

Business Operations  
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: APPROVAL OF RESOLUTION 05-24, UPDATING RESOLUTION 03-07, CERTIFYING TO THE FDOE REQUIRED ASSURANCES FOR THE APPLICATION, AND CONFIRMATION OF THE SUBMISSION OF THE QUALIFIED ZONE ACADEMY BONDS (QZABs) APPLICATION WITH THE FLORIDA DEPARTMENT OF EDUCATION (FDOE), AND THE SUBMISSION OF RESOLUTION 03-07**

Revised

**COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS**

Qualified Zone Academy Bonds (QZABs) are a financing instrument created by Congress through Section 226 of the Taxpayer Relief Act of 1997. They are interest-free loans to districts, and are supported by federal government tax credits to lenders. QZABs may be utilized for school repairs, renovations, equipment, instructional materials, and teacher professional development. Schools eligible to receive a QZAB award are either in an enterprise or empowerment zone, or have 35% or more of the student population on the free or reduced lunch program.

On February 15, 2000, February 6, 2001, and July 2, 2003, Miami-Dade County Public Schools was awarded \$24,508,401, \$15,000,000, and \$9,743,636, respectively. This represents more than 38% of the total \$128.2 million available in QZAB bonding authority allocated to the State of Florida in fiscal years 1999-2003. For the current fiscal year and fiscal 2006, an additional \$45.2 million has been allocated to the State of Florida. Notice of the availability of these funds was sent to school districts on April 16, 2005. Districts were required to apply by May 16, 2005. The application is limited to \$5 million per district per fiscal year, or a total of \$10 million, at the request of the FDOE.

Districts must provide: (1) assurances to the FDOE including written verification from private entities that voluntary private participation will be provided at a present value of not less than 10% of the proceeds and that certain districtwide curriculum academic standards and assessment will be adhered to in QZAB schools, and; (2) a written plan for such expenditures. Resolution 03-07, which was submitted in the prior QZAB application and which contains the required assurances was included in the current QZAB application.

Curriculum and Instruction has prepared Miami-Dade County Public School's application to the Florida Department of Education with specific QZAB projects. Projects include computer replacement in eligible schools with high number of obsolete computers and required wiring in Stellar and School Improvement Zone schools.

A summary of the QZAB application will be submitted to the School Board separately and will be placed on file in the Office of the Recording Secretary to the School Board and in the Citizen Information Center.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, approve updated Resolution 05-24, confirm the submission of Resolution 03-07, and the QZAB application with the Florida Department of Education to authorize the district to issue up to \$10 million in QZAB non-interest bearing bonds. Revised

**RESOLUTION NO. 05-24 OF THE  
SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
MAKING REQUIRED ASSURANCES TO THE  
FLORIDA DEPARTMENT OF EDUCATION FOR THE ISSUANCE OF  
QUALIFIED ZONE ACADEMY BONDS(QZABs)**

WHEREAS, pursuant to Section 226 of the Taxpayer Relief Act of 1997, Section 1397E of the Internal Revenue Code, The School District of Miami-Dade County may be eligible to issue Qualified Zone Academy Bonds ("QZABs"); and

WHEREAS, the Florida Department of Education provides for the allocation and authority to Florida school districts for the issuance of Qualified Zone Academy Bonds; and

WHEREAS, The School District of Miami-Dade County desires to issue Qualified Zone Academy Bonds in the form of one or more lease purchase agreements authorized under Florida law; and

**NOW, THEREFORE BE IT RESOLVED:**

That The School Board of Miami-Dade County, Florida provides the following required assurances as defined in Section 226 of the Taxpayer's Relief Act of 1997, Section 1397E of the Internal Revenue Code.

