

Alberto M. Carvalho, Superintendent of Schools

SUBJECT: APPROVE RESOLUTION 18-047 CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018, SEEKING APPROVAL FROM THE VOTERS OF MIAMI-DADE COUNTY FOR THE SCHOOL BOARD TO LEVY AN AD VALOREM ASSESSMENT TO SUPPORT EDUCATORS, SCHOOL SAFETY, AND INNOVATIVE PROGRAMS

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Over the last decade, our school district has seen remarkable success. Miami-Dade County Public Schools (M-DCPS) is one of the highest-performing urban school systems in the state, becoming an "A"-rated district earlier this year. Year after year, student achievement has climbed, as have graduation rates and school performance. Financially, the District navigated the Great Recession, creating efficiencies through innovation while protecting the classroom, the workforce, and programs such as art, music, and world languages.

The Board has recognized the need to identify supplemental revenue sources to support educators and public education in light of the challenges and issues impacting school funding and teacher salaries in M-DCPS. Most recently, the Board took action at its January 17, 2018 meeting, and again at its April 25, 2018 meeting, to direct staff to explore solutions to improve teacher compensation and support public education.

Though the state and nation have experienced a full economic recovery, funding for public schools in Florida has continued to lag. As a result of various policies implemented by the state over the course of the last fifteen years, M-DCPS has effectively lost over \$1.3 billion; only receiving a \$0.47 increase per student in base funding as a result of the 2018 legislative session. This meager increase does not provide sufficient resources to recruit and retain high caliber educators; provide the enhanced safety and security measures at each school as required by the new state law; and deliver the innovative programs demanded by parents and deserved by students.

Staff, along with the Teacher Salary Task Force, has explored all available avenues to secure additional funding. The task force recommendations were presented to the Board at a workshop on June 27, 2018, wherein it was delineated that Section 1011.71(9) and Section 1011.73, Florida Statutes (2018), authorize the imposition by school boards of a levy of ad valorem taxes for up to four (4) years for operating expenses, subject to approval by the electors of the county voting in a referendum. It is estimated that the Board may be able to raise \$232 million annually, at a cost of less than \$142 per year, or \$0.39 per day, to the typical homeowner.

In order to ensure M-DCPS is able to secure the resources necessary to continue our success in the future, and based on the recommendations of the Teacher Salary Task Force as well as direction provided by the Board at its meeting of June 27, 2018, Resolution 18-047 seeking approval from the voters of Miami-Dade County for the School Board to levy an ad valorem assessment for a period of four (4) years, beginning July 1, 2019, and ending June 30, 2023, to support educators, school safety, and innovative programs is being recommended to be placed on the November 6, 2018 ballot.

Recommended:

That the School Board of Miami-Dade County, Florida,

- 1) approve Resolution 18-047, calling for a referendum to be held on November 6, 2018, for the purpose of seeking approval from the voters of Miami-Dade County for the School Board to levy an ad valorem assessment of 0.75 mills to support educators, school safety, and innovative programs; and
- 2) in accordance with Section 1011.73(2), F.S., direct the Miami-Dade County Commission to place the referendum on the November 6, 2018 general election ballot as authorized by Resolution 18-047; and
- 3) authorize the Superintendent to use District resources to educate the community on the purpose and benefits of the proposed referendum.

RESOLUTION 18-047

A RESOLUTION OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA A QUESTION REGARDING A LEVY OF AD VALOREM TAXES FOR OPERATING EXPENSES TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO ENHANCE SCHOOL SAFETY AND INNOVATIVE PROGRAMS; PROVIDING FOR PROPER NOTICE OF SUCH REFERENDUM; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, for the first time in the history of Florida School Performance Grades, the School District of Miami-Dade County, Florida (“the District”) has achieved a district wide grade of an “A,” and for the second year in a row, there are no “F”-rated traditional schools in the District; and

WHEREAS, higher percentages of Miami-Dade schools received “A” grades in 2018 than statewide across all schools and in all other large Florida Districts; and

WHEREAS, the District’s graduation rate rose to 84.2 percent for the 2016-2017 academic year, the highest rate the District has achieved since the Florida Department of Education began tracking graduation statistics with modern methods in the late 1990s; and

