgrade music and art classrooms, multi-purpose rooms, learning centers; add or upgrade parking lots. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects.

The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers, mobile interface devices, data centers, switches, routers, modules, sound projection systems, public address systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/intercom systems, call manager and IT security, wireless technology systems, refresh classroom technology, acquire necessary software and miscellaneous IT and instructional equipment, data storage, phones, identity cards and the

COMPLETE TEXT OF MEASURE R-Continued

construction and installation of a data center in the cloud for the District enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security.

The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of portable classrooms and existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary on-site and off-site improvements, site preparation and restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation or drainage systems, traffic signals, sewer or utility lines, trees and landscaping, relocating fire access roads, road widening, and acquiring any necessary easements, licenses, permits or rights of way to the property. The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, legal fees and similar planning costs, connection fees, permit fees, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the types of projects and purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: THIS MEASURE REQUIRES A CLEAR SYSTEM OF ACCOUNTABILITY, INCLUDING A PROJECT LIST DETAILING HOW THE MONEY WILL BE USED, A CITIZEN'S OVERSIGHT COMMITTEE, AND INDEPENDENT AUDITS TO ENSURE MONEY IS SPENT PROPERLY.

IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

NO ADMINISTRATOR SALARIES: PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION,

COMPLETE TEXT OF MEASURE R-Continued

RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

TAX RATE STATEMENT

An election will be held in the Union School District (the "District") on November 8, 2022, to authorize the sale of up to \$128,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9405 of the California Elections Code.

1. The best estimate of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement, is 2 cents per \$100 (\$20 per \$100,000) of assessed valuation. The final fiscal year in which the tax to be levied to fund this bond issue is anticipated to be collected is fiscal year 2058-59.
2. The best estimate of the highest tax rate that would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 2 cents per \$100 (\$20 per \$100,000) of assessed valuation in fiscal year 2023-24.
3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is approximately \$240,412,475.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the County of Santa Clara official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: July 20, 2022.

D. Carrie Andrews
Superintendent
Union School District

ARGUMENT IN FAVOR OF MEASURE R

VOTE YES on Measure R to protect and improve the outstanding quality of education students receive at Union School District (USD) elementary and middle schools!

USD schools have educated generations of local children. Unfortunately, our facilities do not match the exceptional teaching and learning happening at our schools. USD schools are in constant use and need continued upgrades as they age.

We need to invest in our local public schools in order to continue providing a quality academic environment.

Measure R provides a prudent, responsible plan to continue repairing and modernizing USD schools.

Measure R will:

- **FIX** deteriorating roofs, plumbing, sewer/electrical systems.
- **PROVIDE** classrooms, facilities and technology needed to support high quality instruction in math, science, engineering, technology, and the arts.
- **CREATE** modern, multi-use classrooms to support hands-on science and integrated technology instruction.
- **UPGRADE** classrooms/computer systems to keep pace with technology.
- **IMPROVE** heating, ventilation, insulation, doors/windows.
- **REMOVE** hazardous materials & **RETROFIT** for earthquake safety at older schools (many were built 50+ years ago).
- **UPGRADE** older schools so they meet current health codes, building safety codes, and provide proper access for students with disabilities.
- **IMPROVE** student safety and schools campus security.

Taxpayer safeguards are REQUIRED:

- **ALL funds stay local**, the State cannot take Measure R funding away.
- Independent Citizens' Oversight and audits ensure funds are spent properly.
- Measure R cannot be used to increase salaries, benefits, or pensions for administrators, teachers, or other school employees.

Even if you do not have school-age children, supporting Measure R is a wise investment. Good schools improve the quality of life in our community and protect the value of our homes.

ARGUMENT IN FAVOR OF MEASURE R-Continued

Join teachers, parents, community leaders, and residents in **VOTING YES on R—the need is GREAT and our children are worth it!**

Mary Jo Sponseller
Retired USD Teacher 35+ Years

Dina Rabago
Long Time Resident & Parent

Jennifer Petroff
Governing Board Member

James R. Ray
Community Member

Mark Little
Measure J Bond Oversight Committee Chair & Parent

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE R

Proponents say they want to "construct classrooms"—**while enrollment is DECLINING.**

Does that make sense? No? Then vote NO.

In 2020, Union School District (USD) voters rejected an \$894 parcel tax increase, on top of 2015's \$96/year parcel tax, which **you will pay through 2025.**

This \$128 million bond tax measure clearly shows USD rejecting voters' 2020 message:

Cut spending! No new taxes!

