

RESOLUTION NO. 2023-01

A RESOLUTION OF THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA ADOPTING A PLAN FOR REDISTRICTING THE RESIDENCE BOUNDARIES OF THE FIVE DISTRICT SCHOOL BOARD MEMBER RESIDENCE AREAS; FINDING THAT THE SCHOOL BOARD HAS THE AUTHORITY, PURSUANT TO ITS HOME RULE POWERS AND FLORIDA STATUTE, TO REDISTRICT THE MEMBER RESIDENCE DISTRICTS WITHIN THE PARAMETERS OF FLORIDA STATUTE 1001.36; FINDING THAT SUCH CHANGES WILL RESULT IN BRINGING ALL MEMBER AREAS OF BOTH THE SCHOOL BOARD AND THE COUNTY COMMISSION INTO A PROXIMATION OF NUMERICAL ALIGNMENT; FINDING THAT RENUMBERING OF THE MEMBER RESIDENCE AREAS WILL SIMPLIFY MATTERS FOR VOTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute 1001.36 requires that each school district shall be divided into a minimum of five (5) district School Board member residence areas which shall be numbered one to five, and

WHEREAS, if the district School Board member residence areas are numbered differently from the corresponding districts of the members of the Board of County Commission those differences may result in voter/populace confusion, and

WHEREAS, District School Boards are vested with Home Rule powers, which authority is set forth in Florida Statute 1001.32(2), which reads that “district school boards...may exercise any power except as expressly prohibited by the State Constitution or general law,” and

WHEREAS, absent any specific prohibition which bars the School Board’s action herein, the School Board, acting within its Home Rule powers, may renumber its own member residence districts,

NOW THEREFORE BE IT RESOLVED, by The School Board of Brevard County, Florida, that:

1. The Brevard County School Board member residence districts are hereby reconstituted as follows:

- a. School Board District one (1) will adopt and have the same residence area boundaries as the County Commission District one (1).
 - b. School Board District two (2) will adopt and have the same residence area boundaries as the County Commission District two (2).
 - c. School Board District three (3) will adopt and have the same residence area boundaries as the County Commission District three (3).
 - d. School Board District four (4) will adopt and have the same residence area boundaries as the County Commission District four (4).
 - e. School Board District five (5) will adopt and have the same residence area boundaries as the County Commission District five (5).
2. Pursuant to Article IX, Section 4 of the Constitution of the State of Florida, the School Board members for each of the five redistricted residence areas shall continue to be chosen by a vote of the electors in a nonpartisan election for appropriately staggered terms. The staggering of the terms shall continue in the same order as they have been in the past. The current School Board members whose district residence area will be new shall finish their elected term in office pursuant to Florida Statute 1001.36, as no change in the district residence area requirements may unseat an incumbent School Board member.
3. The action taken by the School Board, as set forth in numbered paragraph 1 serves to realign the Board member residence districts such that they are a match to those corresponding County Commission districts, thereby bringing all member areas of both board and commission which are composed of similar geographical areas into alignment so residents in each district know which office they are voting for by number in each election.
4. The effective date for implementing this renumbering shall be _____, 2023, pursuant to Florida Statute 1001.36 which requires any change in residence districts to be completed in odd numbered years only.

5. The School Board hereby directs the Chairman and the Secretary to:

- a. Record this Resolution in the Office of the Clerk of the Circuit Court, 18th Judicial Circuit, in and for Brevard County, Florida.
- b. Publish this Resolution at least once in a newspaper published within the district within 30 days after adoption.
- c. Transmit a certified copy to the Brevard County Supervisor of Elections.

DULY ADOPTED AND APPROVED this ____ day of _____, 2023, by
The School Board of Brevard County, Florida.

**SCHOOL BOARD OF BREVARD
COUNTY, FLORIDA**

By: _____
Matt Susin, Board Chair