



## The School Board of Indian River County, Florida

### RESOLUTION NO: 2024-08

A RESOLUTION OF THE SCHOOL BOARD OF INDIAN RIVER COUNTY, FLORIDA, ORDERING AND PROVIDING FOR THE HOLDING OF A REFERENDUM ELECTION TO DETERMINE IF THE ELECTORS OF THE SCHOOL DISTRICT OF INDIAN RIVER COUNTY, FLORIDA, AUTHORIZE THE SCHOOL BOARD TO CONTINUE THE ANNUAL LEVY OF THE 0.50 MILL FOR FOUR (4) YEARS FOR ESSENTIAL OPERATING NEEDS; PROVIDING FOR NOTICE OF THE REFERENDUM ELECTION; PROVIDING FOR PLACES OF VOTING, INSPECTORS, AND CLERKS; PROVIDING FOR AN OFFICIAL BALLOT; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR EARLY VOTING; PROVIDING FOR PRINTING OF BALLOTS; PROVIDING FOR THE REFERENDUM ELECTION PROCEDURE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

**BE IT RESOLVED** by The School Board of Indian River County, Florida ("School Board"), acting as the governing body of the School District of Indian River County, Florida ("School 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 School Board hereby finds and determines as follows:

A. The State of Florida has increased educational funding along with increased restrictions on how funding is to be used since the 2007-2008 fiscal year.

B. All School Boards in the State of Florida, including this School Board, have experienced funding restrictions while operating expenses continue to rise.

C. This legislative session the Legislature passed HB 5001 which continues the policy established in 2023 of rolling over categorical funds into the Base Florida Education Finance Program (FEFP). This year the roll over amount is \$1.6 billion statewide. For example,

there continues to be no categorical funding for instructional materials or the required reading program, but districts must continue to meet statutory requirements to provide state approved instructional materials and to deliver the state required reading program. Funds to provide salary increases to instructional personnel shall use 1.07 percent of its base FEFP funding amount provided in HB 5001, to either increase the minimum base salary reported to at least \$47,500 or provide salary increases to other full-time instructional personnel as defined in section 1012.01(2), Florida Statutes. The estimated cost for the School District is \$3.8M.

D. The expansion of the Florida Family Empowerment Scholarship, available to all K-12 students, has tripled in Full Time Equivalent (FTE) student scholarships since FY2022. This is an increase of 1,118.50 FTE above the 553.50 ending FY2021/22. For FY2023/2024, \$7,837,448 was set aside for these scholarships. Preliminary projection for Family Empowerment Scholarships for FY2024/2025 is 1,672 FTE or \$10,935,618 in School District funding that must be set aside.

E. The School District has experienced operating budget shortfalls impacting the instructional requirements of our students, compromising the safety, security, and wellness of our students; and hampering the ability to recruit, retain, and incentivize high-quality teachers and staff to create the highest skilled workforce on the Treasure Coast.

F. The School District's educational funding per House Bill 5001 for the 2024-2025 fiscal is not sufficient to cover the additional financial requirements such as increases in teacher salaries, the Florida Retirement System (FRS), Family Empowerment Scholarships, health insurance, and property casualty insurances. In addition, the American Rescue Plan funding will end creating additional financial impacts.

G. The School District's funding for student transportation from the FEFP formula for the last four years has been approximately \$3.5M compared to actual expenditures of approximately \$5.4M, or a deficit of \$1.9M.

J. In August 2020, the electorate of Indian River County approved via ballot referendum an Essential Operating Needs Millage of **0.50 mills** for fiscal years **2021/2022, 2022/2023, 2023/2024, and 2024/2025**. This voter approved millage referendum is estimated to generate an average of approximately \$13 million per fiscal year for the School District of Indian River County. However, the authority granted for the voter approved millage expires at the end of fiscal **2024/2025**.

K. The School District needs sufficient revenues to maintain and improve its high-quality public schools.

L. Section 1011.73(2), Florida Statutes, provides electoral authorization of ad valorem millage for four (4) years for operating purposes pursuant to a voter referendum.

M. Section 1011.71(9), Florida Statutes, authorizes a School District to levy, by local referendum, the continuation of additional millage for school operational purposes up to an amount that, when combined with the non-voted millage levy, does not exceed the 10-mill limit established under the Florida Constitution. This section also requires funds levied to be shared

with charter schools based on each charter school's proportionate share of the district's total unweighted full-time equivalent student enrollment and used in a manner consistent with the purposes of the levy.

N. The School Board has determined it is in the best interest of the students in Indian River County to submit to the voters the question of continuing the ad valorem millage of a 0.50 mill for four (4) years for to provide high-quality educational opportunities for all students by expanding supports for school safety, security, and student wellness; recruiting, retaining, and developing high-quality educators; and sustaining technology supports.

**SECTION 3. ESSENTIAL OPERATING MILLAGE.** Subject to approval by the electors of the School District at a referendum held as provided in Section 1011.73(2), Florida Statutes, a 0.50 mill shall continue to be levied within Indian River County for essential operating needs of the School District, as defined in the preceding Section, for the 2025/2026, 2026/2027, 2027/2028 and 2028/2029 fiscal years, in an effort to preserve essential operations of the School District.

