



6

OFFICE OF THE  
CITY ATTORNEY

JAMES P. JACKSON  
CITY ATTORNEY

THEODORE H. KOBAY, JR.  
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO  
CALIFORNIA

April 21, 1988

812 TENTH STREET  
SACRAMENTO, CA  
95814-2694

916-449-5346

DEPUTY CITY  
ATTORNEYS:  
SAMUEL L. JACKSON  
WILLIAM P. CARNAZZO  
LAWRENCE M. LUNARDINI  
GARLAND E. BURRELL, JR.  
DIANE B. BALTER  
RICHARD F. ANTOINE  
TAMARA MILLIGAN-HARMON  
RICHARD E. ARCHIBALD  
LINDA M. GONZALEZ

Law and Legislation Committee  
City Council  
Sacramento, California

SUBJECT: Support of School Funding for Instructional  
Improvement and Accountability Initiative  
to be Placed on the November 1988 Ballot

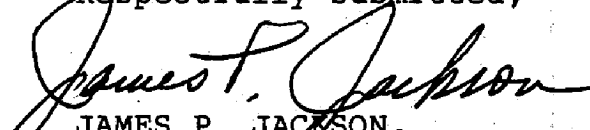
Honorable Members in Session:

Committee Chairman Terry Kastanis has asked that the Law and Legislation Committee recommend support of the School Funding for Instructional Improvement and Accountability initiative. This measure would be placed on the ballot in November of 1988.

A representative of the California Teachers Association will be present at the April 28th meeting to answer any questions regarding this initiative.

If the Committee approves this measure, it would be presented at a future City Council meeting.

Respectfully submitted,

  
JAMES P. JACKSON,  
City Attorney

JPJ/jmv  
Attachments



**California  
Teachers  
Association**

GOVERNMENTAL  
RELATIONS  
DEPARTMENT

1127 Eleventh Street  
Suite 450  
Sacramento, California  
95814-3877

Phone: 916-442-5895

February 22, 1988

The Honorable Anne Rudin, Mayor  
City of Sacramento  
915 I Street, Room 205  
Sacramento, California 95814

Dear Mayor Rudin:

The California Teachers Association has joined the School Funding for Instructional Improvement and Accountability Coalition in support of a school funding initiative which will be placed before the voters of California on the November 1988 ballot.

We request that the Sacramento City Council endorse this measure, known as the School Funding for Instructional Improvement and Accountability Initiative. This initiative will have major impact on California's future as we prepare for ever greater growth in technology and population.

This initiative will reform school finance without adding new taxes, spend funds on improving classroom instruction, and make each school accountable to parents and the public for pupil progress and educational quality.

This initiative gives stability to the school budgeting process, holds educators accountable for their performance, preserves local control, and assures that tax money spent on schools will be spent in the right place—in the classroom, helping students learn.

The initiative also provides for a prudent state reserve and allows the legislature (by a two-thirds vote) to suspend the school funding formula for a year at a time when the state is faced with a major emergency.

Please examine the packet that is included with this letter. You will find more detailed information, including a copy of the initiative and a Question and Answer document.

Please write or call if you need additional information.

I hope that we can count on your support. The children and students enrolled in the public schools and community colleges in Sacramento will be the beneficiaries.

Sincerely yours,

Robert Witcher  
973 McClatchy Way  
Sacramento, California 95818  
(916) 446-4239

(Sample for City Councils)

## Resolution in Support of the School Funding for Instructional Improvement and Accountability Initiative

WHEREAS, California schools are the fastest growing in the nation and must make room for as many as 130,000 additional students a year for the next decade, and

WHEREAS, the population growth in the city of \_\_\_\_\_ is reflected by growth of student enrollment in our city's schools, and

WHEREAS, the members of the City Council of \_\_\_\_\_ recognize that the strength and vitality of life in our community depends in large part on the quality of our schools and the education programs being offered to our community's children, and

WHEREAS, schools must have a stable source of funding in order to plan for future growth and program development, and the *School Funding for Instructional Improvement and Accountability Initiative* will provide a constitutional funding "floor" by providing an annual cost-of-living adjustment and funding to reflect the growth in student population, and provide additional funding for classroom programs, and personnel, and

WHEREAS, the *School Funding for Instructional Improvement and Accountability Initiative* requires accountability and information programs so that the public will know how its tax dollars are being spent; now, therefore, be it

RESOLVED, that members of the public be encouraged to support and vote for this Initiative which will provide a solid foundation for the education of California's children.

