

16-050

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A , every dollar raised by this special tax will be used for benefit of the students of Berkeley schools, and cannot be taken away by the State; and,

A , California Constitution, Article XIII A, section 4 and Government Code sections 50075 et seq. authorizes the District, upon approval of two thirds of the electorate, to levy qualified special taxes on property in the District for the purpose of providing quality educational programs in the District and other lawful purposes of the District; and

A , in the judgment of this Board, following a public hearing and comment, it is advisable to request that the Alameda County Superintendent of Schools call an election and submit to the voters of the District the question of whether the District shall levy a special tax within the District, for the purpose of raising revenue for the District; and

A , pursuant to the Education Code and Elections Code such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

, , **A** as follows:

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necessary final determinations, and that decision shall be final and binding. The procedures described herein, and any additional procedures established by the District shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special tax authorized by the Full Ballot Text. Whether any particular claim is to be resolved by the District, City of Berkeley, or County of Alameda shall be determined by the District.

6. A . The authority for ordering the election is contained in the Education Code, Elections Code, Government Code, and California Constitution.

7. A . The authority for the specification of this election order is contained in the Education Code.

8. . The Secretary to the Board is hereby directed to cause certified copies of this Resolution and order to be delivered not later than August 10, 2016, to the County Superintendent, the Alameda County Registrar of Voters ("Registrar"), and the Clerk of the Board of Sf 41 0 0 () Tj ET Q 0.24 0 0 0.24 2952 cm T Q 0 n Q 6 (s)

(d) *Canvass*

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The Measure shall be summarized in the following form, and the County of Alameda Registrar of Voters is requested to cause this summary of the Measure to appear on the ballot:

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To support high quality public education and fund class size reduction, school libraries, teacher training, student support, music programs, instructional technology, and other designated purposes, shall the Berkeley Unified School District replace its expiring special tax with an annual tax at 37¢ / square foot for taxable buildings, for eight years, with annual cost-of-living adjustments and a low-income senior exemption? An oversight committee and independent auditors will monitor this fund.

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[letter designation to be assigned by Alameda County]

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- ii. The goal for reduction of K-5 Average Class Sizes detailed in Section 3.A.i. is contingent on the continuation of State funding to the District for smaller class sizes. At the time of writing of this Measure, the State provides increased funding to school districts that achieve a school-wide Average Class Size of 24:1 in K-3 classrooms, but does not provide additional funding to reduce class sizes in grades 4-5. If the State continues to provide the same or a greater amount of funding to the District to reduce class sizes in K-3 classrooms, it is the intent of this Measure that the Average Class Sizes be reduced as described in Section 3.A.i. If State class size reduction funds provided to the District are reduced from their current levels or eliminated, the goals for Average Class Sizes in K-5 may increase above 23:1, up to a district-wide average of 26:1.
- iii. The goals for Average Class Sizes to be achieved with these revenues shall be 28:1 for the secondary schools, and 18:1 for continuation school programs.
- iv. After the District meets the Average Class Size goals as described in 3.A.i., funding may be allocated to provide additional support for teaching

- ii. Music and Visual and Performing Arts Programs: Six and a quarter percent (6.25%) of the Available Revenues shall be allocated annually to providing quality instructional programs in music and the visual and performing arts

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This special tax shall authorize the District to levy a special tax of thirty-seven cents (\$0.37) per square foot on all Improvements beginning July 1, 2017, and continuing for a period of eight (8) years ("Special Tax"). This Special Tax shall be levied on the Square Footage of all Improvements, including all Buildings and Structures, on Parcels of Taxable Real property in the District. The tax base shall be as described in the Berkeley Municipal Code Section 7.56.020 which defines and delimits the parameters of the square footage applications, and which is incorporated by reference herein. Current definitions of the terms "Buildings," "Improvements," "Parcels," and "Square Footage," pursuant to the Berkeley Municipal Code are provided and incorporated pursuant to Section 9 of this Measure.

To determine the rate of the Special Tax levied in the 2018-19 tax year (the second year of assessment of the Special Tax), and each year thereafter, the rate shall

Tax. Whether any particular claim is to be resolved by the District, City of Berkeley, or County of Alameda shall be determined by the District.

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Pursuant to California Constitution Article XIII B and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this Special Tax.

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A. Specific Purposes. The proceeds of this Special Tax shall be applied only to the specific purposes identified in the Measure. The proceeds of this Special Tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District.

B. Planning and Oversight Committee. A district-

agreement between the District and the Berkeley Federation of Teachers (or the union representing District teachers).

- C. In accordance with Berkeley Municipal Code Section 7.56.020, subdivision A, which is incorporated by reference herein, "Building" means any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person or property of any kind. The word "Building" includes the word "Structure."
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