

**FRANKLIN-MCKINLEY SCHOOL DISTRICT
MEASURE W**

Local Elementary/Middle School Student Achievement Measure. To support quality local schools/student achievement by maintaining strong reading, writing, science, technology, engineering, math, and arts programs; keeping schools clean, safe, and well-maintained; and attracting/retaining quality teachers, shall Franklin-McKinley School District's measure be adopted renewing expiring education parcel tax funding at \$192 per parcel, with annual adjustments, raising approximately \$3,300,000 annually for 9 years, with senior exemptions, independent oversight/audits, and all funds staying local?

Yes
No

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

A school district may levy a qualified special tax upon approval by two-thirds of the votes cast on a measure pursuant to section 4 of article XIII A of the California Constitution and California Government Code section 50079. The Board of Education (Board) of the Franklin-McKinley School District (District) has placed on the ballot a measure to enact a \$192 per year parcel tax, increased annually at a rate of 3% per year. If approved by the voters, the tax would commence on July 1, 2025 and continue for nine (9) years from that date. The Measure states that this tax would replace two existing parcel taxes that would otherwise expire on June 30, 2026.

State law requires such measures to state the specific purposes for which the tax proceeds will be used and that the District spend the proceeds of the tax only for these purposes. The stated purposes of the tax proposed by Measure W are to:

- Expand reading, counseling, and tutoring programs for at-risk students;
- Enhance academic programs in reading, math, and science;
- Expand student access to after-school programs;
- Restore performing arts and music programming for grades K-6;
- Maintain or expand performing arts and music programs;
- Improve student access to computers and modern technology;
- Maintain small class sizes; and
- Provide a safer learning environment during health or other emergencies.

Pursuant to State law, the Measure provides 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 required or authorized to be funded from the tax. The Measure states that the Board will also appoint a citizens' oversight committee to review expenditures of the tax proceeds, ensure they are applied only to authorized purposes, and report annually to the Board and community about its findings.

The Measure provides that the proposed tax does not apply to property that is otherwise exempt from taxation, or on which no property taxes are levied that year. The Measure states that for purposes of this tax, any parcels that are (1) contiguous; (2) used solely for owner-occupied, single-family residential purposes; and (3) held under identical ownership

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

may be treated as a single parcel if the owners submit an application to the Board by June 15 of any year. The Measure also states that people who are 65 years of age or older, who own a parcel used solely for owner-occupied, single-family residential purposes, may obtain an exemption from the tax by submitting an application annually to the Board by June 15 of any year.

A "yes" vote is a vote to approve a tax of \$192 per parcel, increased annually at a rate of 3%, on parcels within the District for nine years, beginning on July 1, 2025.

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

Tony LoPresti
County Counsel

By: Nick DeFiesta
Deputy County Counsel

COMPLETE TEXT OF MEASURE W

LOCAL ELEMENTARY/MIDDLE SCHOOL STUDENT ACHIEVEMENT MEASURE

MEASURE "W"

Franklin-McKinley School District

KEY FINDINGS

- The Franklin-McKinley School District (the "District") serves over 5,000 students in pre-kindergarten through 8th grade and is devoted to providing quality public education for every student.
- The District strives for every student to move on to high school with the skills and knowledge needed to prepare for college or successful careers.
- For the past sixteen years, the District has benefited from stable, locally controlled funding provided by voter-approved education parcel taxes that are set to expire.
- On November 8, 2016, the voters of the District approved Measure HH and authorized a parcel tax in support of the District, set to expire on June 30, 2026.
- On November 3, 2020, the voters of the District approved Measure K and authorized a separate parcel tax in support of the District, set to also expire on June 30, 2026.
- Stable and predictable locally controlled education parcel tax funding from Measures HH and K has allowed the District to maintain student academic achievement, small class sizes, and personal attention to students.
- Research shows that having a qualified and experienced teacher in the classroom is the most important element for providing quality education for students. If renewed by voters, local education parcel tax funding will allow the District to offer competitive salaries and benefits to help local elementary and middle schools retain and attract quality teachers.
- Funding from this locally controlled education parcel tax measure will help the District maintain science, technology, math, and engineering programs that give students the academic background needed to succeed in those fields in high school, college, and the workforce.
- Renewed locally controlled education parcel tax funding will allow the District to protect existing programs that support at-risk students and students from lower income families to stay on a path to success and give all students an equal chance to succeed in school and life.
- Voter-approved education parcel tax funding from Measures HH and K has provided a stable source of funding for the District to support and operate the programs and purposes identified in Measures HH and K, approximately \$2.5 million in annual funding. If such voter-approved parcel tax funding expires, it may become necessary for the District to take actions such as cuts to teaching and academic programs.

