

Board Office Use: Legislative File Info.	
File ID Number	21-2507
Introduction Date	10/13/2021
Enactment Number	
Enactment Date	



Board Cover Memorandum

To Board of Education

From Shanthi Gonzales, Board President
Sam Davis, Board Vice President

Meeting Date October 13, 2021

Subject Resolution No. 2122-0016 - Determining Whether, When, And How To Ask Voters To Reauthorize Measure N

Ask of the Board Introduction of 2122-0016 - Determining Whether, When, And How To Ask Voters To Reauthorize Measure N as a new legislative matter

Background Measure N, also known as the “Oakland College and Career Readiness For All Act,” was approved by Oakland voters in 2014. The Measure authorizes the levy of a fixed \$120 per-parcel tax on each taxable parcel in the City of Oakland with low income and senior citizen exemptions. No more than ten (10) percent of the funds can be spent on administrative costs. By its terms, Measure N expires June 30, 2025.

The purpose of Measure N is “to pay for the implementation of a comprehensive approach to high school education in Oakland that integrates challenging academics with career-based learning and real-world work experiences” and to “create[] small learning communities of career-oriented pathways, and offer[] intensive, individualized support to create the conditions for all students to graduate high school prepared to succeed in college and career.” The Measure has five goals:

- Decrease the high school drop-out rate,
- Increase the high school graduation rate,
- Increase high school students’ readiness to succeed in college and career,
- Increase middle school students’ successful transition to high school, and
- Reduce disparities in student achievement and student access to career pathways based on race, ethnicity, gender, socio-economic status, English Learner-status, special needs-status, and residency.

Discussion Under this Resolution, the Board would declare its intent to place a parcel tax on the 2022 or 2024 General Election ballot that would continue the purpose of Measure N. The Resolution would direct the Superintendent or designee to bring forward a recommendation to the Board by April 2022 regarding whether such a parcel tax should be placed on the 2022 or 2024 General Election ballot. The Resolution would further direct the Superintendent or designee to make recommendations with respect to the

following: tax rate structure; inflation escalator; sunset date or evergreen; school allocation formula; permissible uses; and incentives for pathway participation.

The Resolution permits the Superintendent to effectuate this Resolution by contracting with consultants to conduct a voter poll and/or to provide advice on communication and outreach strategies, convening stakeholders to solicit ideas and feedback, and consulting with the Measure N commission itself.

Fiscal Impact None directly by this Resolution. However, the Resolution does direct the Superintendent or designee to bring forth contracts with a voter survey consultant and a communications consultant. These contracts for what became Measure Y totaled \$171,000. This includes the cost of a second voter survey, which was commissioned because the first voter survey was done prior to the onset of the pandemic. Without that second voter survey, the total cost would have been \$138,000.

Attachment

- Resolution No. 2122-0016 - Determining Whether, When, And How To Ask Voters To Reauthorize Measure N
- Measure N

**RESOLUTION OF THE
BOARD OF EDUCATION OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No. 2122-0016

Determining Whether, When, And How To Ask Voters To Reauthorize Measure N

WHEREAS, Measure N, also known as the “Oakland College and Career Readiness For All Act,” was approved by Oakland voters in 2014;

WHEREAS, the purpose of Measure N is “to pay for the implementation of a comprehensive approach to high school education in Oakland that integrates challenging academics with career-based learning and real-world work experiences” and to “create[] small learning communities of career-oriented pathways, and offer[] intensive, individualized support to create the conditions for all students to graduate high school prepared to succeed in college and career”;

WHEREAS, Measure N includes the following five goals:

- Decrease the high school drop-out rate,
- Increase the high school graduation rate,
- Increase high school students’ readiness to succeed in college and career,
- Increase middle school students’ successful transition to high school, and
- Reduce disparities in student achievement and student access to career pathways based on race, ethnicity, gender, socio-economic status, English Learner-status, special needs-status, and residency;

WHEREAS, a presentation to the Board of Education (“Board”) from April 2021, shared the following Measure N impacts on student outcomes in OUSD:

- Goal 1 (Reduce Dropout Rate): 11% decrease in the dropout rate since 2013-2014,
- Goal 2 (Increase 4-Year Graduation Rate): 11.7% increase since 2013- 2014,
- Goal 3 (Increase College and Career Readiness): 14.1% increase of students graduating A-G eligible since 2013-2014,
- Goal 3 (Increase College and Career Readiness): Increase of 1,650 students earning a C or higher or a Pass in a dual enrollment course per year since 2014-2015,
- Goal 4 (Increase Successful Transitions to 9th Grade): 14.1% increase of students on-track at the end of their 9th grade year since 2014-2015,
- Goal 5 (Reduce Disparities in Student Achievement): African American Male 4-Year Graduation Rate: 12.2% increase since 2013-2014, and
- Goal 5 (Reduce Disparities in Student Achievement): African American Male Dropout Rate: 17.3% decrease since 2013- 2014;

