

Ms. Ana Rivas Logan, Board Member

SUBJECT: THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, APPROVE RESOLUTION NO. 08-77 REQUESTING THAT THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS PLACE A QUESTION ON THE NOVEMBER 2008 BALLOT ON WHETHER TO CHANGE THE POSITION OF THE SUPERINTENDENT OF SCHOOLS FROM AN APPOINTED POSITION TO AN ELECTED POSITION

COMMITTEE: INSTRUCTIONAL EXCELLENCE & COMMUNITY ENGAGEMENT

LINK TO DISTRICT STRATEGIC PLAN: IMPROVE TRANSPARENCY OF DECISION-MAKING THROUGHOUT THE DISTRICT

In a recent publication of the *Miami Herald* several Board members expressed an interest in engaging in a discussion to move to an elected superintendent. Florida has 67 superintendents of which 43 are elected and 24 are appointed by local county school boards. Making the position of the Superintendent accountable to the electorate will prove to be a more open and transparent process. Allowing the voters the opportunity to elect the Superintendent will give them a voice in the public education arena. A county-wide elected position, at the conclusion of its term, will be held accountable to all citizens of Miami-Dade County.

An elected Superintendent has proven to be a more stable form of governing structure. Florida research shows that an elected Superintendent serves for an average of 10.6 years, whereas the Council of Urban Boards of Education (CUBE) reports that the average appointed Superintendent serves 4.6 years.

There are many success stories from school districts which currently have an elected Superintendent. Martin County Schools Superintendent, Sara Wilcox, has been the county's Education Chief since November 1994. She has been the leader behind one of the state's top-rated school districts for 14 years. David Miller, a third-generation Wakulla County educator, has been returned to the elected office of Superintendent three times. He is in his thirty-fourth year of service with the Wakulla County School Board. Monroe County School District Superintendent, Randy Acevedo, is an elected Superintendent who is currently serving his fourth year, touting an "A" District for the third year in a row and ranked with the highest GPA in the state.

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State statutes dictate that this position will serve a four-year term. Miami-Dade County, being a large and diverse community, has a vast number of highly qualified individuals who will be interested in holding this office. Upon approving the reform by the voters at the November 2008 General Election, it will subsequently return to the voters for a candidate of choice. Action by the Governor or a recall initiative from the electorate are the only ways to remove an elected Superintendent before his term expires.

Since the Superintendent must reside in the district, he/she will be familiar with the community they will be serving. An elected Superintendent will serve as part of a checks and balances governance structure to the elected School Board members. An elected Superintendent will be under the watchful eye of the citizens of the county and therefore will better serve the students of Miami-Dade County Public Schools while working together with the School Board, county leaders, staff, teachers and the community.

**ACTION PROPOSED BY
MS. ANA RIVAS LOGAN:**

1. That The School Board of Miami-Dade County, Florida, approve Resolution No. 08-77, submit same to the Board of County Commissioners of Miami-Dade County, Florida and place the following proposition language on the November 4, 2008 ballot:

Referendum on Elected Superintendent:

Should the Position of the Superintendent of Schools of the School District of Miami-Dade County, Florida be Elected by the Electors of Miami-Dade County, Florida, Rather than Appointed and Employed by The School Board of Miami-Dade County, Florida.

Yes No

2. That The School Board of Miami-Dade County, Florida, direct the Superintendent to review and revise School Board Rule 6Gx13- 2A-1.021, Superintendent of Schools—Appointment, to concur with the Constitution of the State of Florida, Article IX, Section 5, Superintendent of Schools.

RESOLUTION NO. 08-77

A RESOLUTION REQUESTING THAT THE PROPOSITION OF WHETHER THE SUPERINTENDENT OF SCHOOLS SHALL BE ELECTED BY THE ELECTORS OF MIAMI-DADE COUNTY RATHER THAN APPOINTED BY THE SCHOOL BOARD SHOULD BE SUBMITTED TO THE ELECTORS AT THE NEXT GENERAL ELECTION

WHEREAS, Section 5, Article IX of the Florida Constitution provides that in each school district there shall be a superintendent of schools who shall be elected at the general election in each year the number of which is a multiple of four for a term of four years; or, when provided by resolution of the district school board, or by special law, approved by vote of the electors, the district school superintendent in any school district shall be employed by the district school board as provided by general law. The resolution or special law may be rescinded or repealed by either procedure after four years, and

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WHEREAS, pursuant to the provisions of Section 5, Article IX of the Florida Constitution, Section 1001.461, Florida Statutes provides that in order to submit the proposition to the electors at a general election or a statewide primary or special election, the school board shall request an election by formal resolution, and the board of county commissioners, upon request, shall cause the proposition to be placed on the ballot; and

WHEREAS, the School Board of Miami-Dade County, Florida believes that the electors of Miami-Dade County, Florida should be asked to determine whether the office of Superintendent of Schools for Miami-Dade County, Florida should be elected by the electors of Miami-Dade County rather than appointed and employed by the School Board of Miami-Dade County, Florida.

WHEREAS, allowing the voters the opportunity to elect the Superintendent will give them a voice in the public education arena. A county-wide elected position, at the conclusion of its term, will be held accountable to all citizens of Miami-Dade County.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Miami-Dade County Board of County Commissioners be and are hereby requested to place on the ballot at the election to be held November 4, 2008 the proposition to authorize and require the proposition to determine whether the Superintendent of Schools for Miami-Dade County, Florida, should be elected by the electors of Miami-Dade County, Florida rather than appointed and employed by the School Board; and
2. That the text of the proposition to be placed on the ballot is as follows:

REFERENDUM ON ELECTED SUPERINTENDENT

SHOULD THE POSITION OF THE SUPERINTENDENT OF SCHOOLS OF THE SCHOOL DISTRICT OF MIAMI-DADE COUNTY, FLORIDA BE ELECTED BY THE ELECTORS OF MIAMI-DADE COUNTY, FLORIDA, RATHER THAN APPOINTED AND EMPLOYED BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA.

YES

NO

3. That a certified copy of this Resolution be forthwith transmitted to the Miami-Dade County Board of County Commissioners with the request that they act favorably thereon by calling for a Referendum in Miami-Dade County, Florida on November 4, 2008 for the purpose of placing before the electors of Miami-Dade County the proposition set forth in Section 2 of this Resolution.

4. That this Resolution shall take effect upon adoption by the School Board of Miami-Dade County, Florida and approval by the electors of Miami-Dade County, Florida; and, if so adopted and approved, shall be implemented at the conclusion of the employment of the current appointed Superintendent.

A copy of this resolution is placed in the permanent records of this Board. } REVISED

Adopted at the regular meeting of the School Board of Miami-Dade County,

Florida this fourth day of August, 2008. } REVISED

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

By _____
Agustin J. Barrera, Chairman

ATTEST:

By _____
Secretary of School Board of Miami-Dade County, Florida