

**A RESOLUTION OF THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON NOVEMBER 8, 2022 FOR THE PURPOSE OF SUBMITTING TO THE DULY QUALIFIED ELECTORS OF PALM BEACH COUNTY, FLORIDA A QUESTION REGARDING THE SCHOOL BOARD'S AUTHORITY TO LEVY 1.00 MILLS FOR OPERATIONAL PURPOSES FOR THE NEXT FOUR FISCAL YEARS BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2027; PROVIDING FOR AN OFFICIAL BALLOT, PROPER NOTICE OF SUCH ELECTION AND AN EFFECTIVE DATE.**

**BE IT RESOLVED** by the School Board of Palm Beach County, Florida ("Board"), acting as the governing body of the School District of Palm Beach County, Florida ("District"), as follows:

**SECTION 1. AUTHORITY FOR RESOLUTION.** This Resolution is adopted pursuant to Section 1011.73(2), Florida Statutes, and other applicable provisions of law.

**SECTION 2. FINDINGS.** The Board hereby finds and determines as follows:

A. Per student funding provided through the Florida Education Finance Program has not kept pace with inflation in comparison to the level of pre-recession funding in Fiscal Year 2008. Additionally, Florida's public school expenditures trail the nation by a widening margin since Fiscal Year 2007 falling from 36<sup>th</sup> in the country to 45<sup>th</sup>, as of the latest available National Center for Education Statistics data provided for FY2019.

B. For the School District of Palm Beach County, Florida Education Finance Program revenue is equal to \$8,217.17 per pupil for 2021-2022 fiscal year, compared with \$10,029.83 needed to offset cost of inflation based on the Consumer Price Index since the start of 2007-2008 fiscal year. The diminished per pupil revenue equates to approximately \$334 million in unrealized annual revenue for the 2021-2022 fiscal year.

C. As authorized by Section 1011.71(3)(b), Florida Statutes, as amended by Ch. 2009-59, §33, Laws of Fla., this Board determined, by an annual super majority vote, to levy an additional 0.25 mills for critical operating needs of the District for the 2010-2011 fiscal year. Subsequently, with approval of the duly qualified electors of Palm Beach County, at a referendum held in November 2010 and again in November 2014, as provided in Section 1011.71(9), Florida Statutes, this Board continued to levy 0.25 mills for critical operating needs for the 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019 fiscal years and 1.00 mills in 2019-2020, 2020-2021, 2021-2022, and 2022-2023.

D. Since 2010-2011, the 0.25 mills levied has generated an average of \$42 million in annual revenue that has been used to fund over 750 classroom teachers as of the 2021-22 school year. Since 2019-2020 the additional 0.75 mills has generated an average of \$161 million to fund mental health services; safety and security and increases to teacher salaries to help retain experienced teachers. An Independent Oversight Referendum Committee, comprised of independent citizens, reviews expenditures to ensure the proceeds are expended for teachers, art,

music, physical education, career and academic programs; mental health services, safety and security and increases to teacher salaries as specified in the ballot approved by voters.

E. The authority to levy 1.00 mills for critical operating needs expires at the end of the 2022-2023 fiscal year, and therefore this Board must either (i) make severe cuts to its operating budget, including significant reductions to arts, music, physical education, career and academic programs, or (ii) seek approval of the electors to levy an additional millage for operational needs for a period of four additional years, commencing on July 1, 2023 and ending June 30, 2027, as authorized by Section 1011.71(9), Florida Statutes. Continuing the millage levy of 1.00 mills will provide additional revenue needed to address critical school operating needs including school safety; school police; mental health services; arts, music, physical education, career and choice program teachers; improving teacher pay and for operational needs of Palm Beach County public schools.

**SECTION 3. LEVY OF OPERATIONAL MILLAGE.** Subject to approval by the duly qualified electors of Palm Beach County at a referendum held as provided in Sections 1011.71(9) and 1011.73(2), Florida Statutes, the School District of Palm Beach County, Florida has the authority to levy 1.00 mills for operational purposes for the 2023-2024, 2024-2025, 2025-2026 and 2026-2027 fiscal years in an effort to fund critical school operational needs of the District. The expenditure of all proceeds of this levy, including those funds distributed to charter schools, shall be subject to oversight and review by the Independent Referendum Oversight Committee created by School Board Policy 1.099.

