

FLORIDA SCHOOL BOARDS ASSOCIATION, INC

203 South Monroe Street ~ Tallahassee, FL 32301

Phone: 850/414-2578 ~ Fax: 850/414-2585

www.fsba.org

PRESIDENT
GEORGIA "JOY" BOWEN
TALLAHASSEE

EXECUTIVE DIRECTOR
DR. WAYNE BLANTON
TALLAHASSEE

April 12, 2010

The Honorable Charlie Crist
Governor of Florida
Plaza Level 5, The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0001

Dear Governor Crist:

On behalf of the Florida School Boards Association and the school board members throughout the state of Florida, we are writing to respectfully request that you veto SB 6 relating to Education Personnel. Primarily, this legislation revises contractual requirements for certain classroom teachers, establishes requirements for the salary schedules for certain district employees, revises the educator and school-based administrator personnel performance appraisal system, and requires school districts to develop and implement end-of-course assessments.

We believe this bill is fatally flawed in many respects. Among the most troubling of these flaws are the apparent conflicts with the Constitution of Florida that the bill presents. Article I, Section 6 guarantees the right to work and provides that "the right of employees . . . to bargain collectively shall not be denied or abridged." However, SB 6 imposes rigid requirements on employee contracts and salary schedules that clearly violates the right of these employees to have a voice in establishing the wages, hours, and terms and conditions of their employment. Further, Article IX, Section 4 provides that the elected school board shall operate, control and supervise all free public schools within the school district, yet SB 6 usurps this authority by interfering with the collective bargaining process, specifying salary requirements, imposing prerequisites on the hiring and retention of employees, and tampering with the budgeting and expenditure of funds garnered from local property tax levies.

Another obvious flaw is that SB 6 presents perhaps the largest unfunded mandate in recent history. No new funding is provided in the bill for the development or acquisition of end-of-course exams, for the development of a new appraisal system, for the development and implementation of new salary schedules, for the provision of teacher performance and differentiated pay, or for the related training, administration, and other costs associated with each of these tasks. Instead, the bill requires school districts to direct 5 percent of their **existing** FEFP funds – approximately \$900 million statewide – for the implementation of these provisions. After three straight years of damaging education budget cuts – and with further reductions expected over the next few years – it is indefensible to expect school districts to shoulder this substantial new financial burden.

The Honorable Charlie Crist
April 12, 2010
Page 2

Equally troubling is the chilling effect this bill has on the recruitment of excellent teachers. While Florida already lags behind our neighboring states and the national average in beginning teacher salary, SB 6 adds to this recruitment hurdle. The bill demands that teachers lose their jobs if their students fail to make (as yet unspecified) learning gains, and insists that a teacher's upper level degree and successful work experience have no salary value. We are hard pressed to think of any other profession that so readily denies any modicum of job security and ignores upper level degrees and work experience. If SB 6 is signed into law, we must ask why any talented teacher would want to work in Florida under these conditions.

We must also note that we are troubled that SB 6 appears to be incomplete. The bill fails to define key terms and elements of reform and provides insufficient guidance to the Department of Education and to the State Board to adopt rules to fill these voids. In addition, the bill was evidently crafted without the benefit of discussion and input from various education experts. We believe that many of the flaws we cite here may have been corrected if the bill had been subject to broader examination prior to introduction. While some may argue that the provisions can be revised later, we contend that, in a case of such sweeping reform, it is essential to get it right the first time.

Certainly, FSBA supports many of the goals of this legislation and we would welcome the opportunity to work with your office and with the legislature to craft a better bill for consideration in the next legislative session. However, because of these existing flaws, and others that we have not enumerated here, we respectfully request your veto of SB 6.

Sincerely,

Georgia "Joy" Bowen
President

Wayne Blanton
Executive Director

GB:WB/rhm
cc: FSBA Board of Directors