

## 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 IMPROVE COMPENSATION FOR HIGH QUALITY TEACHERS, INSTRUCTIONAL PERSONNEL, AND TO INCREASE SCHOOL SAFETY AND SECURITY PERSONNEL, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE; 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 improve compensation for high quality teachers and other instructional personnel and to increase school safety and security personnel, with oversight by a citizen advisory committee.

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 6<sup>th</sup> 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 SECURITY**

SHALL THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, LEVY 0.75 MILLS OF AD VALOREM TAXES FOR OPERATIONAL FUNDS (1) TO IMPROVE COMPENSATION FOR HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL, AND (2) TO INCREASE SCHOOL SAFETY AND SECURITY PERSONNEL, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, 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 OF AD VALOREM TAXES FOR OPERATIONAL FUNDS TO BE USED TO IMPROVE COMPENSATION FOR HIGH QUALITY TEACHERS AND INSTRUCTIONAL PERSONNEL AND TO INCREASE SCHOOL SAFETY AND SECURITY PERSONNEL, WITH OVERSIGHT BY A CITIZEN ADVISORY COMMITTEE, 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, 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, SCHOOL SAFETY AND SECURITY**

SHALL THE SCHOOL BOARD OF MIAMI-DADE  
COUNTY, FLORIDA, LEVY 0.75 MILLS OF AD  
VALOREM TAXES FOR OPERATIONAL FUNDS (1)  
TO IMPROVE COMPENSATION FOR HIGH QUALITY  
TEACHERS AND INSTRUCTIONAL PERSONNEL,  
AND (2) TO INCREASE SCHOOL SAFETY AND  
SECURITY PERSONNEL, WITH OVERSIGHT BY A  
CITIZEN ADVISORY COMMITTEE, 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 of ad valorem taxes for operational funds to improve compensation for high quality teachers and instructional personnel and to increase school safety and security personnel, with oversight by a citizen advisory committee 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 18 day of July, 2018.

[SEAL]

By: Perla Tabares Hantman  
Chair, The School Board of  
Miami-Dade County, Florida

ATTEST: [Signature]  
Secretary, The School Board of  
Miami-Dade County, Florida

Approved as to form and legality.

[Signature]  
School Board Attorney