

MEMORANDUM

Agenda Item No. 11(A)(21)

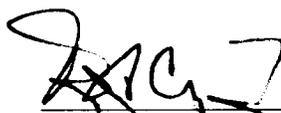
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: April 6, 2010

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

SUBJECT: Resolution urging the Florida Legislature to pass SB 2310 or similar legislation excluding FCAT scores for purposes of promotion, retention or graduation during the 2009-2010 school year in schools having a student population of at least 40% who are Haitian descent

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



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

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

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County Attorney

SUBJECT: Agenda Item No. 11(A)(21)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A) (21)
4-6-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SB 2310 OR SIMILAR LEGISLATION PROVIDING THAT, IN RECOGNITION OF THE JANUARY 12, 2010 EARTHQUAKE IN HAITI, FCAT SCORES IN SCHOOLS HAVING A STUDENT POPULATION OF AT LEAST 40 PERCENT WHO ARE OF HAITIAN DESCENT MAY NOT BE CONSIDERED FOR PURPOSES OF PROMOTION, RETENTION OR GRADUATION DURING THE 2009-2010 SCHOOL YEAR

WHEREAS, already more than 600 Haitian children who survived the January 12th earthquake have enrolled in schools in Miami-Dade County; and

WHEREAS, the January 12th earthquake in Haiti dramatically changed the lives of these Haitian children now enrolling in South Florida schools; and

WHEREAS, these Haitian children will face the challenges not only of adapting to a new environment, but also of dealing with the physical harm, emotional scars and loss of family, friends, homes and communities from the earthquake; and

WHEREAS, there are currently about 21,000 students of Haitian descent enrolled in Miami-Dade County Public Schools; and

WHEREAS, the earthquake is likely also to adversely affect these children of Haitian descent who were in South Florida prior to the earthquake, but who had grandparents, aunts, uncles and other relatives and friends in Haiti who were killed, injured or rendered homeless as a result of the earthquake; and

WHEREAS, the Florida Comprehensive Assessment Test (FCAT) is a statewide test, given to all public school students, which measures the knowledge and skills students are expected to acquire between grades Kindergarten through 12; and

WHEREAS, the State of Florida also uses the FCAT to decide whether third grade students will advance to the fourth grade and twelfth grade students will graduate from high school; and

WHEREAS, FCAT scores are also used to grade schools, and a low FCAT grade for a school can have significant impacts on schools for funding and staffing and schools can be closed if they have multiple failing FCAT grades; and

WHEREAS, the FCAT is generally required of all students and the scores of all students are considered when grading a particular school; and

WHEREAS, a bill has been filed for consideration during the 2010 regular session, SB 2310 by Senator Frederica Wilson (D – Miami Gardens), that provides that, in recognition of the continuing, devastating and far-reaching effects of the January 12, 2010 earthquake in Haiti, FCAT scores may not be considered for purposes of promotion, retention or graduation in schools having a student population of at least 40 percent who are of Haitian descent during the 2009-2010 school year; and

WHEREAS, this Board has passed a number of resolutions at recent Board meetings supporting Haiti and Haitian-Americans in the wake of January 12 earthquake and commends Senator Wilson for filing SB 2310,

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

Section 1. Urges the Florida Legislature to pass SB 2310 or similar legislation providing that FCAT scores may not be considered for purposes of promotion, retention or graduation in schools having a student population of at least 40 percent who are of Haitian descent during the 2009-2010 school year.

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

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

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 6th day of April, 2010. 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.

DAC for JMM

Jess M. McCarty