

SA2005RF0025

January 11, 2005

VIA MESSENGER

Office of the Attorney General  
1300 "I" Street  
Sacramento, CA 95814

Attention: Tricia Knight

RECEIVED  
JAN 11 2005

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Re: *The High Quality Classrooms Act (Version 2)*

Dear Ms. Knight:

Pursuant to Elections Code section 9002, we request that the Attorney General prepare a title and summary of version 2 of a measure entitled "The High Quality Classrooms Act." The text of the measure, a check for \$200.00, the address at which we are registered to vote and the signed statement certifying that we will not willfully allow initiative signatures to be used for purposes other than qualification of the measure are enclosed.

Please direct all correspondence and inquiries regarding this measure to:

Roberta B. Johansen  
James C. Harrison  
Remcho, Johansen & Purcell  
201 Dolores Avenue  
San Leandro, CA 94577  
Phone: (510) 346-6200  
FAX: (510) 346-6201

Sincerely,

James C. Harrison

Douglas G. Denton

## THE HIGH QUALITY CLASSROOMS ACT

### Section 1: Title.

This measure shall be known and may be cited as "The High Quality Classrooms Act."

### Section 2: Findings and Declaration of Purpose.

1. We must invest in our children's education. Providing a quality education for our children is the most important thing we can do for their future and the future of our state.
2. California must make children and classrooms the priority in school funding.
3. California schools continue to be underfunded. Education funding in California has been below the national average for more than a decade. The recent "Quality Counts 2005" report by Education Week notes California ranked 44th in the nation in per pupil funding. A recent study by the RAND Corporation corroborates these finding and notes California's K-12 school system has fallen from a national leader 30 years ago to its current ranking near the bottom in every objective category, including per-pupil funding, class size and teacher salaries.
4. Because of the state budget crisis, education funding in California has been drastically reduced over the past four years, and the children and schools of California are hurting. These cuts have resulted in teacher lay-offs, fewer textbooks and other classroom materials, as well as increased class size. We need to restore these cuts and ensure that our classrooms are adequately funded.
5. As a result of chronic underfunding, California class sizes are among the largest in the nation, denying children the individualized learning they deserve.
6. California must improve student performance by increasing funding to reduce class sizes, provide new instructional supplies and materials, offer teacher training and increase teacher compensation in order to attract the best and brightest into the teaching profession. According to the RAND Corporation report that was released January 2004, California teachers are among the lowest paid in the nation, ranking 32nd nationwide and dead last among the most populous states.
7. A well-educated workforce increases productivity and quality for California businesses.
8. Education programs should be funded without raising homeowners' property taxes or reducing important services such as police and fire protection.
9. Unlike most residential property, commercial buildings produce income for their owners. Business property changes ownership less often than residential property, so the share of property taxes paid by businesses has been declining. Furthermore, California commercial real property tax rates are among the lowest in the nation. It makes sense, therefore, to tax nonresidential commercial real property at a higher rate than private homes. The increased

revenues will be used to improve the quality of California's public schools. Small businesses will be protected by new exemptions from the personal property tax.

10. We must provide protections from waste and mismanagement. None of the funds in this initiative will be used for administrative overhead. It also provides for criminal penalties, loss of credentials and/or fines for administrators who misuse school funds.

11. The annual audit required by this initiative will ensure that every penny goes into our classrooms, where it is needed most.

12. We must ensure that these funds are used for improving learning. None of the funds in this initiative can be used to replace or supplant existing funding.

### **Section 3. Purpose and Intent.**

This measure is not intended to alter or repeal any exemption currently applicable to taxes on real property or to increase or in any way affect the property taxes paid by homeowners on noncommercial property or by owners of residential rental property.

### **Section 4. Section 5.5 is hereby added to Article IX of the Constitution of the State of California, to read as follows:**

*Sec. 5.5. (a) The High Quality Classrooms Fund is hereby created in the State Treasury to be held in trust for the purposes set forth below and is continuously appropriated for the support of the K-12 educational program, the funds to be distributed to school districts based on enrollment.*

*(b) High Quality Classrooms Funds dedicated to the support of the K-12 educational program shall not be used to pay administrative costs and may be used for the following educational purposes only:*

*(1) To reduce class size in grades kindergarten through 12, inclusive.*

*(2) To purchase textbooks and instructional materials, supplies, and equipment.*

*(3) To provide teacher salaries and benefits that will encourage qualified individuals to become teachers and to remain teachers in California's public schools.*

*(4) To provide training for teachers.*

*(c) The amounts deposited in the High Quality Classrooms Fund shall be used exclusively for the purposes set forth in this section. No moneys in the High Quality Classrooms Fund shall be used to supplant federal, state, or local funds used for educational programs. The Legislature shall set penalties, including loss of credentials, fines, and/or criminal prosecution for school district administrators who misuse funds appropriated and allocated pursuant to this Section and Section 5.6 of this Article.*