WHEREAS, Measure N authorizes the levy of a fixed \$120 per-parcel tax on each taxable parcel in the City of Oakland with low income and senior citizen exemptions;

WHEREAS, under the terms of Measure N, no more than ten (10) percent of the funds can be spent on administrative costs; and

WHEREAS, Measure N, by its terms, expires June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby declares its intent to place a parcel tax on the 2022 or 2024 General Election ballot that would continue the purpose of Measure N;

BE IT FURTHER RESOLVED, the Board directs the Superintendent or designee to bring forward a recommendation to the Board by April 2022 regarding whether such a parcel tax should be placed on the 2022 or 2024 General Election ballot;

BE IT FURTHER RESOLVED, the Board directs the Superintendent or designee to also make recommendations with respect to the following:

- Tax rate structure
- Inflation escalator
- Sunset date or evergreen
- School allocation formula
- Permissible uses
- Incentives for pathway participation; and

BE IT FURTHER RESOLVED, in implementing this Resolution, the Superintendent or designee – at her discretion – may bring forward for Board approval consultant contracts to conduct a voter poll and/or to provide advice on communication and outreach strategies, may convene stakeholders to solicit ideas and feedback, and may consult with the Measure N commission itself.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this ____ day of _____, 2021, by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSED:

ABSENT:

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on _____, 2021.

Legislative File	
File ID Number:	21-2507
Introduction Date:	10/13/2021
Enactment Number:	
Enactment Date:	
By:	

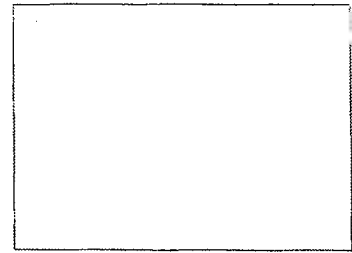
OAKLAND UNIFIED SCHOOL DISTRICT

Shanthi Gonzales
President, Board of Education

Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education



BALLOT MEASURE SUBMITTAL FORM






BALLOT MEASURE QUESTION	
Jurisdiction Name: Oakland Unified School District	Election Date: November 4, 2014
<p>Note: The information as it appears within the measure question text box will be printed on the ballot.</p> <p>Insert ballot question text here:</p> <p>To reduce the drop-out rate and provide Oakland high school students with real-world work and learning opportunities; prepare students for admission to the University of California and other four-year colleges, expand mentoring, tutoring, counseling, support services, and transition to job training programs; shall the Oakland Unified School District levy a \$120 parcel tax for ten years, with low income and senior exemptions, no money for Sacramento, and all money benefitting Oakland students?</p> <p>(69 words)</p>	
TYPE OF MEASURE	
<input checked="" type="checkbox"/> Regular Measure <input type="checkbox"/> Bond Measure	
PERCENTAGE NEEDED TO PASS	
66 2/3 %	
FULL TEXT OPTION	
Full Text to be printed in the Voter Information Pamphlet:	
<input checked="" type="checkbox"/> YES (note: must submit separate copy of Full Text along with this form)	
<input type="checkbox"/> NO - A Full Text was not submitted	
<input type="checkbox"/> NO - Do not print, but it's accessible at: _____	
AUTHORIZED REPRESENTATIVE	
Print Name: Edgar Rakestraw, Jr.	Date: 7/1/14
Signature: 	
CONTACT INFORMATION (for office use)	CONTACT INFORMATION (for public)
Phone #: 	Phone #: 510/879-8199
E-Mail: 	E-Mail/Website: Edgar Rakestraw@ousd.k12.ca.us

EXHIBIT A
MEASURE TEXT

I. ABBREVIATION OF THE MEASURE

*[This summarizes, in 75 words or less,
the full text of the proposition which appears below.]*

To reduce the drop-out rate and provide Oakland high school students with real-world work and learning opportunities; prepare students for admission to the University of California and other four-year colleges; expand mentoring, tutoring, counseling, support services, and transition to job training programs; shall the Oakland Unified School District levy a \$120 parcel tax for ten years, with low income and senior exemptions, no money for Sacramento, and all money benefitting Oakland students?

