

## **MEMORANDUM**

Agenda Item No. 11(A)(34)

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

**DATE:** April 6, 2010

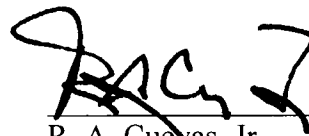
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution opposing Senate  
Bill 6 that would tie teacher  
retention, certification and  
pay to student test scores on  
standardized tests

**Resolution No. R-410-10**

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsor Commissioner Rebeca Sosa.



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R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

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

DATE: April 6, 2010

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

SUBJECT: Agenda Item No. 11(A) (34)

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

Agenda Item No. 11(A)(34)

Veto \_\_\_\_\_

4-6-10

Override \_\_\_\_\_

RESOLUTION NO. R-410-10

RESOLUTION OPPOSING SENATE BILL 6 OR SIMILAR LEGISLATION THAT WOULD TIE TEACHER RETENTION, CERTIFICATION AND PAY TO STUDENT TEST SCORES ON STANDARDIZED TESTS AND GRADUALLY DO AWAY WITH TEACHER TENURE

**WHEREAS**, on March 24, the Florida Senate by a vote of 21-17 passed Senate Bill 6, sponsored by Senator John Thrasher (R – Jacksonville); and

**WHEREAS**, SB 6 is now in messages to the Florida House, where a companion bill, HB 7189, has been introduced by the House PreK-12 Policy Committee; and

**WHEREAS**, if passed by the House in its current form, SB 6 would create an evaluation system that would tie teacher pay to gains in student test scores, would gradually do away with teacher tenure and eventually would put teachers on an annual contract that would not be automatically renewed; and

**WHEREAS**, SB 6 would:

- Require that all teachers be retained, certified and compensated based on student test scores on standardized tests, not years of experience or degrees held;
- Decrease the ability of local school districts to make a wide range of decisions having an impact on local schools and replacing them with a one-size-fits-all approach mandated from Tallahassee;
- Penalize school districts that consider length of service or degrees held when determining compensation or reductions in force;
- Order that teachers be issued probationary contracts for up to five years; then an annual contract every year thereafter;
- Mandate more standardized testing for students and end of course exams for all subjects and for teachers through additional certification requirements;

- Exclude teacher salary schedules from collective bargaining, and provide that the state would decide on categories of differentiated pay;
- Abolish an effective and popular program that rewards those who become National Board Certified Teachers, a rigorous national program that awards certification after a yearlong, independent review of a teacher's work in the classroom and knowledge of their field; and

**WHEREAS**, Florida teachers, parents and students alike have expressed widespread opposition to SB 6; and

**WHEREAS**, because teacher pay would be tied to student performance, SB 6 ironically would provide disincentives for teachers to work in the schools that need the best teachers the most, such as inner-city schools, low performing schools and schools with large populations of immigrant students; and

**WHEREAS**, SB 6 also would provide disincentives for teachers to work with the students who need the best teachers the most, such as students with special needs, students who are below average performing and students who face challenges in their family lives; and

**WHEREAS**, SB 6 simply does not account for the fact that not every student comes to school ready, able and willing to learn, and not every student has involved families,

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

Section 1. Opposes SB 6 or similar legislation that would tie teacher retention, certification and pay to student test scores on standardized tests and gradually do away with teacher tenure.

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

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan and the Co-Sponsor is Commissioner Rebeca Sosa. It was offered by Commissioner

Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner **Dorrin D. Rolle** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	<b>aye</b>	
	Jose "Pepe" Diaz, Vice-Chairman	<b>aye</b>	
Bruno A. Barreiro	<b>absent</b>	Audrey M. Edmonson	<b>absent</b>
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>aye</b>
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

Jess M. McCarty

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