

Jose L. Dotres, Superintendent of Schools

**SUBJECT: APPROVE RESOLUTION 22-030 CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 8, 2022, SEEKING APPROVAL FROM THE VOTERS OF MIAMI-DADE COUNTY FOR THE SCHOOL BOARD TO LEVY AN AD VALOREM ASSESSMENT TO CONTINUE IMPROVING COMPENSATION FOR TEACHERS AND INSTRUCTIONAL PERSONNEL, AND IMPROVE STUDENT SAFETY AND SECURITY FOR PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE**

**LINK TO STRATEGIC PLAN: INFORMED, ENGAGED AND EMPOWERED STAKEHOLDERS**

Over the last decade, our school district has seen remarkable success. Miami-Dade County Public Schools (M-DCPS) remains one of the highest-performing urban school systems in the nation, with a graduation rate that exceeds 90 percent. In 2018, the School Board recognized the need to identify supplemental revenue sources to support instructional personnel and school safety in light of the challenges presented by Miami-Dade's high cost of living, underfunded statutory mandates, and other issues impacting school funding and teacher salaries in M-DCPS. As a result, on November 6, 2018, the voters of Miami-Dade were asked to invest in our community's future by investing in M-DCPS. Proposition #362, the *Secure Our Future Referendum (SOFR)*, authorizing an ad valorem tax levy for operational expenses passed with 71.14 percent approval of votes cast.

Since that time, the proceeds of this referendum have been used to improve compensation for teachers and instructional personnel and to enhance safety and security for our students, faculty, and community who use our schools and other educational facilities. Further, the use of these proceeds has been overseen by a citizen oversight group. To date, the Secure Our Future Advisory Committee (SOFAC) has issued two annual reports providing assurances to the public that the District is meeting its fiduciary responsibility and that all funds are being used in accordance with the promises made to the voters.

**Good Cause  
A-2**

As a result of the investment made by our citizens since 2018, M-DCPS has been able to maintain an average annual salary for teachers that is higher than our neighboring districts, all of which also benefit from operational ad valorem millage levies within their counties. The SOFR proceeds are critically important to our District's ability to compete for high quality talent. Moreover, funds provided through our current referendum have allowed Miami-Dade Schools Police to nearly double in size to provide a certified law enforcement officer at every school site to comply with Florida law. When the current referendum sunsets on June 30, 2023, the ability for the District to fiscally support "supplemented" compensation for teachers will also sunset, as will the ability to meet the requirement for a law enforcement officer on school premises from bell to bell, without impacts to educational programs.

In recognition of the upcoming expiration of authorization for the SOFR, the School Board unanimously approved Agenda Item H-3 proffered by Board Member Navarro directing the administration to initiate the process to bring forth the referendum renewal request to the voters in November 2022. Consequently, staff, along with the Secure Our Future+ Task Force (Task Force), have reviewed the current use of 2018 referendum proceeds, current revenue levels, statutory requirements, and other factors related to such a renewal. The Task Force recommendations were presented to the Board at a workshop on May 11, 2022, wherein it was also delineated that Section 1011.71(9) requires funds levied through a voter referendum be shared with charter schools sponsored by a school district and that Section 1011.73, Florida Statutes, authorizes 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 \$395 million annually, at a cost of less than \$219 per year, or \$0.60 per day, to the typical homeowner with a levy of 1.0 mill of ad valorem taxes. Inasmuch as Florida law now requires that proceeds be shared with charter schools based on an unweighted proportional share of student enrollment, it is necessary to move from a 0.75 mill levy to 1.0 mill in order to maintain a continuation of current compensation and safety and security improvements.

Therefore, to continue securing the future of public schools, as described above; and based on the recommendations of the Secure Our Future+ Task Force, as well as consensus provided by the Board at its Workshop of May 11, 2022, Resolution 22-030 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, 2023, and ending June 30, 2027, to continue improving compensation for teachers and instructional personnel, and improve student safety and security for public schools, including charter schools, with oversight by a citizen advisory committee is being recommended to be placed on the November 8, 2022 ballot.

This item does not appear on the published agenda. There exists good cause to vary from the published agenda because the School Board Workshop wherein the Board provided direction regarding essential elements of the referendum was held on May 11,

2022, after publication of the agenda and because time is of the essence in order to meet applicable election deadlines.

Recommended:

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

- 1) approve Resolution 22-030, calling for a referendum to be held on November 8, 2022, for the purpose of seeking approval from the voters of Miami-Dade County for the School Board to levy an ad valorem assessment of 1.0 mill to continue improving compensation for teachers and instructional personnel, and improve student safety and security for public schools, including charter schools, with oversight by a citizen advisory committee; and
- 2) in accordance with Section 1011.73(2), F.S., direct the Miami-Dade County Commission to place the referendum on the November 8, 2022 general election ballot as authorized by Resolution 22-030; and
- 3) authorize the Superintendent to use District resources to educate the community on the purpose and benefits of the proposed referendum.

