

EXHIBIT A

FULL TEXT OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT SCHOOL QUALITY PROTECTION MEASURE OF 2009

This Proposition may be known and referred to as the "School Quality Protection Measure of 2009" or as "Proposition ____" [designation to be assigned by the Contra Costa County]

FINDINGS

WHEREAS: The Board of Education of the Mt. Diablo Unified School District (the "Board") believes that a qualified special tax is necessary to maintain quality education for all of the students of the Mt. Diablo Unified School District (the "District"); and

WHEREAS: Funding from the State of California (the "State") and Federal Government have been inadequate to meet these objectives and the Board has no assurance that State or Federal funding will permit the District to meet these objectives in the future; and

WHEREAS: Since Proposition 13 passed in 1978, California's per-pupil spending has slid to one of the lowest in the nation; in January 2009, an *Education Week* report ranked California 47th in education spending nationwide; and

WHEREAS: The District will be able to maintain and restore existing programs and services to ensure all students continue to receive a quality education including reading, writing, math and science;

WHEREAS: The District has a difficult time attracting and retaining quality teachers, with some schools suffering from high teacher turn over and some subjects, such as bilingual education, special education, math, and science, experiencing teacher shortages; and

WHEREAS: The Board of Education has determined in its best judgment that in order to improve quality education in Mt. Diablo for all students that an election is advisable and necessary to request voters to authorize a qualified special tax in the amount of \$99 per year per parcel of taxable real property, to be collected beginning July 1, 2009;

WHEREAS: Section 4 of Article XIII A of the California Constitution and Sections 50075, 50076, 50077, 50079 and 53722 et seq. of the California Government Code, authorize a school district, upon approval of two-thirds of the electorate voting on the proposition, to levy a qualified special tax for specified purposes following notice and a public hearing; and

WHEREAS: The Board of Education has conducted public hearing after due notice regarding the proposed authorization of the special tax, as required by law, and

THEREFORE BE IT RESOLVED: That based upon these findings, the Board of Education of the Mt. Diablo Unified School District provides as follows:

Section 1: TERMS OF THE SCHOOL QUALITY PROTECTION MEASURE OF 2009

(a) Terms and Purposes: Upon approval of two thirds of those voting on this proposition, the District shall be authorized to and shall levy a qualified special tax of \$99 per year per parcel of taxable real property in the District, commencing July 1, 2009.

The qualified special tax shall be known and referred to as the "School Quality Protection Measure of 2009." Proceeds of the School Quality Protection Measure of 2009 shall be authorized to be used to:

- ✓ Strategically raise the salary of teachers and staff so the District can compete with other districts in attracting and retaining the best teachers and staff to support student achievement;
- ✓ Maintain and restore existing district programs and services to ensure all students continue to receive a quality education including reading, writing, math and science.
- ✓ Provide additional training to staff, including K-12 teachers and paraprofessionals;
- ✓ Provide more competitive compensation and/or benefits to school personnel;
- ✓ Expand and enhance the Teacher Support Program and increase teacher support and accountability;
- ✓ Enhance classroom technology;
- ✓ Maintain vital college and workforce preparation programs to prepare students for the 21st century.
- ✓ Support after school programs to help students with reading, writing, math and other activities;
- ✓ Maintain reduced class sizes for kindergarten through third grade and 9th grade;
- ✓ Maintain full-time school librarians;
- ✓ Provide a well-rounded curriculum including arts and music;
- ✓ Conduct the election and provide oversight to make sure the proceeds from the parcel tax are only spent in the manner approved by the voters; and
- ✓ The proceeds of this tax shall not be used to raise the salaries of central office administrators.

(b) Senior Citizen Exemption Available: An optional exemption from the special tax will be made available annually to each individual in the District who attains 65 years of age prior to July 1 of the tax year, and who owns a beneficial interest in the parcel, and who uses that parcel as his or her principal place of residence, and who applies to the District on or before July 1 of each tax year, or during the first year of the tax at a date to be determined by the Board of Education. Any application for such exemption must be submitted to the District and must be renewed annually.

Section 2: ACCOUNTABILITY MEASURES

(a) Oversight Committee: An independent oversight committee shall be appointed by the Board of Education to ensure that the proceeds from this proposition are expended for the purposes described in the proposition. The committee shall consist of ten(10) community members which represent the diverse interest of the district's stakeholders. Each trustee shall appoint two (2) members of the oversight committee. Committee members shall reside within District residential boundaries.

(b) Government Code Section 50075.1 Compliance: The members of the Board, the Superintendent of the District, and officers of the District are hereby requested and directed, individually and collectively, to provide accountability propositions pursuant to Government Code Section 50075.1 that include, but are not limited to, all of the following: (i) a statement indicating the specific purposes of the qualified special tax, (ii) a requirement that the proceeds be applied only to the specific purposes identified pursuant to subsection (i), (iii) the creation of a separate special account into which the proceeds from the special taxes shall be deposited, and (iv) an annual report pursuant to Section 50075.3. of the Government Code.

(c) Government Code Section 50075.3 Compliance: Pursuant to Section 50075.3 of the Government Code, the Board directs that the Superintendent of the District file a report with the Board no later than September 30, 2010, and at least once a year thereafter. The annual report shall contain both of the following: (i) the amount of funds collected and expended from the special taxes, and (ii) the status of any projects or programs required or authorized to be funded as identified in subsection (a)(i) hereof from the proceeds of the special taxes.

(d) Specific Purposes: All of the purposes set forth in the proposition shall constitute the specific purposes of the School Quality Protection Measure of 2009, and the proceeds of that special tax shall be applied only for such purposes, and shall not fund any program, project or reduction other than those authorized above.

Section 3: LEVY AND COLLECTION

(a) Collection: The School Quality Protection Measure of 2009 special tax shall be collected by the Treasurer/Tax Collector (hereinafter "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 Tax Collector. The collection of taxes under the School Quality Protection Measure of 2009 shall not decrease the funds available from other sources of the District in any period from the effective date hereof.

(b) Definition: "Parcel of taxable real property" as used herein shall be defined as any unit of real property in the in Mt. Diablo Unified School District that receives a separate tax bill for *ad valorem* property taxes from the Tax Collector's Office.

(c) Exemption: All property that the Tax Collector has determined to be otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also

be exempt from the School Quality Protection Measure of 2009 in such year. The Tax Collector's determination of exemption or relief for any reason of any parcel from taxation, other than the Senior Citizen Exemption, shall be final on the taxpayer for purposes of the School Quality Protection Measure of 2009. Taxpayers desiring to challenge the Tax Collector's determination should do so under the procedures established by the Tax Collector's Office and Section 4876.5 of the California Revenue and Taxation Code or other applicable law. Taxpayers seeking any refund of taxes paid pursuant to the School Quality Protection Measure of 2009 shall follow the procedures applicable to tax refunds pursuant to the California revenue and Taxation Code.

(d) List of Senior Citizen Exemption: Parcels owned and occupied by individuals who are 65 years of age or older may be exempt pursuant to the Senior Citizen Exemption provisions set forth above. The District shall annually provide a list to the Tax Collector, on or before a date established by the Tax Collector each year, of the parcels which the District has approved for the Senior Citizen Exemption as described above.

(e) Duration: The collection of taxes pursuant to this School Quality Protection Measure of 2009 shall commence July 1, 2009 and expire June 30, 2014.

(f) Appropriations Limit: The Board shall provide, 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 the proceeds of the special tax may be collected and spent for the authorized purposes.

Section 4: SEVERABILITY

The Board hereby declares, and the voters by approving this proposition concur, that every section, paragraph, sentence and clause of this proposition 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 proposition 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.