

FULL TEXT OF MEASURE D
PORTOLA VALLEY ELEMENTARY SCHOOL DISTRICT
QUALIFIED SPECIAL TAX

Terms. Upon approval of two-thirds of those voting on this measure, shall the Portola Valley Elementary School District levy a qualified special tax of \$168 per year on each parcel of taxable real property in the District, commencing July 1, 2010 and extending for a period of four years. The Governing Board shall cause the tax to be levied at the adjusted amount, or at such lesser amount in any year in which the Board deems such reduced amount sufficient and appropriate to meet the District's budgetary needs, or believes such reduced amount is appropriate in reaction to State budget changes.

Purposes. The purposes of the qualified special tax shall be to maintain academic excellence in Portola Valley schools and limit the impact of substantial state funding reductions by undertaking actions as funding allows to:

- Maintain PVSD's emphasis on science, math, reading and writing instruction;
- Attract and retain qualified and experienced teachers;
- Minimize class size increases;
- Support arts and music programs; and
- Support programs that enhance student achievement.

Senior Citizen Exemption. In order to provide tax relief to senior citizens in the community, an exemption shall be granted for any parcel owned by one or more persons 65 years of age or over who occupies said parcel as a principal residence and who submits an application for exemption.

Other Exemptions. All property that is otherwise exempt from ad valorem property taxes shall also be exempt from this special tax.

ACCOUNTABILITY PROVISIONS

Annual Audit. Upon the levy and collection of this special tax, the Governing Board shall cause an account to be established for deposit of the proceeds. For so long as any proceeds of the special account remain unexpended, the Superintendent or chief financial officer of the District shall cause a report to be filed annually with the Governing Board, stating (1) the amount of funds collected and expended in such year, and (2) the status of any projects or description of any programs funded from the proceeds of the tax. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Superintendent shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Governing Board.

Independent Citizens' Oversight Committee. In addition to the accountability measures required by State law, an independent Citizens' Oversight Committee shall be

appointed by the Board of Education to review the expenditures funded by the measure in order to ensure that said funds are spent for the purposes approved by the voters. The Citizens' 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.

No Funds for Administrator Salaries. Use of funds from this measure to fund administrator salaries shall be specifically prohibited in order to maximize the funds from this measure spent directly on classroom instruction.

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 parcel taxes will be reduced annually as necessary in order to restore such State or Federal funding.

Specific Purposes. Proceeds of the special tax shall be applied only for the purposes listed above.

Appropriations Limit. The Board of Education shall provide in each year (pursuant to Section 7902.1 of the Government Code or any successor provision of law) for any increase in the District's appropriations limit as shall be necessary to ensure that proceeds of the special tax may be spent for the authorized purposes, and an election shall be conducted by the District for such purpose only if required by the general laws of the State applicable to school district qualified special taxes. This provision shall be deemed to be declaratory of existing procedures governing District expenditures.

LEVY AND COLLECTION

The special tax shall be collected by the San Mateo County Treasurer-Tax Collector at the same time and in the same manner and shall be subject to the same penalties as *ad valorem* property taxes collected by the Treasurer-Tax Collector. Unpaid taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. The collection of the tax shall not decrease the funds available from other sources of the District in any period from the effective date hereof.

"Parcel of taxable real property" shall be defined as any unit of real property in the District which now receives a separate tax bill for *ad valorem* property taxes from the San Mateo County Treasurer-Tax Collector's Office except that only one tax will be assessed to owners whose property includes one or more contiguous parcels.

The District shall annually provide a list of parcels which the District has approved for a Senior Citizen Exemption from the special tax as described above to the San Mateo County tax collection officials. The San Mateo County Assessor's determination of exemption or relief for any reason of any parcel from taxation, other than through the Senior Citizen Exemption, shall be final and binding for the purposes of the special tax. Taxpayers wishing to challenge the County Assessor's determination must do so under the procedures provided by law. Taxpayers seeking a refund of the

special tax paid shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

SEVERABILITY

The Governing Board 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 Governing 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 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.