WHEREAS, the District has demonstrated outstanding results on statewide assessments, NAEP-TUDA results, impressive third-grade assessment results and regularly leads the nation in both Advanced Placement (AP) participation and performance among minority students; and

WHEREAS, for the seventh straight year, the District received more national magnet merit awards than any other District, and for 2017-18 award cycle, the District received 54 magnet merit awards, an increase of 12 additional awards; and

WHEREAS, the School Board must maintain sufficient revenues to maintain high quality instruction in schools; and

WHEREAS, the District has experienced a severe shortfall in the funding provided by the Florida Legislature for the District’s normal operating expenses during the current and prior fiscal years, and such shortfall negatively affects the District’s ability to attract and retain high quality teachers and other instructional personnel; and

WHEREAS, the State categorical funding allocation for more School Resource Officers and security personnel and other safety and security requirements is insufficient to meet the statutory requirements and needs of the District; and

WHEREAS, under the State of Florida budget approved for the 2018-2019 school year, the millage the District is required to levy will be the lowest total millage assessed for school purposes in decades; and

WHEREAS, the State's funding formula does not permit the use of capital funds for operating expenses except for limited purposes pursuant to Section 1011.71(5), Florida Statutes (2018); and

WHEREAS, Section 1011.71(9) and Section 1011.73, Florida Statutes (2018), authorize the imposition by school boards of a levy of ad valorem taxes for up to four (4) years for operating expenses, subject to approval by the electors of the county voting in a referendum;

NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Levy of Ad Valorem Taxes for Operating Expenses. Pursuant to the provisions of Section 1011.71(9), Florida Statutes (2018), there is hereby levied and imposed 0.75 mills of ad valorem taxes to fund operating expenses to attract and retain teachers and other instructional personnel and to enhance school safety and innovative programs.

Section 2. Term of Levy. The 0.75 mill levy of ad valorem taxes for operating expenses shall commence July 1, 2019 and shall remain in full force and effect for up to four-years ending June 30, 2023, unless repealed or reduced prior to that time by resolution of the School Board, which repeal or reduction may be effectuated without referendum.

Section 3. Referendum. The School Board hereby requests a referendum to be held throughout Miami-Dade County, Florida, on the second Tuesday after the first Monday in November, which is November 6, 2018, for the purpose of submitting to the duly qualified electors of Miami-Dade County the question or questions set forth herein. The School Board hereby requests the Miami-Dade County Board of County Commissioners (i) to approve the date for the referendum and (ii) to direct the Miami-Dade County Supervisor of Elections to place on the ballot the statement contained in the "Notice of Election" set forth in section 4, below, and to conduct said election pursuant to the provisions of the election laws of the State of Florida. The vote at said referendum shall be by the voting device provided by the Supervisor of Elections for the general election, as approved by the Florida Department of State pursuant to Chapter 101, Florida Statutes, and in each polling place there shall be at least one such device.

Section 4. Notice of Election. Notice of said election shall be given by publication both in English and Spanish in a newspaper of general circulation throughout the County. Such publication shall be made at least twice, once in the fifth week and once in the third week prior to the week of November 6, 2018, the first publication to be not less than 30 days prior to the date of the referendum. Such notice shall be substantially in the following form together with such additional information as the Supervisor of Elections of Miami-Dade County, Florida shall require:

NOTICE OF ELECTION

TUESDAY, NOVEMBER 6, 2018
IN
MIAMI-DADE COUNTY, FLORIDA

NOTICE IS HEREBY GIVEN THAT AN ELECTION HAS BEEN CALLED
BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FROM

7:00 A.M. UNTIL 7:00 P.M. ON TUESDAY, THE 6th DAY OF NOVEMBER, 2018, AT WHICH TIME THERE SHALL BE SUBMITTED TO THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA THE FOLLOWING QUESTION:

**REFERENDUM TO APPROVE AD VALOREM
LEVY FOR TEACHERS, INSTRUCTIONAL
PERSONNEL, SCHOOL SAFETY AND
INNOVATIVE PROGRAMS**

SHALL THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, LEVY 0.75 MILLS OF AD VALOREM MILLAGE FOR OPERATIONAL FUNDS (1) TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL, AND (2) TO ENHANCE SCHOOL SAFETY AND INNOVATIVE PROGRAMS, BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2023?

