

Policy 3471: Parcel Taxes

Status: ADOPTED

Original Adopted Date: 03/01/2020 | **Last Revised Date:** 08/01/2026 | **Last Reviewed Date:** 08/01/2026

CSBA NOTE: Pursuant to Article 13A of the California Constitution and Government Code 50079, districts may levy, with voter approval, a qualified special tax known as a parcel tax on real property in accordance with Government Code 50075-50077.5. Unlike a traditional ad valorem property tax which is based on estimated property values and which cannot be levied by school districts, taxpayers generally pay a flat rate for a parcel tax regardless of property value. The funds can be used on any activities or items for which general fund moneys can be spent, including general operating expenses, as long as the funds are used strictly for the purposes specified in the ballot statement.

A parcel tax is separate from general obligation bonds that may be approved for the construction, reconstruction, rehabilitation, or replacement of school facilities. For information regarding the funding of specified facilities needs through the issuance of debt, see BP/AR 7214 - General Obligation Bonds.

It is recommended that districts considering the placement of a parcel tax on the ballot consult CSBA's District and County Office of Education Legal Services or district legal counsel.

The Governing Board recognizes its obligation to provide a high-quality educational program within safe facilities and secure campuses, and that additional funds are at times necessary to fulfill this responsibility. The Board may consider appropriate methods of financing and, when it is in the best interest of the district, may order the placement of a parcel tax on the ballot for approval by the voters.

The Board shall hold a noticed public hearing prior to approving a resolution for the adoption of a parcel tax. The resolution shall be approved by a two-thirds vote of the Board in order to be placed on the ballot. The resolution shall include the type and rate of the tax to be levied, the method of collection, and the date upon which an election shall be held to approve the levy of the tax. (Government Code 50077, 53724)

CSBA NOTE: Elections Code 9170 requires the ballot label or similar description of a school district parcel tax measure on a county ballot to list, either as a supporter or an opponent of the measure, the associations, nonprofit organizations, businesses, or individuals, including current or former elected officials such as Governing Board members, who have signed the ballot argument or are listed in the text of the argument for or against the measure, unless the county board of supervisors elects not to list such supporters and opponents. For more information about ballot measures, see BP 1160 - Political Processes.

Ballot materials shall be submitted in accordance with law, including Elections Code 9160-9170, and Board Policy 1160 - Political Processes.

CSBA NOTE: Pursuant to Government Code 50079, the parcel tax is required to be applied uniformly to all taxpayers or all real property within the district, unless the Board grants an exemption as authorized by law. For more information regarding exemptions from a parcel tax, see "Exemptions" below.

Additionally, Government Code 50079 provides that unimproved property may be taxed at a lower rate than improved property. However, different tax rates may not be imposed for different classifications of property.

In *Borikas v. Alameda Unified School District*, the appellate court concluded that the language in Government Code 50079 which states that the special tax "apply uniformly to all taxpayers or all real property" does not authorize different tax rates for residential and commercial/industrial properties, nor for different sized commercial/industrial properties. However, in *Traiman v. Alameda Unified School District*, the appellate court held that a district may use a uniform rate per square foot with a maximum cap on tax liability without creating illegal classifications or a differential taxation in violation of Government Code 50079.

The parcel tax shall apply uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved property. (Government Code 50079)

The Board shall consult with legal counsel to ensure compliance with all requirements of law, including its determination of the appropriate uniform rate of the proposed parcel tax, any maximum cap on tax liability per parcel, and whether exemptions from the tax will be included.

Any parcel tax to be proposed for voter approval shall provide for accountability measures, including, but not limited to, a statement indicating the specific purposes of the special tax and that the proceeds of the tax shall be used only for the specific purposes identified, creation of a separate account into which the proceeds shall be deposited, and

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The parcel tax shall apply uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved property. (Government Code 50079)

The Board shall consult with legal counsel to ensure compliance with all requirements of law, including its determination of the appropriate [amount](#) of the proposed parcel tax and whether exemptions from the tax will be [granted](#).

Any parcel tax to be proposed for voter approval shall provide for accountability measures, including, but not limited to, a statement indicating the specific purposes of the special tax and that the proceeds of the tax shall be used only for the specific purposes identified, creation of a separate account into which the proceeds shall be deposited, and annual reporting pursuant to Government Code 50075.3. (Government Code 50075.1)

No district funds, services, supplies, or equipment shall be used to support or defeat a parcel tax ballot measure. The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to a parcel tax ballot measure, including information about the impact of the parcel tax on the district. (Education Code 7054)

Upon approval of the tax by two-thirds of the votes, the district may levy the tax or contract with the county to collect the tax on the district's behalf. (Government Code 50077)

Exemptions

The Board may grant an exemption from the parcel tax for any or all of the following: (Government Code 50079)

1. Persons who are 65 years of age or older
2. Persons receiving Supplemental Security Income for a disability, regardless of age
3. Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guideline issued by the U.S. Department of Health and Human Services

Any exemption granted by the Board shall remain in effect until the taxpayer becomes ineligible. If the taxpayer becomes ineligible for the exemption for any reason, a new exemption may be granted in the same manner. (Government Code 50079)

If the district provides for an exemption from the parcel tax and contracts or enters into an agreement with the county to collect such tax, the district shall annually provide to the tax collector a phone number where requests for exemption information may be directed and the link, if available, to the location on the district's [web site](#) that contains exemption information and the application for exemption. (Government Code 50079)

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CSBA NOTE: Education Code 7054 prohibits a district from using funds, services, supplies or equipment to support or defeat a parcel tax ballot measure.

Additionally, in *City and County of San Francisco v. All Persons Interested in The Matter of Proposition G*, the appellate court held that a parcel tax placed on the ballot as a citizen initiative required only a simple majority vote to pass, and not a two-thirds majority as required if the parcel tax had been placed on the ballot by a municipality. As this case dealt with the ability to place a city or county tax on the ballot via a citizen initiative, its applicability to districts is unclear. Nonetheless, if there is an effort to put a district parcel tax on the ballot via a citizen initiative, districts should monitor the involvement of district staff and officials to ensure that such involvement does not transform the effort into a parcel tax placed on the ballot by the district.

For more information on the appropriate use of public funds as related to ballot measures, see BP 1160 - Political Processes.

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CSBA NOTE: Pursuant to Elections Code 15307, as added by AB 5 (Ch. 250, Statutes of 2025), county elections officials are required to finish counting all ballots, with certain exceptions, and release a vote count for those ballots by the 13th day following an election. Pursuant to Elections Code 15400, after each election and the counting of the ballots has been completed, the Board is required to declare the results of the vote on the parcel tax.

For each election, upon receipt of the certified statement of the results of the election from the applicable county elections officials, the Board shall declare the results of the vote on the parcel tax. (Elections Code 15372, 15400)

Upon approval of the tax by two-thirds of the votes, the district may levy the tax or contract with the county to collect the tax on the district's behalf. (Government Code 50077)

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