

**RESOLUTION 2016-06**

**A RESOLUTION OF THE SCHOOL BOARD OF DUVAL COUNTY, FLORIDA,  
REQUESTING REGARDING SENATE BILL 376 FOR CHARTER SCHOOL CAPITAL  
OUTLAY FUNDING**

**WHEREAS**, The School Board of Duval County, Florida (the “School Board”), consisting of seven elected Florida Constitutional Officers, is the governing body for the School District of Duval County, Florida (the “District”);

**WHEREAS**, the District is the twentieth largest school district in the nation and the sixth largest school district in Florida;

**WHEREAS**, in addition to local revenue, the School Board relies on the Florida Legislature’s adequate provision of the financial resources necessary to operate public schools in Duval County, Florida;

**WHEREAS**, the Legislature is considering Senate Bill (“SB”) 376, which proposes to increase the percentage of capital outlay funding to be paid to specified charter schools;

**WHEREAS**, the School Board recognizes the important role of charter schools as a choice option to serve the educational needs of Florida’s students; and to that end, the School Board concurs that charter schools and traditional public schools should be consistently, equitably and adequately funded in a manner that provides for accountability to taxpayers;

**WHEREAS**, SB 376, however, fails to provide options to expand the tax base or identify additional revenue streams so that a school board can maintain current levels of capital outlay funding in order provide for its facilities and not suffer another reduction in available capital outlay funds;

**WHEREAS**, SB 376 does not provide for a proportionate appropriation of capital outlay funds based on facilities and enrollment, and SB 376 fails to identify criteria to prioritize between the capital outlay needs of charter schools and traditional public schools;

**WHEREAS**, SB 376 is an example of the Florida Legislature’s failure to provide for the sufficient appropriation of capital outlay funds to the School Board, and exacerbates the increasingly insufficient appropriation of funds to school districts to make adequate provision for public education as mandated in Article IX, section 1 of the Florida Constitution;

**BE IT RESOLVED** by the School Board of Duval County, Florida:

That in order to make adequate provision for educational facilities for traditional public schools and charter schools, SB 376 should not be enacted by the Florida Legislature unless SB 376 is amended to provide for the following:

(1) Set forth an adequate provision of funding for capital outlay, including but not limited to increasing the base for state funding and restoration of the local discretionary capital millage outlay voted by school boards up to 2 mills, in order to provide sufficient capital outlay funds for traditional public school and charter schools;

(2) Provide for the equitable distribution of capital outlay funds to traditional public schools and charter schools based on the number of facilities and total enrollment;

(3) Establish the process and criteria by which all charter school capital outlay projects are incorporated into each school district's state approved 5-year Capital Outlay Plan;

(4) Require that both state and local capital outlay funds shall be spent in accordance with the state-approved 5-year Capital Outlay Plan; and provide for the distribution and expenditure of capital outlay funds on an equitable basis among traditional public school and charter schools;

(5) When a charter school closes, provide that charter school facilities funded by district capital outlay millage revenue are public assets that revert to public ownership (or the sales proceeds revert to public ownership) to recover the public investment in the asset;

(6) Require charter school facilities funded by capital outlay funds meet the State Requirements for Educational Facilities;

(7) Accurately calculate capital outlay and capacity needs at the state and local levels by including charter schools' capital outlay FTE students in the districts' capital outlay FTE student counts.

ADOPTED, on April 4, 2017, in Jacksonville, Duval County, Florida, by the School Board of Duval County, Florida

ATTEST:

**THE SCHOOL BOARD OF DUVAL  
COUNTY, FLORIDA**

By: \_\_\_\_\_

Nikolai P. Vitti, Ed.D.  
Superintendent of Schools  
and Ex-Officio Secretary  
to the Board

By: \_\_\_\_\_

Paula D. Wright, Chairman