COMPLETE TEXT OF MEASURE W-Continued

- The Board of Education (the "Board") believes that locally controlled education parcel tax funding needs to be renewed and increased to protect quality local schools and student achievement.
- This measure to renew local education parcel tax funding will replace the existing Measures HH and K and the levy of a new education parcel tax would commence with fiscal year 2025-2026.
- This measure to renew local education parcel tax funding will continue strict fiscal accountability requirements, including public disclosure of all spending and independent annual audits to make sure all funds are used as promised.
- All funds from a renewed education parcel tax will be used to improve local elementary and middle schools and cannot be taken by either the county or by the State.

INTRODUCTION AND PURPOSE

To ensure reliable funding to improve the overall quality of education and enhance student achievement in local schools by enhancing reading, math, and science instruction; ensuring small class sizes; bringing back performing arts and music programs; and expanding reading, counseling and tutoring programs for at-risk students, the Franklin-McKinley School District proposes to replace and renew its expiring education parcel tax funding for a period of nine (9) years, beginning July 1, 2025, **at the rate of \$192** per year with annual adjustments, on each assessor's parcel located within the Franklin-McKinley School District, with an exemption available for senior citizens, and to implement accountability measures in connection with the temporary levy that are over and above those required by law, including the appointment of an independent citizen oversight committee to provide oversight and accountability to ensure the funds are used to:

- Expand reading, counseling and tutoring programs for at-risk students.
- Enhance academic programs in reading, math and science.
- Expand student access to after school programs.
- Restore performing arts and music programs for grades K-6.
- Maintain or expand performing arts and music programs.
- Improve student access to computers and modern technology.
- Maintain small class sizes.
- Provide a safer learning environment during health or other emergencies

AMOUNT OF EDUCATION PARCEL TAX; PERIOD OF ASSESSMENT

The education parcel tax shall **be \$192** (or less as provided below) per year for nine (9) full years assessed against each parcel. The education parcel tax shall be adjusted annually at a rate of three percent (3%) per year.

COMPLETE TEXT OF MEASURE W-Continued

The proceeds of the education parcel tax shall be deposited into a separate account created by the District.

DEFINITION OF "PARCEL"

For purposes of this special tax, the term "Parcel" means any parcel of land which lies wholly or partially within the boundaries of the Franklin-McKinley School District, that receives a separate tax bill for *ad valorem* property taxes from the Santa Clara County Assessor/Tax Collector. All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall also be exempt from the education parcel tax in such year.

EXEMPTION FOR CONTIGUOUS PARCELS

For purposes of this special tax, any such "Parcels" which are (i) contiguous, (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership may, by submitting an application of the owners thereof by June 15 of each year to the Board of Education of the Franklin-McKinley School District in accordance with rules and regulations adopted by the Board, be treated as a single "parcel" for purposes of the levy of the education parcel tax.

EXEMPTION FOR SENIORS

Pursuant to California Government Code section 50079(b), any owners of a Parcel used solely for owner-occupied, single-family residential purposes and who are 65 years of age or older, may obtain an exemption from the education parcel tax by annually submitting an application, by June 15 of each year, to the Board of Education of the Franklin-McKinley School District in accordance with rules and regulations adopted by the Board.