# School Funding for Instructional Improvement and Accountability Act

Our initiative *will not raise taxes*. It will ensure adequate, long-term, and stable financing for the state's public schools and community colleges. It will also provide funds for *improving the quality of education*. Specifically, the initiative carries three main provisions.

## I: Funding Floor

Education is guaranteed a minimum level of state financing. The base, or "funding floor," will be set each year by one of the following provisions—the one that gives education *more money*:

- Education will receive the *same percentage of the state budget* as it did in the 1986-87 fiscal year.
- Education will receive the *same number of dollars* as it did the previous year, *adjusted* for increases in (1) enrollment and (2) the cost of living.

## II: Educational Improvement

Monies in excess of the existing "appropriations limitation" will be *assigned to education*—by the state controller—up to a maximum of four (4) percent of the schools' and community colleges' previous year budget.

School and community college districts *must deposit* these funds in a separate account; they *may spend* the monies only on (one or more) of the following "instructional activities":

- Reducing our overcrowded classes (to 20 pupils per teacher in elementary grades and 100 per day in secondary schools) and cutting the workload in our community colleges
- Helping students with reading, writing, arithmetic, and other academic subjects
- Improving support services and providing more and better textbooks and supplies
- Raising the salaries of teachers and other educational personnel—to ensure that our students are served by the most qualified people available

(To provide for any "emergency" that may confront the state, education's claim to the spending cap's "excess" may be suspended by the enactment of an "urgency statute" by the state legislature.)

## III. Educational Accountability

To assure taxpayers that "excess" funds are being spent properly, school districts will complete and make public—each year—a *school accountability report card* for each school. Among items on the report card will be the following quality education goals:

- Student progress toward higher achievement in reading, writing, arithmetic, and other subjects
- Progress toward reducing drop-out rates
- Progress toward reducing class size and teaching loads
- Any misassignment of teachers
- The quality and age of textbooks and other instructional materials
- The availability of qualified personnel to provide support services
- The safety, cleanliness, and overall adequacy of school facilities
- The general "climate for learning," including the support for classroom discipline

# Q&A

---

## **Questions and Answers about The School Funding for Instructional Improvement and Accountability Initiative**

**Q** What is the "School Funding for Instructional Improvement and Accountability Initiative"?

**A** A constitutional and statutory initiative that guarantees long-term, adequate funding for California's public schools. In addition, it provides the proper accountability to parents and taxpayers to ensure that school funds are spent where they are most needed — in the classroom.

**Q** What is the current constitutional requirement for education funding in California?

**A** That's the problem. There isn't one! The State Constitution requires only that we fund public schools. Surprisingly, there are no provisions to ensure stable or adequate funding.

**Q** But surely the Constitution mandates annual adjustments to keep up with enrollment increases and the cost of living.

**A** Unfortunately no. There is no requirement that education dollars reflect the 140,000 new children entering our public schools each year or compensate for reduced purchasing power. Last year, after accounting for inflation and expanded enrollment, real dollars spent per pupil dropped from the prior year.

**Q** What funding mechanism does the School Funding for Instructional Improvement and Accountability Initiative mandate?

**A** For the first time, our schools will have a floor to stand on. The initiative establishes a base funding level for kindergarten through community college. Our schools must receive at least the same percentage of the state budget as they did in fiscal year 1986-87 — that is, the year before the schools took a financial beating. Thereafter, the base will be adjusted annually to reflect cost of living and enrollment increases. Local districts will be able to anticipate funding and plan ahead.

**Q** Suppose a state fiscal crisis makes education funding at this level a terrible hardship on all other public services?

**A** The initiative includes an "escape" provision that permits the Legislature, by a two-thirds vote of each house, to suspend the base funding requirement for one year in the event of such an emergency.

**Q** What else does the initiative do?

**A** It also sets up a funding system that allows revenues in excess of the Gann state spending limit to be given directly to local school districts.

**Q** What if these excess funds are exorbitant in any one year? Will education get all the funds?

**A** No. There are certainly other pressing problems that demand attention in the state. That's why the initiative includes a cap on the amount of excess dollars that can go to schools in any one year.