- 1) Proceeds from QZABs shall be appropriated to schools located in empowerment zones or enterprise communities or where there is a reasonable expectation that at least 35 percent or more of the students in that school are eligible for free or reduced-cost lunches under the National School Lunch Act.
- 2) Written commitments from private entity(ies) regarding qualified contributions having a present value of not less than ten percent of the bond proceeds shall be obtained prior to the issuance of bonds. Qualified contributions may include such items as equipment, technical assistance in teacher or curriculum development, volunteer mentors, internships, field trips, other educational opportunities outside the academy for students, any other property (including cash) or service as specified by the School Board as the "local education agency".
- 3) Schools or academic programs designated for QZABs are established by and operated under the supervision of an eligible local education agency (as defined in Section 14101 of the Elementary and Secondary Education Act of 1965) to provide education or training below the post-secondary level; and such school programs are designed in cooperation with business(es) to enhance the academic curriculum, increase graduation and employment rates, and better prepare students for the rigors of college and the increasingly complex workforce; and students in the academy are subject to the same academic standards and assessments as other students educated by the local school system; and the comprehensive education plan of the school or program is approved by the local education agency.
- 4) Proceeds of the QZABs shall be appropriated to qualified schools for eligible uses including rehabilitating or repairing public school facilities, equipment and instructional materials, so long as such uses are permitted under Florida law. The issuance of QZABs for purposes of the Act may take the form of a lease purchase agreement pursuant to Sections 1001.42(2), 1001.42(9)(b)5, and 1013.15(2) Florida Statutes, involving the issuance of Certificates of Participation.

Added

Presented this 18<sup>th</sup> day of May, 2005  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

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Chair

ATTEST:

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Secretary

**RESOLUTION NO. 03-07 OF THE  
SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
MAKING REQUIRED ASSURANCES TO THE  
FLORIDA DEPARTMENT OF EDUCATION FOR THE ISSUANCE OF  
QUALIFIED ZONE ACADEMY BONDS (QZABs)**

WHEREAS, pursuant to Section 226 of the Taxpayer Relief Act of 1997, Section 1397E of the Internal Revenue Code, The School District of Miami-Dade County may be eligible to issue Qualified Zone Academy Bonds ("QZABs"); and

WHEREAS, the Florida Department of Education provides for the allocation and authority to Florida school districts for the issuance of Qualified Zone Academy Bonds; and

WHEREAS, The School District of Miami-Dade County desires to issue Qualified Zone Academy Bonds in the form of one or more lease purchase agreements authorized under Florida law; and

**NOW, THEREFORE BE IT RESOLVED:**

That The School Board of Miami-Dade County, Florida provides the following required assurances as defined in Section 226 of the Taxpayer's Relief Act of 1997, Section 1397E of the Internal Revenue Code.

- 1) Proceeds from QZABs shall be appropriated to schools located in empowerment zones or enterprise communities or where there is a reasonable expectation that at least 35 percent or more of the students in that school are eligible for free or reduced-cost lunches under the National School Lunch Act.
- 2) Written commitments from private entity(ies) regarding qualified contributions having a present value of not less than ten percent of the bond proceeds shall be obtained prior to the issuance of bonds. Qualified contributions may include such items as equipment, technical assistance in teacher or curriculum development, volunteer mentors, internships, field trips, other educational opportunities outside the academy for students, any other property (including cash) or service as specified by the School Board as the "local education agency."
- 3) Schools or academic programs designated for QZABs are established by and operated under the supervision of an eligible local education agency (as defined in Section 14101 of the Elementary and Secondary Education Act of 1965) to provide education or training below the post-secondary level; and such school programs are designed in cooperation with business(es) to enhance the academic curriculum, increase graduation and employment rates, and better prepare students for the rigors of college and the increasingly complex workforce; and students in the academy are subject to the same academic standards and assessments as other students educated by the local school system; and the comprehensive education plan of the school or program is approved by the local education agency.
- 4) Proceeds of the QZABs shall be appropriated to qualified schools for eligible uses including rehabilitating or repairing public school facilities, equipment and instructional materials, so long as such uses are permitted under Florida law. The issuance of QZABs for purposes of the Act may take the form of a lease purchase agreement pursuant to Sections 230.03(2), 230.23(2)(b), 230.23(a)(b)(5) and 235.056(2) Florida Statutes, involving the issuance of Certificates of Participation.

Presented this 12<sup>th</sup> day of February 2003  
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

ATTEST

Secretary

Chair