(69 words)

II. FULL TEXT OF THE MEASURE

BEGINNING OF FULL TEXT OF MEASURE----->>>>>

OAKLAND UNIFIED SCHOOL DISTRICT COLLEGE AND CAREER READINESS FOR ALL ACT

This Proposition may be known and referred to as the “Oakland Unified School District College and Career Readiness for All Act” or as “Measure ____”. *[designation to be assigned by County Registrar of Voters]*

FINDINGS

The Oakland Unified School District (the “District”) is determined to provide excellent educational programs to all its students, including academic courses in English, math, science, and other core programs that allow them to qualify for admission to the University of California and State University systems.

Improving student access to college preparatory classes, career-based learning opportunities, and support programs for students transitioning to high school and college are essential elements of the District’s initiative to deliver educational excellence.

Educational excellence also requires counseling, tutoring, mentoring and other intensive support services to reduce the drop-out rate and help students struggling to graduate from high school.

Students who do not attend college should be prepared for the transition to work by career education programs that offer practical experience leading to apprenticeships, job training, and well-paying jobs in a competitive job market.

Funding from the State of California (the “State”) has not been adequate to meet these goals, and the District has no assurance that State funding will permit the District to meet these goals in the future.

Funding from the Federal Government is insufficient to meet these goals, and the District has no assurance that Federal funding will permit the District to meet these goals in the future.

TERMS AND SUNSET

Upon approval of two thirds of those voting on this Oakland Unified School District College and Career Readiness for All Act, the Board of Education of the District shall be authorized to levy a qualified special tax on each parcel of taxable real property in the District, in the maximum annual amount of \$120 for ten years, commencing July 1, 2015.

PURPOSE

The Oakland College & Career Readiness For All Fund is established to pay for the implementation of a comprehensive approach to high school education in Oakland that integrates challenging academics with career-based learning and real-world work experiences. This comprehensive approach creates small learning communities of career-oriented pathways, and offers intensive, individualized support to create the conditions for all students to graduate high school prepared to succeed in college and career.

GOALS

- Decrease the high school drop-out rate.
- Increase the high school graduation rate.
- Increase high school students' readiness to succeed in college and career.
- Increase middle school students' successful transition to high school.
- Reduce disparities in student achievement and student access to career pathways based on race, ethnicity, gender, socio-economic status, English Learner-status, special needs-status, and residency.

EDUCATION SPENDING PLAN

No less than 90% of measure proceeds shall be equitably allocated for education programs (not administrative overhead) on a per pupil basis, for students in grades 9 through 12 enrolled in all current Oakland Unified School District schools and charter schools, and new Oakland Unified School District schools and charter schools authorized by the Oakland Unified School District. Measure proceeds shall be distributed to such schools upon the submission, review, and approval of each school's annual education improvement plan. The goal of the education improvement plan must be to equitably place all students in career pathways or academies that deliver challenging academics, career technical education, work-based learning, and personalized academic, social, and emotional support services. An approved education improvement plan shall include, at minimum:

- Completion of a diagnostic self-evaluation of the school's needs to implement the full continuum of an integrated college and career preparation program for all students.
- Annual and Three-Year accountability indicators toward achieving the stated purpose and goals of this Measure.
- Evidence-based strategies designed to meet the accountability indicators.
- Annual benchmarks for the implementation of new or enhanced structures and systems that equitably place all students in career pathways or academies.

- Description of how school staff, time schedules, and budgets are coherently structured to implement the school improvement plan's strategies and activities.

No more than ten percent (10%) of measure proceeds each year shall be used by the Oakland Unified School District to administer the College & Career Readiness For All Fund, including, but not limited to project staffing, school quality reviews, independent audit services, and an evaluation of the Fund's progress toward achieving its stated purpose, goals, and allowable uses.

PERMISSIBLE USES

Measure proceeds shall be spent on the following school programs:

- To increase support for students in college preparatory courses in every high school to ensure students are qualified for admission to the University of California and other 4-year university systems, and are prepared to succeed in college;
- To provide work-based learning in every high school, including career exploration, career technical education courses, job shadowing, internships and job certifications;
- To reduce the drop-out rate by providing counseling, tutoring, mentoring and other intensive support services to students in danger of not graduating high school;
- To provide programs to students transitioning from 8th to 9th grade to prepare them to succeed in high school, and to students transitioning from 12th grade to college to prepare them for admission to and success in college.

SENIOR CITIZEN EXEMPTION

In order to provide tax relief to senior citizens in the community, any parcel owned and occupied by a person 65 years of age or older shall be exempt from the education parcel tax upon proper application to the District. The exemption shall be available pursuant to procedures to be prescribed by the Board of Education or otherwise as required by law or by the Alameda County Tax Collector.