**SECTION 4. REFERENDUM; NOTICE OF ELECTION.** The Board hereby calls a referendum to be held throughout Palm Beach County, Florida on November 8, 2022, for the purpose of submitting to the duly qualified electors of Palm Beach County the question set forth herein. The Board hereby requests the Palm Beach County Board of County Commissioners (i) to approve the date for the referendum and (ii) to direct the Supervisor of Elections of Palm Beach County to place on the ballot the statement(s) contained in the "Notice of Referendum Election" attached hereto as Exhibit "A", and to conduct said election pursuant to the provisions of the election laws of the State of Florida. Not less than (30) days' notice of said election shall be given by publication in a newspaper of general circulation throughout the District. Such publication shall be made at least twice, one in the fifth week and once in the third week prior to the week of November 8, 2022 which notice shall be substantially in the form attached hereto as Exhibit "A" together with such additional information as the Supervisor of Elections of Palm Beach County shall require. Any reasonable costs associated with the publication of the Notice of Referendum Election shall be paid by the School Board.

**SECTION 5. OFFICIAL BALLOT.** The ballots to be used in the referendum election shall contain a statement relating to the authority of School Board of Palm Beach County, Florida, to levy of 1.00 mills for school operational purposes of the District for the 2023-2024, 2024-2025, 2025-2026 and 2026-2027 fiscal years and shall be in substantially the following form:

**OFFICIAL BALLOT**

**School District of Palm Beach County, Florida  
Referendum Election – November 8, 2022**

**REFERENDUM TO CONTINUE AD VALOREM LEVY FOR SCHOOL SAFETY,  
TEACHERS AND OPERATIONAL NEEDS**

Shall the Palm Beach County School Board have continued authority to levy 1.00 mills of ad valorem millage for operational needs of public schools dedicated to funding school safety; school police; mental health services; arts, music, physical education, career and choice program teachers; and improved teacher pay beginning July 1, 2023 and automatically ending June 30, 2027, with oversight of all funds by an independent committee of citizens and experts?

\_\_\_\_\_ YES  
\_\_\_\_\_ NO

**SECTION 6. ABSENTEE VOTING; EARLY VOTING.** Absentee and early 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 and early 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 7. REFERENDUM RESULTS.** If a majority of the ballots cast at such election shall be “YES”, the School Board shall have the authority to levy 1.00 mills for the 2023-2024, 2024-2025, 2025-2026 and 2026-2027 fiscal years.

**SECTION 8. SEVERABILITY.** In the event that any word, phrase, clause, sentence, or paragraph of this Resolution shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other work, clause, phrase, sentence or paragraph.

**SECTION 9. REPEALING CLAUSE.** All Resolutions in conflict or inconsistent with this Resolution are repealed insofar as there is conflict or inconsistency.

**SECTION 10. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

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**ADOPTED** at a Regular Meeting of the School Board of Palm Beach County, Florida, the 23rd day of March, 2022, with a quorum present and voting.

**SCHOOL BOARD OF PALM BEACH  
COUNTY, FLORIDA**

[SEAL]

By: \_\_\_\_\_  
Frank A. Barbieri, Jr., Esq., Chairman

ATTEST:

\_\_\_\_\_  
Michael J. Burke  
Superintendent of  
Schools and Ex Officio Secretary of the  
School Board of Palm Beach County, Florida

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to read "Blain Hertz", is written over a horizontal line.

\_\_\_\_\_  
Attorney  
School Board of Palm Beach County, Florida

**EXHIBIT A**

**NOTICE OF REFERENDUM ELECTION IN PALM BEACH COUNTY, FLORIDA, ON  
NOVEMBER 8, 2022**

**NOTICE IS HEREBY GIVEN THAT A REFERENDUM ELECTION** has been called by the School Board of Palm Beach County, Florida and will be held from 7:00 A.M. until 7:00 P.M. on November 8, 2022, in Palm Beach County, Florida, at which time there shall be submitted to the duly qualified electors of Palm Beach County, Florida, as more specifically described and provided for in the Resolution of the School Board of Palm Beach County, Florida, adopted July 18, 2018, the following question published below.

**REFERENDUM TO CONTINUE AD VALOREM LEVY FOR SCHOOL SAFETY,  
TEACHERS AND OPERATIONAL NEEDS**

Shall the Palm Beach County School Board have continued authority to levy 1.00 mills of ad valorem millage for operational needs of public schools dedicated to funding school safety; school police; mental health services; arts, music, physical education, career and choice program teachers; and improved teacher pay beginning July 1, 2023 and automatically ending June 30, 2027, with oversight of all funds by an independent committee of citizens and experts?

\_\_\_\_\_ YES  
\_\_\_\_\_ NO

**SCHOOL BOARD OF PALM BEACH  
COUNTY, FLORIDA**

By: \_\_\_\_\_  
Frank A. Barbieri, Jr., Esq., Chairman