**Q** Suppose 10 years down the line, schools are in fine shape. Will excess Gann dollars continue to go to our schools?

**A** No. The initiative also provides for a cut-off of excess funds at any time that the Superintendent of Public Instruction and Director of Finance mutually determine that California has reached two critical benchmarks: 1) annual state expenditures per student equals the average of the 10 states with the highest such ranking; and 2) average size of California classes equals the average of the 10 states with the lowest average class sizes.

**Q** Where does California currently rank in class size?

**A** Dead last! We have the largest classes of any state in the nation.

**Q** What about expenditures per student?

**A** California has one of the wealthiest economies in the world, yet we rank a shocking 22nd, below almost one-half of all states.

**Q** Can the Gann excess dollars that go to education be spent on anything?

**A** No. The initiative requires Gann excess dollars be deposited in a separate account and spent where they directly benefit the instruction of students. Specifically, dollars may be used only to reduce K-12 class sizes, increase instructional resources, provide student services needed to achieve academic goals, improve teaching staffs, compensate teachers.

**Q** Does the initiative leave any room for local spending discretion?

**A** Yes. The initiative is strict, but flexible. Strict enough to require local school boards to spend excess dollars directly on instructional improvements and flexible enough to enable school boards to choose one or all of the options outlined, depending upon local needs. As a whole, the initiative is a giant step toward more local control, local access and local accountability.

quality of our children's education? Does the initiative address the quality of our schools and the performance of our children?

**A** Absolutely! It requires the Superintendent of Public Instruction, in consultation with teachers, administrators, parents and school board members, to develop a statewide model School Accountability Report Card. Each school district must then annually complete and make public a separate report for each school based on the statewide model.

**Q** What must the report card include?

**A** Report cards will evaluate a minimum of 13 areas including student progress toward meeting academic goals such as reading, writing and arithmetic, progress in reducing school drop-out rates and class sizes, quality of textbooks, classroom discipline and the quality of school instruction and leadership.

**Q** Sounds good but is there a tax increase hidden somewhere in the initiative?

**A** No. The measure does not raise any state or local taxes. It simply guarantees our schools their fair share from the state government.

**Q** Just how much more money will this initiative provide for schools?

**A** In 1988-89, it will guarantee at least the same percentage of the state budget the schools received in fiscal year 1986-87. Thereafter, the actual amount of dollars to education will depend on cost of living and enrollment changes and the effect of the Gann limit on state expenditures.

## INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS.

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**SCHOOL FUNDING FOR INSTRUCTIONAL IMPROVEMENT AND ACCOUNTABILITY. CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE.** Amends State Constitution by establishing a minimum level of state funding for school and community college districts; transferring to such districts, within limits, state revenues in excess of State's appropriations limit; and exempting excess funds from appropriations limit. Adds provisions to Education Code requiring excess funds to be used solely for instructional improvement and accountability and requiring schools to report student achievement, drop-out rates, expenditures per student, progress toward reducing class size and teaching loads, classroom discipline, curriculum, quality of teaching, and other school matters. Contains other provisions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure requires allocation of excess tax revenue when available, up to a maximum of 4% of the minimum support level for local education agencies. Since the measure allows the expenditure of excess tax revenue that might otherwise be returned to taxpayers, it may reduce or eliminate any future tax rebate. The requirement for a minimum level of funding for local education will result in a minimum additional state cost of approximately \$100 million in 1988-89. If state revenues increase by more than 5 percent, the state cost in 1988-89 is estimated to be \$100 million plus approximately \$100 million for every percentage point in revenue growth above 5 percent. The amount of revenues in excess of the state appropriations limit, if any, which may be transferred to local education agencies in 1988-89 and the related adjustments in minimum levels of support is currently indeterminable. It is estimated that the State Department of Education will incur \$300,000 in costs to prepare a statewide model School Accountability Report Card and that the total costs local school districts to develop and issue their respective school report cards would range between \$2 million and \$7 million.