LOW INCOME EXEMPTION

An exemption from this tax shall be made for owners of single family residential units in which they reside whose combined family income from all sources for the previous calendar year is at or below the income level qualifying as “very low income” for a family of such size under Section 8 of the United States Housing Act of 1937, 42 U.S.C.A. Sections 1437 et seq. for each year. Owners must apply for this exemption annually by petition to the Office of the Chief Financial Officer of the District in the manner and at the time set forth in procedures established by the District. Such petitions shall be on forms available from the Chief Financial Officer’s office and must provide information sufficient to verify income including, but not limited to, federal income tax returns and W-2 forms of owner-occupants.

ACCOUNTABILITY PROVISIONS

College & Career Readiness Commission. The Board of Education shall establish a College & Career Readiness Commission comprised of five (5) persons who demonstrate extensive knowledge and expertise in high school and postsecondary curriculum, instruction, and leadership; education research, evaluation, and analytics; and financial management and audits. The College & Career Readiness Commission shall advise and report to the Board of Education and shall be responsible for (1) Planning, which includes (a) reviewing each high school’s School Quality Review findings, Balanced Scorecard results, and education improvement plans, and (b) submitting school funding recommendations to the Board of Education for action; and (2) Oversight, which includes (a) oversight of proper allocation and use of all parcel tax monies, (b) reviewing annual independent audit reports, and (c) submitting recommendations to the Board of Education for any new or modified policies and administrative regulations to ensure the Oakland Unified School District’s compliance with the requirements and intent of this Measure. The Board of Education shall provide by resolution for the composition, funding, staffing, and other necessary information regarding the Commission’s formation and operation.

PUBLISHED INDEPENDENT ANNUAL AUDIT.

Upon the levy and collection of the education parcel tax, the Board of Education shall cause an account to be established for deposit of the proceeds, pursuant to Government Code Section 50075.1. For so long as any proceeds remain unexpended, the Superintendent or the Chief Financial Officer of the District shall cause an independent financial auditor to prepare a report to be filed with the Board of Education and made publicly available no later than December 31 of each year, commencing December 31, 2016, stating (1) the amount collected and expended in such year; (2) the description of all programs funded, and a determination that the monies expended were for the allowable uses stated in this Measure; and (3) the

determination that the monies from this Measure are being used to supplement, and not supplant, unrestricted general fund revenue so appropriated to schools to serve pupils in grades 9 through 12 based on fiscal year 2014-2015 funding. The cost of said Independent Audit may be paid from the proceeds of the parcel tax. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board of Education.

SECURITY FROM STATE SEIZURE OR USE

If, in any fiscal year during the term of the education parcel tax, the State Legislature or Governor shall approve any law or take any action the effect of which shall be to deprive the District of the benefit of any proceeds of the education parcel tax, whether by directly taking such proceeds for any State purpose or by taking such proceeds into account for purposes of calculating State support of the District under Section 8 of Article XVI or under any program of categorical aid, special aid or other special programs, then the Board of Education shall reduce the rate of the education parcel tax commensurately.

LEVY AND COLLECTION

The education parcel tax shall be collected by the Alameda County 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. Unpaid taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

“Parcel of taxable real property” shall be defined as any unit of real property in the District which receives a separate tax bill for *ad valorem* property taxes from the Alameda County Tax Collector. “Parcel of taxable real property” shall exclude all parcels which are otherwise exempt from or on which are levied no *ad valorem* property taxes in any year, and all parcels which qualify for the senior citizen exemption provided by this Oakland College and Career Readiness for All Act.

The District shall annually provide a list of parcels to the Alameda County tax collection officials which the District has approved for an exemption in accordance with this Act. Eligibility for the senior citizen exemption and low income exemption shall be determined solely by the District, and any taxpayer wishing to challenge the District’s determination, or claim a refund or reimbursement of taxes paid while eligible for the exemption, shall apply directly to the District.

The Alameda County Assessor’s determination of exemption or relief for any reason of any parcel from taxation, other than through the senior citizen exemption and low-income exemption, shall be final and binding for the purposes of the education parcel tax. Taxpayers wishing to challenge the County Assessor’s determination must do so under the procedures for correcting a misclassification of property pursuant to Part 9 of Division 1 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of any tax paid shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

SEVERABILITY

The Board of Education hereby declares, and the voters, by approving this Oakland College and Career Readiness for All Act, concur, that every section, paragraph, sentence and clause of this Act has independent value, and the Board of Education and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this Act 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.

<<<<-----**END OF FULL TEXT OF MEASURE.**