_____ YES

_____ NO

IN ACCORDANCE WITH THE CONSTITUTION AND THE ELECTION LAWS OF THE STATE OF FLORIDA, ALL DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA SHALL BE ENTITLED TO VOTE IN THE ELECTION TO WHICH THIS NOTICE PERTAINS.

IF THE QUESTION SHALL BE APPROVED BY VOTE OF A MAJORITY OF THE DULY QUALIFIED ELECTORS OF MIAMI-DADE COUNTY, FLORIDA VOTING THEREON, THE SCHOOL BOARD SHALL LEVY 0.75 MILLS FOR OPERATIONAL FUNDS TO BE USED TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO ENHANCE SCHOOL SAFETY AND INNOVATIVE PROGRAMS FOR A PERIOD OF FOUR YEARS.

Section 5. Official Ballot. The official ballot to be used in the election to be held on November 6, 2018, shall be in English and Spanish and shall be in full compliance with the laws of the State of Florida and shall be substantially in the following form:

OFFICIAL BALLOT

**REFERENDUM TO APPROVE AD VALOREM
LEVY FOR TEACHERS, INSTRUCTIONAL
PERSONNEL, SCHOOL SAFETY AND
INNOVATIVE PROGRAMS**

SHALL THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, LEVY 0.75 MILLS OF AD VALOREM MILLAGE FOR OPERATIONAL FUNDS

(1) TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL, AND (2) TO ENHANCE SCHOOL SAFETY AND INNOVATIVE PROGRAMS, BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2023?

_____ YES _____ NO

If the question shall be approved by vote of a majority of the duly qualified electors of Miami-Dade County, Florida, voting thereon, the School Board shall levy 0.75 mills for operational funds to attract and retain high quality teachers and instructional personnel and to enhance school safety and innovative programs for a period of four years

Section 6. Time and Place of Referendum. The polls will be open at the voting places on the date of such referendum from 7:00 A.M. until 7:00 P.M. All qualified electors residing within the County shall be entitled and permitted to vote at such referendum on the proposition provided above. The referendum shall be held at the polling places provided for general elections in Miami-Dade County, Florida and the inspectors and clerks shall be those appointed and qualified for general elections in Miami-Dade County, Florida by the Supervisor of Elections. The inspectors and clerks at each polling place and the Supervisor of Elections shall canvass the vote and make due returns of same without delay to the Board. Such returns shall show, separately, the number of qualified electors who voted at such election on such question and the number of votes cast respectively for and against approval of such question. The returns of the inspectors and clerks shall, as soon as practicable after the close of the polls, be canvassed by the Supervisor of Elections, which shall declare and certify the results of such referendum.

Section 7. Absentee Voting. Absentee electors participating in said referendum shall be entitled to cast their ballots in accordance with the provisions of the laws of the State of Florida with respect to absentee voting, which shall have printed thereon the question hereinabove set forth, with proper place for voting either "YES" or "NO" following the statement of the question aforesaid.

Section 8. Voter Registration Books. The Supervisor of Elections is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such referendum, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors residing in the County.

Section 9. Statutory References. All statutory references herein shall be to said statutes as they exist on the date of adoption of this Resolution and as they may be from time to time amended or renumbered, except to the extent contractual commitments would preclude application of a subsequent statutory revision or repeal.

Section 10. Severability. It is declared to be the intent of the School Board that, if any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 11. Conflict. Any resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

Section 12. Effective Date. Sections 1 through 2 of this Resolution shall be effective upon approval by a majority of votes cast by qualified electors in the referendum provided for herein and the remaining sections of this Resolution shall be effective immediately upon its adoption.

Approved by The School Board of Miami-Dade County, Florida this ____ day of July, 2018.

By: _____
Chair, The School Board of
Miami-Dade County, Florida

[SEAL]

ATTEST: _____
Secretary, The School Board of
Miami-Dade County, Florida

Approved as to form and legality.

School Board Attorney