### TO THE HONORABLE SECRETARY OF THE STATE OF CALIFORNIA:

We, the undersigned (signatures on reverse side), registered, qualified voters of California, residents of the County (or City and County) specified on the reverse side hereof, hereby propose amendments to the Constitution of California and the Education Code of California relating to establishing a minimum level of State funding for school and community college districts, and requiring funds to be used solely for instructional improvement and accountability and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special Statewide election held prior to that general election or otherwise provided by law. The proposed Constitutional and Education Code amendments read as follows:

Section 1. This Act shall be known as "The Classroom Instructional Improvement and Accountability Act"

Section 2. **PURPOSE AND INTENT.** The People of the State of California find and declare that:

- (a) California schools are the fastest growing in the nation. Our schools must make room for an additional 130,000 students every year.
- (b) Classes in California's schools have become so seriously overcrowded that California now has the largest classes of any state in the nation.
- (c) This act will enable Californians to once again have one of the best public school systems in the nation.
- (d) This act will not raise taxes.
- (e) It is the intent of the People of California to ensure that our schools spend money where it is most needed. Therefore, this Act will require every local school board to prepare a School Accountability Report Card to guarantee accountability for the dollars spent.
- (f) This Act will require that excess state funds be used directly for classroom instructional improvement by providing for additional instructional materials and reducing class sizes.
- (g) This Act will establish a prudent state reserve to enable California to set aside funds when the economy is strong and prevent cutbacks or tax increases in times of severe need or emergency.

Section 3. Section 5.5 is hereby added to Article XIII B as follows:

**SECTION 5.5. PRUDENT STATE RESERVE.** The Legislature shall establish a prudent state reserve fund in such amount as it shall deem reasonable and necessary. Contributions to, and withdrawals from, the fund shall be subject to the

provisions of Section 5 of this Article.

Section 4. Section 2 of Article XIII B is hereby amended to read as follows:

### **SECTION 2. REVENUES IN EXCESS OF LIMITATION.**

(a) All revenues received by the state in excess of that amount which is appropriated by the state in compliance with this Article, and which would otherwise be required, pursuant to subdivision (b) of this Section, to be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years, shall be transferred and allocated pursuant to Section 8.5 of Article XVI up to the maximum amount permitted by that section.

(b) Except as provided in subdivision (a) of this Section, revenues received by any entity of government in excess of that amount which is appropriated by such entity in compliance with this Article during the fiscal year shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

Section 5. Section 8 of Article XVI is hereby amended to read as follows:

### **SECTION 8. SCHOOL FUNDING PRIORITY**

(a) From all state revenues there shall first be set apart the monies to be applied by the state for support of the public school system and public institutions of high education.

(b) Commencing with the 1988-89 fiscal year, the monies to be applied by the state for the support of school districts and community college districts shall be not less than the greater of:

- (1) The amount which, as a percentage of the State General Fund revenues which may be appropriated pursuant to Article XIII B, equals the percentage of such State General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986-87; or



and community college districts from the State General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes shall not be less than the total amount from these sources in the prior year, adjusted for increases in enrollment, and adjusted for changes in the cost of living pursuant to the provisions of Article XIII B.

(c) The provisions of subdivision (b) of this Section may be suspended for one year by the enactment of an urgency statute pursuant to Section 8 of Article IV, provided that no urgency statute enacted under this subdivision may be made part of or included within any bill enacted pursuant to Section 12 of Article IV.

Section 6. Section 8.5 of Article XVI is hereby added as follows:

#### SECTION 8.5 ALLOCATIONS TO STATE SCHOOL FUND

(a) In addition to the amount required to be applied for the support of school districts and community colleges pursuant to Section 8(b), the Controller shall during each fiscal year transfer and allocate all revenues available pursuant to subdivision (a) of Section 2 of Article XIII B, up to a maximum of four percent (4%) of the total amount required pursuant to Section 8 (b) of this Article, to that portion of the State School Fund restricted for elementary and high school purposes, and to that portion of the State School Fund restricted for community college purposes, respectively, in proportion to the enrollment in school districts and community college districts respectively.

(1) With respect to funds allocated to that portion of the State School Fund restricted for elementary and high school purposes, no transfer or allocation of funds pursuant to this section shall be required at any time that the Director of Finance and the Superintendent of Public Instruction mutually determine that current annual expenditures per student equal or exceed the average annual expenditure per student of the ten states with the highest annual expenditures per student for elementary and high schools, and that average class size equals or is less than the average class size of the ten states with the lowest class size for elementary and high schools.