Do you appreciate USD's ignoring you, the voters/taxpayers?

If not: Vote NO.

Will this \$128,000,000 debt be invested in great teachers to improve academics?

Answer: NO, that's illegal.

Let's check on academic performance:

- **21.2% of children tested below grade level in English.**
- **24.02% below grade level in math.***

Those are 2018—19's results—the latest reported. **Why aren't USD's 2020—21 results published, like other districts?**

We suspect they are even worse now, due to **children's suffering learning loss during shutdowns.**

USD "rewarded" students, parents, taxpayers for granting 2015's parcel tax, with lower proficiency in English, despite teachers above average salary of \$94,701 plus benefits up to \$20,400 yearly.*

Should you, the voters, reward the district for leaving more children behind in English?

If not, **Vote NO on Measure R.**

USD already spends \$11,397/student yearly, or \$246,175/class of 21.6 students, on average.

The decades-long duration of bond payments burdens the very children who desperately need our help.

Tell USD to be financially responsible. **Vote NO on Measure R.**

If you reward failure, expect more failure!

More information: www.SVTaxpayers.org

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE R-Continued

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

Mark W.A. Hinkle

President: Silicon Valley Taxpayers Association

Joe Dehn

Chair: Libertarian Party of Santa Clara County

Jonathan Fleming

CEO and Executive Director, Silicon Valley Public Accountability Foundation

Honor M. Robson

Chair, Libertarian Party of California

ARGUMENT AGAINST MEASURE R

Proponents say they want to "construct classrooms" **while enrollment is DECLINING**.

Does that make any sense to you? NO? Then please vote NO.

In 2020 voters in the Union School District rejected a \$149 parcel tax increase that was on top of a \$96 parcel tax passed in 2015 for ten years, that you are currently paying.

The District School Board clearly rejects the voters' 2020 choice with this \$128,000,000 bond tax measure.

Do you agree that the School Board should ignore you, the voters/taxpayers?

If no, vote NO on Measure R.

Will this \$128,000,000 bond debt be spent to hire or train great teachers to improve academics?

Answer: NO, that's not legally permitted.

Let's look at latest academic performance:

2018-19 school year results: **21.2% below grade level for English**.

2018-19 school year results: **24.02% below grade for math**.

The District rewarded students, parents, and taxpayers for the passage of the 2015 parcel tax by dropping proficiency in English, with teachers getting an above average salary of \$94,701 plus benefits up to \$20,400 yearly.

Source: California Department of Education Data Partnership—www.ed-data.org

Should you, the voters, reward the district for dropping scores in English?

If no, we encourage you to vote **NO on Measure R**.

This District is already spending \$11,397 per student per year. That equal \$246,175 per class at 21.6 students per class.

Tell the Union School Board to be fiscally responsible by voting **NO on Measure R**.

If you reward failure, you will get more failure!

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

Mark W.A. Hinkle
President Silicon Valley Taxpayers Association

Joe Dehn
Chair: Libertarian Party of Santa Clara County

REBUTTAL TO ARGUMENT AGAINST MEASURE R

The opponent of Measure R doesn't live in our community, has made it his mission to oppose every school measure on the Santa Clara County ballot and he completely misses the point—**Measure R is designed to fix and upgrade the schools we already have, making them safe and up-to-date for improved teaching and learning**.

Measure R is absolutely needed and is a sound investment in Union School District (USD) elementary and middle schools.

Here are the facts:

FACT: Measure R is about one thing—protecting and improving the quality of education in our local USD elementary and middle schools.

FACT: Updated classrooms and instructional technology will better prepare USD students for high school, college and good paying jobs.

FACT: There are 36 portable classrooms at our schools that are at least 20 years old and require major repairs to roofs, foundations, heating and ventilation units. It's expensive to keep repairing these units. **We need Measure R to replace our aging portables with modern, permanent classrooms.**

FACT: Measure R funds will be locally controlled, dedicated to USD schools ONLY. This funding can't be taken by the State.

FACT: USD is among the highest achieving district in the county and state despite having significantly less funding per student than our neighboring districts. Test scores are above state standards and exceed benchmarks for excellence. CASchoolDashboard.org.

Don't be deceived by the opponent's inaccurate and misleading statements. Protect the outstanding quality of education in our TK-8th **Vote YES on Measure R.**

Jennifer Torres
California School Employees Association (CSEA) Vice President

Cathy Bailey
USD Principal

Sheila Billings
USD Governing Board Member

Kelli Saito Martines
Parent & HSC President Dartmouth

Vicki Saenz
USD Technology Assistant