With respect to all general property tax matters within its jurisdiction, the Santa Clara County Assessor/Tax Collector, or other appropriate County tax officials 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 and the classification of property for purposes of calculating the tax, the decisions of a District administrative review panel shall be final and binding.

REDUCTION IN TAX IF RESULT IS LESS OTHER GOVERNMENT SUPPORT

The collection of the education parcel tax is not intended to decrease or offset any increase in local, state or federal government revenue sources that would otherwise be available to the Franklin-McKinley School District during the period of the education parcel tax. In the event that the levy and collection does have such an effect, the Franklin-McKinley School District shall cease the levy or shall reduce the education parcel tax to the extent that such action would restore the amount of the decrease or offset in other revenues.

ACCOUNTABILITY MEASURES

In accordance with the requirements of California Government Code sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the education parcel tax levied in accordance with this Measure W: (a) the specific purposes of the education parcel tax shall be those purposes identified above; (b) the

COMPLETE TEXT OF MEASURE W-Continued

proceeds of the education parcel tax shall be applied only to those specific purposes identified above; (c) a separate, special account shall be created into which the proceeds of the education parcel tax must be deposited; and (d) an annual written report shall be made to the Board of Education of the District showing (i) the amount of funds collected and expended from the proceeds of the education parcel tax and (ii) the status of any projects or programs required or authorized to be funded from the proceeds of the education parcel tax, as identified above. The District will not conduct a separate audit for the education parcel tax, and such education parcel tax will be audited as part of the District's annual audit procedures.

In addition to the accountability measures required by law as set forth above, an independent citizen oversight committee shall be appointed by the Board of Education of the District to advise the Board on the expenditures funded by the Measure W in order to ensure that said funds are spent for the purposes approved by the voters. The oversight committee will monitor the expenditures of these funds by the District and will report on an annual basis to the Board and community on how these funds have been spent.

ARGUMENT IN FAVOR OF MEASURE W

Vote Yes on W to help our District retain qualified teachers who provide quality education for our elementary and middle school students. Without Measure W our schools will lose over \$2.5 million dollars in annual funding and our District will most likely be forced to lay off teachers and staff. Our students deserve better.

For years, our community has supported quality education in our elementary and middle schools with locally controlled funding. However, this funding is set to expire.

Measure W will help prevent talented teachers from leaving our community and protect our core academic programs. It will help struggling students by maintaining and expanding literacy programs, and ensure all students are prepared for high school, college and in-demand careers.

Vote Yes on W to Support Student Success. Measure W will help the District:

- Attract and retain highly qualified teachers
- Support students to read at grade level
- Protect core academic programs in reading, writing, math, science and technology

All Funds Will Support Local Students.

- All Measure W funds stay local—the State cannot take one dime.
- Citizens' oversight and annual audits ensure all funds are spent as promised
- No funds can be spent on administrators' salaries
- Senior citizen homeowners will continue to be eligible for an exception

Even if you do not have school-age children, investing in education is a wise investment in our future. By supporting this measure, we are laying the foundation for long-term community growth, prosperity and protecting property values.

Join community members, business owners, longtime residents, teachers and parents—**Vote Yes on W** to secure local funding for our schools before current funding expires!

Steven Sanchez
FMSSD Board Clerk

Manuel F. Martinez

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE W

Government debt is crushing our economy. The *federal debt*, alone, now totals more than 100% of GDP!

On top of that, the state, cities, and school districts are burdening us with endless taxes—sales! hotel! property transfer! and business license taxes!—that we taxpayers (and consumers) must shoulder!

With this latest "temporary" parcel tax, Franklin-McKinley Elementary School District claims they need a tax increase so they can "maintain strong reading, writing, ... math ... programs."

Have they *earned* this tax increase, through having improved children's academic performance?