(2) With respect to funds allocated to that portion of the State School Fund restricted for community college purposes, no transfer or allocation of funds pursuant to this section shall be required at any time that the Director of Finance and the Chancellor of Community Colleges mutually determine that current annual expenditures per student for community colleges in this state equal or exceed the average annual expenditure per student of the ten states with the highest annual expenditures per student for community colleges.

(b) Notwithstanding the provisions of Article XIII B, funds allocated pursuant to this section shall not constitute appropriations subject to limitation, but appropriation limits established in Article XIII B shall be annually increased for any such allocations made in the prior year.

(c) From any funds transferred to the State School Fund pursuant to paragraph (a) of this Section, the Controller shall each year allocate to each school district and community college district an equal amount per enrollment in school districts from the amount in that portion of the State School Fund restricted for elementary and high school purposes and an equal amount per enrollment in community college districts from that portion of the State School Fund restricted for community college purposes.

(d) All revenues allocated pursuant to subdivision (a) of this section, together with an amount equal to the total amount of revenues allocated pursuant to subdivision (a) of this section in all prior years, as adjusted if required by Section 8(b)(2) of Article XVI, shall be expended solely for the purposes of instructional improvement and accountability as required by law.

(e) Any school district maintaining an elementary or secondary school shall develop and cause to be prepared an annual audit accounting for such funds and shall adopt a School Accountability Report Card for each school. Section 7. Section 33126 is hereby added to Article 2 of Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code to read as follows:

#### Section 33126. SCHOOL ACCOUNTABILITY REPORT CARD

In order to promote a model statewide standard of instructional accountability and conditions for teaching and learning, the Superintendent of Public Instruction shall by March 1, 1989, develop and present to the Board of Education for adoption a statewide model School Accountability Report Card.

(a) The model School Accountability Report Card shall include, but is not limited to, assessment of the following school conditions:

- (1) Student achievement in and progress toward meeting reading, writing, arithmetic and other academic goals.
- (2) Progress toward reducing drop-out rates.
- (3) Estimated expenditures per student, and types of services funded.
- (4) Progress toward reducing class sizes and teaching loads.
- (5) Any assignment of teachers outside their subject areas of competence.
- (6) Quality and currency of textbooks and other instructional materials.
- (7) The availability of qualified personnel to provide counseling and other

student support services.

(8) Availability of qualified substitute teachers.

(9) Safety, cleanliness, and adequacy of school facilities.

(10) Adequacy of teacher evaluations and opportunities for professional improvement.

(11) Classroom discipline and climate for learning.

(12) Teacher and staff training, and curriculum improvement programs.

(13) Quality of school instruction and leadership.

(b) In developing the statewide model School Accountability Report, the Superintendent of Public Instruction shall consult with a Task Force on Instructional Improvement, to be appointed by the Superintendent, composed of practicing classroom teachers, school administrators, parents, school board members, classified employees, and educational research specialists, provided that the majority of the task force shall consist of practicing classroom teachers.

Section 8. Section 35256 is hereby added to Article 8 of Chapter 2 of Part 20 of Division 3 of Title 2 of the Education Code to read as follows:

#### SECTION 35256. SCHOOL ACCOUNTABILITY REPORT CARD

The governing board of each school district maintaining an elementary or secondary school shall by September 30, 1989, or the beginning of the school year develop and cause to be implemented for each school in the school district a School Accountability Report Card.

(a) The School Accountability Report Card shall include, but is not limited to, the conditions listed in Education Code Section 33126.

(b) Not less than triennially, the governing board of each school district shall compare the content of the school district's School Accountability Report Card to the model School Accountability Report Card adopted by the State Board of Education. Variances among school districts shall be permitted where necessary to account for local needs.

(c) The Governing Board of each school district shall annually issue a School Accountability Report Card for each school in the school district, publicize such reports, and notify parents or guardians of students that a copy will be provided upon request.

Section 9. Section 41300.1 is hereby added to Article 1 of Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code to read as follows: Section 41300.1 INSTRUCTIONAL IMPROVEMENT AND ACCOUNTABILITY.

