

ADVERTORIAL

On Education, Accountability, and the Price of Pretending: Part One

It has often been said, sometimes in reverence and other times in jest, that the Davis Joint Unified School District is “doing God’s work on Earth.” And perhaps, in part, that is true. There is no higher calling than the education of our children—no greater trust than that which we place in those who shape young minds.

But let us not, in our admiration, lose sight of the facts.

The School District, noble though its mission may be, is also a business. It employs administrators, staff, and teachers, all of whom depend upon the continued operation of schools—regardless of whether the children who fill those classrooms live in Davis or are brought in from elsewhere. This is not criticism. It is recognition of reality. But reality, too, must be subject to the rule of law.

That is why I have filed suit—on behalf of myself and future homeowners of Palomino Place—to challenge the District’s newly adopted fee on new development. The total for a 2,000 square-foot home, now exceeds **\$10,000**. This fee, and the rationale for it, strain both legal boundaries and public trust.

THE LAW IS CLEAR—AND IT IS NOT BEING FOLLOWED

California law permits school districts to collect development fees only for one purpose: **to help fund the construction or reconstruction of school facilities necessitated by students generated from new residential development.** Not for salaries. Not for enrichment. Not for maintaining existing structures already built and filled. We voters enacted 3 assessments for these other purposes

The District’s own **Nexus Study** affirms this limitation. It does not sidestep it. On page 12, it states in no uncertain terms:

“The purpose of the fee is to assist with paying for the construction and reconstruction of school facilities related to accommodating students from new development.”

The law does not allow the fee to be imposed simply because the District needs more revenue. Nor does it authorize the fee to address declining enrollment.

And that, precisely, is the issue.

THE NUMBERS DO NOT LIE

The Davis School District currently invites roughly **1,200 students from outside the city** to attend its schools each day. These students—children from Woodland, West Sacramento, Dixon, and North Natomas—occupy seats that would otherwise sit empty. But for these out-of-area students, our schools would have capacity to spare: more than **1,400 seats**, vacant and unused.

Let me be perfectly plain: if these 1,200 students were not brought in, the District would not be talking about expansion. It would be discussing **consolidation and closure**. In fact, it already is—four schools, potentially, are on the block. This is not growth. It is contraction, masked by imported enrollment.

So what then, I ask, is the justification for charging a development fee under a law meant to address overcrowding?

The truth is this: there is no justification. And in the courtroom, truth still matters.

A REVENUE SCHEME, NOT A SCHOOL PLAN

By inviting students from other cities, Davis has kept its schools open. In exchange, the districts those children leave behind give up their state funding. That funding—approximately **\$12 million each year**—flows into Davis.

It is clever. It is lucrative. And it is, in business terms, effective.

But it is not legal grounds for levying fees on new homes.

The District has made no plans to build new schools. It has not requested land for them from Palomino Place or any of the larger developments coming behind it. In fact, it is preparing to **sell its only unbuilt school site**—Nugget Fields—as surplus.

If one were to ask, “Where will these new schools be built to house the projected children of new Davis residents?” the answer, quite clearly, is “Nowhere.”

The District’s own Nexus Study omits this glaring contradiction. It does not address the

1,200 outside students who fill our schools. It does not assess the capacity they consume. It presents, instead, a picture disconnected from fact.

And it is upon this omission that the fee is built.

THE PUBLIC DESERVES HONESTY—AND SO DO THE COURTS

The families who will buy homes in Palomino Place are not here yet. They cannot vote. They cannot object. But they will pay: the new fee, the old fee, and three parcel taxes passed by Davis voters—taxes not paid by the 1,200 outside families whose children now use Davis schools.

This is taxation without representation, levied on future citizens who have no voice in the matter.

And there is more still.

In accordance with the state’s **Housing Accountability Act**, the District agreed—in **writing**—to freeze fees on Palomino Place as of **March 30, 2023**. It affirmed that position. It knew the law. And then, once the statute of limitations expired on any challenge, it reversed itself. It imposed the new fee anyway, six months later, and declared it would not honor the agreement it had made.

This is not policy. It is evasion. And it should not stand.

A TIME FOR CHOOSING

I did not raise my voice against the earlier fee, even when its legal foundation began to crumble. But this new action—layered atop declining enrollment, surplus capacity, and a blatant financial workaroud—crosses the line.

It is unnecessary. It is unjustified. And I believe it is unlawful.

The courts will soon decide. And in Part II, I will address what this means for the City of Davis—for our Planning Commission, our Council, and our community.

The issue before us is not merely one of money. It is one of trust, transparency, and the responsibility of public institutions to serve not themselves, but the people—present and future—who rely upon them.



Paid for by J. David Taormino