Look at students' **dismal** performance in 2022-23, in testing in *the* two key subjects:

- **Students not meeting** English literacy standards: **64.36%**
- **Students not meeting** math literacy standards: **72.95%**

FMSSD spends \$24,821/student, per year, "thanking" taxpayers by **increasing the percentage of students failing to meet English and math standards!**

Source: Ed-Data.org

Should you, the voter, reward the district for dropping scores in *the* two fundamental subjects?

If you answered "no," vote **NO on Measure W.**

Franklin-McKinley Elementary School District is spending \$24,821 annually (ADA) with a student:teacher ratio of 23.4 to 1.

That's a **whopping \$580.811/classroom per year!**

Yet, they want ***even more*** of *your hard-earned money* to pad their salaries and fat pension plans.

FMSSD punished taxpayers by raising—despite the drop in test scores—the average teacher's salary from \$92,056 for 2018-19 to \$104,750 plus benefits.

Tell our trustees to be financially responsible: vote **NO on Measure W.**

If you reward failure, you will get more failure!

Just say NO to Measure W.

www.SVTaxpayers.org
SCCLP.org

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

Joe Dehn
Chair, Libertarian Party of Santa Clara County

Steven Wells
District Resident

ARGUMENT AGAINST MEASURE W

With this latest "temporary" parcel tax, the Franklin-McKinley Elementary School District claims they need a tax increase so they can "maintain strong reading, writing, ... math ... programs."

Have they earned this tax increase based on improved test scores?

Let's look at the **decline** in student performance in two key subjects:

- 2022-23 **students not meeting** English literacy standards: **64.36%**
- 2022-23 **students not meeting** Math literacy standards: **72.95%**

The District, which spends \$24,821 per student, per year, rewarded parents and taxpayers by **increasing the number** of students who **failed to meet English & Math standards!**

Source: California Department of Education Data Partnership (ed-data.org)

Should you, the voters, reward the district for dropping scores in 2 key subjects?

If not, we encourage you to vote **NO on Measure W**.

The School District is spending \$24,821 per student per year (ADA) with a student/teacher ratio of 23.4 to 1. That's \$580.811 per classroom per year. Yet, they want more of your hard-earned money to pad their salaries and fat pension plans.

The District rewarded taxpayers with the drop in test scores by increasing the average teacher's salary from \$92,056 for 2018-19 to \$104,750 and up to \$32,812 in benefits for 2022-23.

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

If you reward failure, you will get more failure!

Just say NO to Measure W.

For more information, please visit us at:

<http://www.svtaxpayers.org>

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

Joe Dehn
Chair, Libertarian Party of Santa Clara County

Steven Wells
District Resident

REBUTTAL TO ARGUMENT AGAINST MEASURE W

The opposition to Measure W comes from someone outside our community who doesn't understand the unique challenges our schools face. This person uses the same generic arguments against every school district, merely swapping names to fit their agenda. Such a cookie-cutter approach fails to recognize the specific needs of Franklin-McKinley School District.

We, the residents, parents, educators, and business owners in this community, know what our schools truly require. We understand that the future of our children—and our community as a whole—depends on maintaining high-quality education. That's why Measure W is crucial.

FACT: Measure W ensures every dollar stays in our community, legally protected from State diversion. This means our schools receive the funding necessary to provide a strong educational foundation for our children.

FACT: Passing Measure W is essential to giving our students the same opportunities as others in the region. Research consistently shows that qualified, dedicated teachers are the most important factor in student success. Measure W helps us retain these educators by preventing layoffs and ensuring they are fairly compensated, reducing the risk of losing them to higher-paying districts.

FACT: Good schools are the backbone of our community. They enhance our quality of life and protect property values. When our schools are strong, our community thrives.

FACT: Measure W includes strict accountability measures, like Citizens' oversight and annual audits, to guarantee that funds are spent wisely on priorities that matter most to our community.

In short, Measure W is about more than just funding—it's about protecting the future of our children and our community. Vote Yes on Measure W to ensure that our schools remain strong and capable of providing the quality education every child deserves.

Rudy J. Rodriguez
Board Member