MEMORANDUM

Substitute
Agenda Item No. 11(A)(39)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: April 7, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT Resolution urging the Florida Department of Education to Maintain current Training Requirements for Reading Teachers of English Language Learners in Florida's Public Schools

This resolution differs from the original resolution in light of action taken by the State Board of Education at its last board meeting.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebecca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: April 7, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Substitute Agenda Item No. 11(A)(39)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Mayor's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

✓ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 11(A)(39)
4-7-09

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA DEPARTMENT OF EDUCATION TO MAINTAIN CURRENT TRAINING REQUIREMENTS FOR READING TEACHERS OF ENGLISH LANGUAGE LEARNERS IN FLORIDA'S PUBLIC SCHOOLS

WHEREAS, the United States District Court for the Southern District of Florida, Miami Division, Case No. 90-1913, issued a Consent Decree in *LULAC v. Florida Board of Education*, in 1990 calling for equal access to all education programs for English Language Learner (ELL) students, including a mandate for English as a second language (ESOL) endorsement for all teachers of the English language to ELL students; and

WHEREAS, a 2003 court approved Modification to the LULAC v. Florida Board of Education Consent Decree (Case No. 90-1913) requires teachers who earn ESOL Certification coverage solely by passing the teacher examination to additionally have to earn 120 points of in-service credit in ESOL; and

WHEREAS, proposed State Board of Education rule 6A-6.0907 (4) would waive the requisite ESOL in-service training requirements for Reading endorsed or certified teachers who seek to earn ESOL certification coverage through the teacher test; and

WHEREAS, in 2007 and 2008 legislative efforts to weaken the training requirements for reading teachers of ELL students failed, but a current administrative move by the Florida Department of Education again threatens to reduce training requirements; and

WHEREAS, section 1003.56 (1), Florida Statutes, entitled "English language instruction for limited English proficient students," is designed to develop the student's mastery of the four language skills, including listening, speaking, reading, and writing, as rapidly as possible; and

WHEREAS, this Board wants all children to read English, wants teachers to prepare them to read, and wants monitoring to ensure compliance with the requirements stated in the Consent Decree referenced above; and

WHEREAS, it makes little sense to withdraw support from children who are already struggling; and

WHEREAS, at a time when we must strive to be as competitive as possible in a quickly changing global economy, we cannot afford to lower the bar of expectations and training for our highly qualified teachers; and

WHEREAS, it is the view of this Board that maintaining the existing training requirements for reading teachers of ELL students is in the best interests of the citizens and residents of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Department of Education to maintain current training requirements for reading teachers of English Language Learner students.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Commissioner of the Florida Department of Education.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2009 and 2010 state legislative packages.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of April, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JMM

Jess M. McCarty

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