

Perla Tabares Hantman, Chair

SUBJECT: SCHOOL BOARD DISCUSSION OF LEGISLATIVE ISSUES

**LINK TO STRATEGIC
FRAMEWORK: STUDENT, PARENT, AND COMMUNITY ENGAGEMENT**

The School Board of Miami-Dade County, Florida is responsible for ensuring that the citizens of this community are represented in a fair and equitable manner and that the make-up of the Board is reflective of the community it serves. In fact, Section 1001.36 (2), of Florida Statutes specifies that "Any district school board may make any change that it deems necessary in the boundaries of any district school board member residence area at any meeting of the district school board, provided that such changes shall be made only in odd-numbered years and that no change that would affect the residence qualifications of any incumbent member shall disqualify such incumbent member during the term for which he or she is elected."

Further, in 1991, a class action lawsuit was filed against the School Board alleging that the "at large" electoral system for electing members of the School Board in place at the time resulted in an "impermissible dilution of the voting strength of both Black and Hispanic Dade County voters." In response on April 27, 1994, the Board adopted a redistricting plan that increased the number of school board members from seven to nine, and provided for the election of all members from single member districts beginning in 1996. This consent decree was approved that same year by Federal District Court Judge Lenore C. Nesbitt, with the mandate that the School Board reapportion its board member residence areas "after each decennial census."

Accordingly, the School Board is legally required to review, formulate and approve a redistricting plan and adopt a resolution setting forth the boundaries for that plan prior to the end of 2011. The 2010 United States Decennial Census indicates an increase in the population of Miami-Dade County, Florida, by approximately 10.8%. As a Board we must begin the process of redistricting so as to achieve board member residence areas that are reflective of the population changes that have occurred since the 2000 Census as is required by not only Florida law, but by the consent decree.

However, the Florida Legislature is now entertaining language that proposes to set aside our agreement with the community, dictate the Board's leadership structure, and usurp the authority of constitutionally elected officers by imposing a change to the makeup of this Board without the consent of either the Board or the electorate of Miami-Dade County.

**REPLACEMENT
SP-2**

On January 20, 2011, House Bill 307 was filed to require that after July 1, 2011, district school boards consisting of nine members in counties with over 2 million residents be divided into seven (7) single-member districts and that two seats be drawn from county-wide elections (at-large districts). The bill would also require that the Chair and Vice-Chair of the affected school board be elected from the at-large districts. Of the sixty-seven counties in our State, the only county with a population exceeding 2 million residents is Miami-Dade County. A companion bill, SB 778, was filed on February 3, 2011.

HB 307 was publicly discussed at the School Board's retreat on January 26, 2011, and those Board members present indicated their desire that this matter be discussed at a School Board meeting. Accordingly, this item is presented for the Board's consideration since passage of this or similar legislation will significantly impact the current configuration and governance structure of the School Board.

Finally, in as much as it is the responsibility of this Board to commence the process of redistricting, it is timely to direct the School Board Attorney to begin this process. As part of the process of preparing a redistricting plan, it would be in the best interest of this Board and community to have an understanding of the existing "best-in-class," governance structures from across the nation.

**ACTION PROPOSED BY CHAIR
PERLA TABARES HANTMAN:**

That The School Board of Miami-Dade County,
Florida,

- 1) discuss the implications of proposed legislation related to the composition and leadership structure of the Board;
- 2) direct the School Board Attorney to prepare, for the Board's consideration, a redistricting plan for the School Board which will continue to ensure that all segments of the community are fairly and equitably represented; and
- 3) direct the Superintendent to collaborate with the Board Attorney to prepare a review of literature related to "best-in-class" governance structures from across the nation and present a report to the Board by June 2011.