**SECTION 4. REFERENDUM ELECTION ORDERED.** The Board of County Commissioners of Indian River County, Florida is hereby directed to call an election in conjunction with the general election of November 5, 2024, at which the electors within the School District may vote on the continuation of an ad valorem millage of 0.50 mill for four (4) years as authorized in §1011.73(2), Florida Statutes.

**SECTION 5. NOTICE OF REFERENDUM ELECTION.** In accordance with §100.342, Florida Statutes, the Superintendent is hereby authorized and directed to place a notice of the referendum election in a newspaper of general circulation published in the School District. The publication shall be made at least 30 days prior to the referendum election and shall be made at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is to be held. The notice of referendum shall be substantially in the form provided in the attached Exhibit A. This Resolution shall be published as a part of such notice.

**SECTION 6. PLACES OF VOTING; INSPECTORS AND CLERKS.** The polls will be open at the voting places on the date of the referendum election. All qualified electors residing within the School District shall be entitled and permitted to vote at the referendum election on the proposition provided in this Resolution. The places, manner and procedures of voting and the inspectors and clerks of the referendum election shall be those designated by the Supervisor of Elections of Indian River County in accordance with law.

**SECTION 7. OFFICIAL BALLOT.** The ballots to be used in the referendum election shall be substantially in the following form:

**The School District of Indian River County, Florida  
Continue Essential Operating Needs Referendum Election**

Shall the School District continue to levy a 0.50 ad valorem millage for essential operating needs to provide high-quality educational opportunities for all students, by expanding school safety, security, and student wellness supports; recruiting,

retaining, and developing high-quality educators; sustaining technology supports beginning July 1, 2025, and ending four fiscal years later, which replaces the existing voter approved 0.50 ad valorem millage that expires June 30, 2025; with annual reporting to the citizenry?

\_\_\_\_\_ YES, FOR APPROVAL

\_\_\_\_\_ NO, FOR REJECTION

**SECTION 8. ABSENTEE VOTING.** The Supervisor of Elections shall make adequate provision in accordance with law and procedures lawfully enacted by the Supervisor for voting by absentee voters. The form of ballots to be used in the referendum election by and for absentee voters shall be the same as used in the polling places for the referendum election.

**SECTION 9. EARLY VOTING.** The Supervisor of Elections shall make provision in accordance with the established procedures of that office for participation by the voters in early voting. The form of ballots to be used in the referendum election for early voting shall be the same as used in the polling places for the election.

**SECTION 10. PRINTING OF BALLOTS.** The Supervisor of Elections of Indian River County shall print on plain white paper a sufficient number of the ballots for use of absentee electors and early voters entitled to cast ballots in the referendum election; to have printed sample ballots and deliver the sample ballots to the inspectors and clerks on or before the date and time for opening of the polls for the referendum election; and to make appropriate arrangements for the conduct of the election at the polling places specified.

**SECTION 11. REFERENDUM ELECTION PROCEDURE.** The Supervisor of Elections of Indian River County shall hold, administer, and conduct the referendum election in the manner prescribed by law for holding elections in the School District. Returns shall show the number of qualified electors who voted at the referendum election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with law.

**SECTION 12. 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 word, clause, phrase, sentence, or paragraph.

**SECTION 13. REPEALING CLAUSE.** All Resolutions in conflict or inconsistent with this Resolution are repealed as far as there is conflict or inconsistency.

**SECTION 14. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** at a duly noticed public meeting of The School Board of Indian River County, Florida, the 20th day of May 2024, with a quorum present and voting.

THE SCHOOL BOARD OF INDIAN  
RIVER COUNTY, FLORIDA

By:   
Teri L. Barenborg, Chair

ATTEST:



David Moore, Ed.D., Superintendent

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
Molly L. Shaddock, Esquire  
School Board Attorney

**EXHIBIT A**

**NOTICE OF REFERENDUM ELECTION IN THE SCHOOL DISTRICT OF INDIAN RIVER COUNTY, FLORIDA, ON NOVEMBER 6, 2024**

**NOTICE IS HEREBY GIVEN THAT A REFERENDUM ELECTION** will be held on November 6, 2024 in the School District of Indian River County, Florida, for the purpose of determining whether or not the electors in the School District approve to continue the levy of 0.50 mill for essential operating needs of the School District for 2025/2026, 2026/2027, 2027/2028 and 2028/2029 fiscal years; all as more specifically described and provided in a Resolution of the School Board of Indian River County, Florida, adopted May 20, 2024 and published below.

The polls will be open at the voting places on the date of the referendum election and absentee voting and early voting will be available for the referendum election, all as provided in the Resolution published below.

All qualified electors residing within the School District shall be entitled, qualified, and permitted to vote at the referendum election.

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**[INSERT RESOLUTION ONCE ADOPTED]**