



# Education *for* Change

## Public Schools

### **Resolution by the Education for Change Public Schools Board of Directors Regarding the Education Protection Act (FY23)**

**WHEREAS**, the voters approved Proposition 30 on November 6, 2012 and Proposition 55 on November 8, 2016;

**WHEREAS**, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012 (sun setting 12/31/2017), and Proposition 55 Article XIII, Section 36 to the California Constitution effective November 8, 2016 (commencing 01/01/2018);

**WHEREAS**, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f);

**WHEREAS**, before June 30<sup>th</sup> of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

**WHEREAS**, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within 10 days preceding the end of the fiscal year; and

**WHEREAS**, all monies in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts; and

**WHEREAS**, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government; and

**WHEREAS**, a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction; and

**WHEREAS**, the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board; a



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**WHEREAS**, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost; and

**WHEREAS**, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent; and

**WHEREAS**, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution; and

**WHEREAS**, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of Education for Change Public Schools; and

2. In compliance with Article XIII, Section 36(e) of the California Constitution, the governing board of the School District has determined to spend the monies received from the Education Protection Act as attached.

2022-23 P-2 EPA Entitlement (1400-8012)				
CDS Code	Local Educational Agency	2022-23 P-2 EPA Entitlement (1400-8012)	Amount Expended in FY23	Account Code
01 10017 6001788	Cox Academy	1,285,249	1,285,249	Teacher Salaries (1100)
01 10017 6002000	Lazear Charter Academy	1,253,301	1,253,301	Teacher Salaries (1100)
01 61259 0111476	Achieve Academy	1,485,217	1,485,217	Teacher Salaries (1100)
01 61259 0115592	Learning Without Limits	961,113	961,113	Teacher Salaries (1100)
01 61259 6118608	ASCEND	1,314,201	1,314,201	Teacher Salaries (1100)
01 77180 0138289	Latitude 37.8 High	51,436	51,436	Teacher Salaries (1100)



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PASSED AND ADOPTED by the Education for Change Public Schools Board of Directors on June 16, 2023, at a duly noticed meeting.

I, Sundar Chari, Secretary of the Education for Change Public Schools Board of Directors HEREBY CERTIFY that the foregoing resolution was duly introduced, passed, and adopted by the Board at a meeting thereof held on June 16, 2023.

IN WITNESS THEREOF, I have hereto set my hand this 16th day of June, 2023.

A handwritten signature in black ink, appearing to be 'S. Chari', written over a horizontal line.

Sundar Chari