

INITIATIVE ORDINANCE NO. 12-13

(Measure BB – Approved by the Voters on November 6, 2012)

AN ORDINANCE OF THE CITY OF IRVINE REGARDING PROVISION OF FINANCIAL SUPPORT TO IRVINE SCHOOLS THROUGH THE EDUCATIONAL PARTNERSHIP FUND AND THE CHALLENGE MATCH GRANT PROGRAMS SUBJECT TO THE TERMS AND CONDITIONS DESCRIBED IN THE ORDINANCE FOR FISCAL YEAR 2013-2014 THROUGH AND INCLUDING FISCAL YEAR 2015-2016

The people of the City of Irvine do ordain as follows:

Section 1. Title. This Ordinance shall be known and referred to as the Irvine Support Our Schools Initiative of 2012.

Section 2. Purpose. The City of Irvine shall continue financial support to Irvine schools through the Irvine Educational Partnership Fund and the Challenge Match Grant programs on the terms and conditions described below for Fiscal Year 2013-2014 through and including Fiscal Year 2015-2016.

Section 3. Recitals. It is found and declared as follows:

- A. Irvine public schools have consistently ranked among the finest in the nation based on their outstanding educational environment and commitment to success.
- B. The City of Irvine has demonstrated its ongoing commitment to education and to young people, reflecting the values of the Irvine community.
- C. Public education in California received \$20 billion less in state funding than anticipated over the last four budget years.
- D. The State of California faces a continuing state budget crisis that will adversely affect public schools and students in Irvine for the foreseeable future.
- E. Class sizes in Irvine public schools have increased since Fiscal Year 2007-2008 due to state funding restrictions.
- F. As a result of the continuing state budget crisis, the Irvine and Tustin Unified School Districts have made more than \$50 million in budget

- G. reductions since April of 2009, resulting in deep cutbacks in their annual operating budgets and corresponding programs.
- H. The Irvine and Tustin Unified School Districts have each utilized "furlough days," beginning in Fiscal Year 2010-2011, resulting in reductions in classroom instructional days for students and work days for employees.
- I. The Irvine City Council has allocated \$4 million through the Irvine Educational Partnership Fund over the past six years to assist Irvine public schools in helping offset state budget reductions.
- J. The Irvine City Council has allocated \$4 million in Challenge Match Grant funds over the past five years to the Irvine and Tustin Unified School Districts to assist in academic class-size support.
- K. The Irvine City Council currently allocates approximately \$5 million annually to support School Resource Officers, DARE programs, crossing guards, disaster preparedness and other programs and services supporting Irvine schools through the City's annual operations budget.
- L. In recognition of the funding constraints and challenges confronting Irvine schools, the past, current and continued City support for public education serves an important public purpose benefitting the residents of the City of Irvine.
- M. The voters of Irvine approved the Irvine School Support Initiative in November of 2010 covering Fiscal Year 2011-2012 through and including Fiscal Year 2013-2014. This Ordinance is intended to continue, modify and extend the prior initiative.

Section 4. Irvine Educational Partnership Fund.

- A. For Fiscal Year 2013-2014, the City of Irvine shall allocate \$2,000,000, in addition to the \$500,000 allocated by Irvine Municipal Code Section 1-12-104, to the Irvine Educational Partnership Fund to support Irvine students' academic performance through enhanced and innovative programs and services, including without limitation student health and guidance, for K-12 Irvine students served by the Irvine and Tustin Unified School Districts. For Fiscal Years 2014-2015 and 2015-2016, the City of Irvine shall allocate \$2,500,000 annually to the Irvine Educational Partnership Fund to support Irvine students' academic performance through enhanced and innovative programs and services, including without limitation student health and guidance, for K-12 Irvine students served by the Irvine and Tustin Unified School Districts. Each School District's grant portion of the Educational

Partnership Fund shall be determined by the Irvine student enrollment ratio according to the California Basic Education Data System enrollment report. Each fiscal year, \$2,000,000 in grant funds appropriated and authorized annually pursuant to this paragraph shall be allocated in substantial conformity to the following, while the remaining \$500,000 shall be allocated in the sole and absolute discretion of the City Council consistent with the stated purpose of the Educational Partnership Fund:

- 1) The sum of \$300,000 shall be used in connection with the employment of additional school nurses, with consideration given to those nurses who specialize in school readiness and the developmental progress of students.
- 2) The sum of \$500,000 shall be used in connection with the employment of instructional aides and classroom staff.
- 3) The sum of \$200,000 shall be used in connection with the employment of additional classified employees to provide for the hygienic conditions of restrooms and similar facilities.
- 4) The sum of \$100,000 shall be used in connection with the establishment of no fewer than twenty-five scholarships of \$1,000 to \$2,000 each for students who will be attending Irvine Valley College, and to support participation in the Early College Program at Irvine Valley College.
- 5) The sum of \$100,000 shall be used in connection with public service instructional programs to support service learning opportunities.
- 6) The sum of \$200,000 shall be used in connection with the acquisition of classroom supplies for teachers and for students in need of essential materials.
- 7) The sum of \$100,000 shall be used in connection with legal and other professional services for the removal of barriers to securing health, nutritional, housing and other services necessary to provide students with the opportunity to meet appropriate educational objectives.
- 8) The sum of \$100,000 shall be used in connection with the development of plans and programs to ensure the federal government's faithful compliance with its commitment to the Individuals with Disabilities Education Act.
- 9) The sum of \$100,000 shall be used in connection with the planning and development of joint use sports facilities at the

Orange County Great Park, and the provision of non-permanent “instant stadiums” at any high school or community college in Irvine.

10)The sum of \$200,000 shall be used in connection with the expansion of the School Resource Officers Program.

11)The sum of \$100,000 shall be used in connection with the development and conduct of educational field trips for students.

Section 5. Challenge Match Grant.

A. For Fiscal Year 2013-2014, the City of Irvine shall allocate \$500,000, in addition to the \$1,000,000 allocated by Irvine Municipal Code Section 1-12-105, in Challenge Match Grant funds to support the Irvine, Tustin and Santa Ana Unified School Districts for preservation of class size support. For Fiscal Years 2014-2015 and 2015-2016, the City of Irvine shall allocate \$1,500,000 annually in Challenge Match Grant funds to support the Irvine, Tustin and Santa Ana Unified School Districts for preservation of class-size support. Each School District’s grant portion of the Challenge Match Grant shall be determined by the Irvine student enrollment ratio according to the California Basic Education Data System enrollment report.

B. Class size support measures shall include, but are not limited to:

- 1) Reduction in number of students per class;
- 2) Maximization of classroom instructional time;
- 3) Additional teachers, aides and instructional assistants;
- 4) Additional class sections to reduce class size;
- 5) Targeted student intervention support;
- 6) More individualized instruction;
- 7) Small learning groups;
- 8) Flexible groupings;
- 9) Special projects;
- 10)One-on-one assistance for students who are at risk; and
- 11)Enrichment programs.

C. Matching school district funding sources shall include, but are not limited to:

- 1) Corporate donations;
- 2) Public School Foundations;
- 3) Parent Teacher Organizations;
- 4) Parent Teacher Associations;
- 5) Fundraising activities sanctioned by the School District; and
- 6) Institutional and community organizations.

Section 6. Effective Date. This Ordinance shall go into effect ten days after the date on which the election results are declared by the City Council.


Section 7. Construction. To the maximum extent authorized by law, this Division shall be interpreted in a manner consistent with the right of initiative reserved to the people by the California Constitution. In the event of any ambiguity, inconsistency or conflict between this Ordinance and Division 12 of Title 1 of the Irvine Municipal Code, the provisions of this Ordinance shall govern.

Section 8. Future Amendments. Pursuant to article II, section 10(c) of the California Constitution, the provisions contained in this Ordinance may be amended by a four-fifths vote of the City Council only to the extent such amendments further or expand the intent and objectives set forth in this Ordinance. All other amendments or any proposed repeal of the provisions contained in this Ordinance shall become effective only when approved by the voters.

Section 9. Severability. If any portion of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

ADOPTED by the vote of the people of the City of Irvine on November 6, 2012 at a General Municipal Election as certified by the City Council on the 11th day of December, 2012, and becomes effective ten (10) days thereafter on December 21, 2012.

ATTEST:



CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF IRVINE)

I, SHARIE APODACA, City Clerk of the City of Irvine, DO HEREBY CERTIFY that the foregoing Ordinance No. 12-13 was adopted by the voters of the City of Irvine as Initiative Measure BB at an election held on the 6th day of November, 2012, as certified by the City Council of the City of Irvine on the 11th day of December, 2012, and that the ordinance becomes effective ten (10) days thereafter on December 21, 2012.

ATTEST:



CITY CLERK OF THE CITY OF IRVINE