The amount transferred to Section A of the State School Fund pursuant to Section 8.5 of Article XVI of the State Constitution shall to the maximum extent feasible be expended or encumbered during the fiscal year received and solely for the purpose of instructional improvement and accountability.

(a) For the purpose of this section, "instructional improvement and accountability" shall mean expenditures for instructional activities for school sites which directly benefit the instruction of students, and shall be limited to expenditures for the following:

(1) Lower pupil-teacher ratios until a ratio is attained of not more than 20 students per teacher providing direct instruction in any class, and until a goal is attained of total teacher loads of less than 100 total students per teacher in all secondary school classes in academic subjects as defined by the Superintendent of Public Instruction.

(2) Instructional supplies, instructional equipment, instructional materials and support services necessary to improve school conditions.

(3) Direct student services needed to ensure that each student makes academic progress necessary to be promoted to the next appropriate grade level.

(4) Staff development which improves services to students or increases the quality and effectiveness of instructional staff, designed and implemented by classroom teachers and other participating school district personnel, including the school principal, with the aid of outside personnel as necessary. Classroom teachers shall comprise the majority of any group designated to design such staff development programs for instructional personnel.

(5) Compensation of teachers.

(b) Funds transferred to each school district, pursuant to this section shall be deposited in a separate account and shall be maintained and appropriated separately from funds from all other sources. Funds appropriated pursuant to this section shall supplement other resources of each school district and shall not supplant any other funds. Section 10. Section 14020.1 is hereby added to Article 1 Chapter 1 of Part 2 of Division 1 of Title 1 of the Education Code to read as follows:

#### Section 14020.1. INSTRUCTIONAL IMPROVEMENT AND ACCOUNTABILITY

The amount transferred to Section B of the State School Fund pursuant to Section 8.5 of Article XVI of the State Constitution shall to the maximum extent feasible be

expended or encumbered during the year received solely for the purposes of instructional improvement and accountability.

(a) For the purposes of this section, "instructional improvement and accountability" shall mean expenditures for instructional activities for college sites which directly benefit the instruction of students and shall be limited to expenditures for the following:

- (1) Programs which require individual assessment and counseling of students for the purpose of designing a curriculum for each student and establishing a period of time within which to achieve the goals of that curriculum and the support services needed to achieve these goals, provided that any such program shall first have been approved by the Board of Governors of Community Colleges.
- (2) Instructional supplies, instructional equipment, and instructional materials and support services necessary to improve campus conditions.
- (3) Faculty development which improves instruction and increases the quality and effectiveness of instructional staff, as mutually determined by faculty and the community college district governing board.
- (4) Compensation of faculty.

(b) Funds transferred to each community college district pursuant to this section shall be deposited in a separate account and shall be maintained and appropriated separately from funds from all other sources. Funds appropriated pursuant to this section shall supplement other resources of each community college district and shall not supplant funds appropriated from any other source.

Section 11. Section 14022 is added to the Education Code to read as follows:

(a) For the purposes of Section 8 and Section 8.5 of Article XVI of the California Constitution, "enrollment" shall mean:

- (1) In community college districts, full-time equivalent students receiving services, and
- (2) In school districts, average daily attendance when students are counted as average daily attendance and average daily attendance equivalents for services not counted in average daily attendance.

(b) Determination of enrollment shall be based upon actual data from prior years and for the next succeeding year such enrollments shall be estimated enrollments adjusted for actual data as actual data becomes available.

Section 12. Section 41302.5 is added to the Education Code to read as follows:

For the purposes of Section 8 and Section 8.5 of Article XVI of the California Constitution, "school districts" shall include county boards of education, county superintendents of schools and direct elementary and secondary level instructional services provided by the State of California.

Section 13. No provision of this Act may be changed except to further its purposes by a bill passed by a vote of two-thirds of the membership of both houses of the Legislature and signed by the Governor.

#### Section 14. SEVERABILITY

If any provision of this Act, or the application of any provision of this Act to any person or circumstance, shall be held invalid, the remainder of this Act, to the extent that it can be given effect, shall not be affected thereby; and to this end the provisions of this Act are severable.

### CIRCULATION INSTRUCTIONS

1. Use black or blue ball point pen only!
2. Only registered voters may sign this petition.
3. All signatures will be invalid if the Declaration of Circulator is not signed.
4. All signers on a petition must be from the same county.