

RESOLUTION NO. 11

**2016-17 CERTIFICATION OF EDUCATION PROTECTION ACCOUNT
BUDGETED REVENUES AND EXPENDITURES**

WHEREAS, the voters approved Proposition 30 on November 6, 2012; and,

WHEREAS, Proposition 30 added Article XII, Section 36 to the California Constitution effective November 7, 2012; and,

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); and,

WHEREAS, before June 30th of each year, the Director of Finance estimates 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; and,

WHEREAS, if the sum determined is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten 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 school district, county office of education, charter school or community college district 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 San Marino Unified School District shall approve the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the Governing Board; and,

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 school district, county office of education, charter school and community college district shall annually publish on its website an accounting of how much money was received from the Education Protection Account and how the funds will be spent; and,

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

WHEREAS, expenditures incurred by school districts, county offices of education, charter schools, and community college districts 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 the funds received by the San Marino Unified School District from the Education Protection Account in the 2016-17 fiscal year will be spent as required by Article XIII, Section 36;

AND BE IT FURTHER RESOLVED that in compliance with Article XII, Section 36(e), with the California Constitution, the Governing Board of the San Marino Unified School District approves the budgeted revenues and expenditures from the Education Protection Act for the 2016-17 fiscal year as attached.

PASSED AND ADOPTED by the Board of Education of the San Marino Unified School District, Los Angeles County, California, on this 27th day of September, 2016 at a duly noticed meeting, by the following vote:

Ayes: 4 Noes: 0 Abstentions: 0 Absent: 1

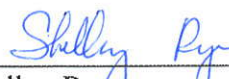
I, Nam Jack, President of the Board of Education of the San Marino Unified School District, hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by said Board of Education on the 27th day of September, 2016.

Date: 9/27/2016



Nam Jack
President of the Board of Education
San Marino Unified School District

Certified a True Copy:



Shelley Ryan
Clerk of President of the Board of Education
San Marino Unified School District