## RESOLUTION 22-030

**A RESOLUTION OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 8, 2022 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 SCHOOL OPERATIONAL PURPOSES TO CONTINUE IMPROVING COMPENSATION FOR TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO IMPROVE STUDENT SAFETY AND SECURITY, FOR PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE; PROVIDING FOR PROPER NOTICE OF SUCH REFERENDUM; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Miami-Dade County Public Schools remains among the highest-performing school districts in the nation as a result of the extraordinary efforts of its education professionals; and

WHEREAS, Miami-Dade County Public Schools' graduation rate continues to improve, rising to over 90 percent, 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 School Board of Miami-Dade County, Florida, currently levies an ad valorem tax of three-quarter (0.75) mills for operating expenses approved by the voters in 2018 "Secure Our Future Referendum", a tax levy which will expire June 30, 2023; and

WHEREAS, Miami-Dade County Public Schools has been able to continue supporting student success, promoting safety, and maintaining a high-quality workforce as a result of additional funding provided via the 2018 "Secure Our Future Referendum"; and

WHEREAS, the recovery from the COVID-19 pandemic period will require additional supports for students, including focused academic interventions by high-quality teachers; and

WHEREAS, exceptional public schools are paramount to delivering educational and support services to children and families, and are vital to the development of a competitive workforce, local economic stability, and a thriving community; and

WHEREAS, ensuring a safe, secure, and supportive educational environment is integral to successful student outcomes; and

WHEREAS, sufficient revenues are necessary to maintain high-quality instruction and a safe learning environment for all students; and

WHEREAS, Miami-Dade County is experiencing a teacher shortage; and

WHEREAS, Miami-Dade County does not receive state education funding commensurate with its higher cost of living, which affects the ability of our public schools to attract and retain high-quality instructional, support, and student safety and security-related personnel; and

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

WHEREAS, the current millage rate levied by the District is substantially below the average rate levied over the past five 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 (2021); and

WHEREAS, Section 1011.71(9) and Section 1011.73, Florida Statutes (2021), authorize the imposition by school boards of a levy of ad valorem taxes for up to four (4) years for "school operational purposes", including charter schools sponsored by a school district, subject to approval by the electors of the county voting in a referendum; and

WHEREAS, if such ad valorem tax levy is approved to commence upon expiration of the current 0.75 mill ad valorem tax levy, the School Board will provide funding for the purposes described above to public schools, including charter schools, throughout the District, and will convene a citizen oversight committee which will issue annual reports regarding receipts and expenditures in connection with such levy;

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 (2021), there is hereby levied and imposed one (1) mill of ad valorem taxes for school operational purposes to continue improving compensation for teachers and instructional personnel and to improve student safety and security for public schools, including charter schools, with oversight by a citizen advisory committee.

Section 2. Term of Levy. The one (1) mill levy of ad valorem taxes for operating expenses shall commence July 1, 2023 and shall remain in full force and effect for up to four-years ending June 30, 2027, 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 8, 2022, 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 directs 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 8, 2022, 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:

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
NOTICE OF ELECTION**

TUESDAY, NOVEMBER 8, 2022  
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 8<sup>th</sup> DAY OF NOVEMBER, 2022, 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,  
STUDENT SAFETY AND SECURITY**

SHALL THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, LEVY ONE (1) MILL OF AD VALOREM TAXES FOR SCHOOL OPERATIONAL PURPOSES (1) TO CONTINUE IMPROVING COMPENSATION FOR TEACHERS AND INSTRUCTIONAL PERSONNEL, AND (2) IMPROVE STUDENT SAFETY AND SECURITY FOR PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2027?

\_\_\_\_\_ 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 ONE (1) MILL OF AD VALOREM TAXES FOR SCHOOL OPERATIONAL PURPOSES TO BE USED TO CONTINUE IMPROVING COMPENSATION FOR TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO IMPROVE STUDENT SAFETY AND SECURITY FOR PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, FOR A PERIOD OF FOUR YEARS. FUNDS WILL BE DISTRIBUTED PROPORTIONATELY BASED ON STUDENT ENROLLMENT.

Section 5. Official Ballot. The official ballot to be used in the election to be held on November 8, 2022, shall be in English and Spanish and Haitian-Creole 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, STUDENT SAFETY AND SECURITY**

SHALL THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, LEVY ONE (1) MILL OF AD VALOREM TAXES FOR SCHOOL OPERATIONAL PURPOSES TO CONTINUE IMPROVING COMPENSATION FOR TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO IMPROVE STUDENT SAFETY AND SECURITY FOR PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2027?

\_\_\_\_\_ 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 one (1) mill of ad valorem taxes for school operational purposes to continue improving compensation for teachers and instructional personnel and to improve student safety and security, for public schools, including charter schools, with oversight by a citizen advisory committee for a period of four (4) years. Funds will be distributed proportionately based on student enrollment.

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 May, 2022.

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  
ACTIVE 64566619v3