



Charlie Crist Vetoes Major Legislation in Florida

While the rest of the country has been focused on Washington, D.C., Florida residents have been distracted by the passage of Senate Bill 6, which would have changed the face of Florida education. Passed in the Senate by a vote of 21-17 on March 24, and by the House on April 9 by a vote of 64-55, opponents pushed for Republican Governor Charlie Crist to veto the bill, which he did just moments ago.



Senate Bill 6 has been the subject of controversial debate in Florida within the past few weeks. The legislation proposed major changes to Florida education, most notably:

- Five percent of operating funds from each school district will be used to develop new tests which will be used to assess student learning gains, and will pay teachers based on performance;
- All new teachers will remain on annual contracts, virtually eliminating professional contracts, and teachers may be non-renewed for any reason without recourse;
- Fifty percent of performance appraisals will be based on learning gains as measured by test scores;
- Education decisions will no longer be made on the local level;
- Teacher salaries will no longer be determined by years of experience and advanced degrees;
- If teachers do not exhibit learning gains in 4 of 5 preceding years, they will lose their certificate, possibly permanently.

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Florida education commission participant Eric J. Smith argued that Senate Bill 6 was necessary in order for Florida to be considered for President Obama's Race to the Top program. Smith contended that it was the lack of laws coupling student achievement with teacher evaluation and assessment that made Florida ineligible for any award. Because Tennessee and Delaware have laws of this nature in place, they were awarded federal education grants through the program. The next deadline for Race to the Top applications is June 1, and Florida legislators had hoped that the passage of Senate Bill 6 would give Florida a fighting chance. Not surprisingly, President Obama indicated support for the bill.

Proponents of the bill are Republicans who believed it would award the state's best teachers, as determined by student performance on standardized test. Several Republicans have strayed from their party and voted against the bill, however, including Senators Charlie Dean, Paula Dockery, Dennis Jones, Alex Villalobos, and Representatives Julio Robaina of Miami and Faye Culp of Tampa, who claimed that because she was bombarded with requests from her constituents to vote "no," she was "following my constituents' request." What a novel idea! In a poll conducted by Florida's Bay News 9 news channel, 61 percent of viewers wanted Charlie Crist to veto the bill.



Written by [Raven Clabough](#) on April 15, 2010

Republicans opposed to the bill are dismayed by the imposition of big government that the bill offered. Cuban-American Republican Sonia Pestana, a Miami middle-school language arts teacher, argues, “The Republican Party has always stood for less government, and what I’m seeing is so much regulation.”

Other opponents argued that basing a teacher’s salary on standardized test scores is the equivalent of basing a dentist’s salary on how many cavities his patients have. Assessment expert David Berliner explains, “The point is that on any given day, in any curriculum area measured, dozens of influences could affect the scores of a student or a class.”

Additionally, opponents have addressed a variety of flaws in the bill, including how it can be fairly used to assess teachers in Title I schools with low-performing students, or teachers of students who speak English as a second language.

Furthermore, Florida’s current standardized test, Florida Comprehensive Assessment Test (FCAT) has failed as an adequate assessment of student learning. A report from the nonprofit, nonpartisan Center on Education Policy indicates that 77 percent of Florida schools have failed to make adequate yearly progressive (AYP) as measured by the FCAT. The editorialist of the *Washington Post* notes, “Is it possible that 77 percent of the state’s public schools are performing poorly, or is likely that the formula for calculating makes no sense?”

Likewise, determining accurate assessments of educators who teach elective courses like Drama and Art was a major talking point in the debates.

In the past, Governor Crist has spoken favorably of the bill, but in consideration of the protests from his constituents after the bill was passed, decided to veto the bill, citing a variety of reasons. Crist specified that the bill impeded upon the authority of local school boards, and also articulated concerns for using standardized tests to assess teachers of special-needs children.

According to UCF Political Science Professor Aubrey Jewitt, “Jeb Bush, who is still the gold standard in the republican party, left a message for Charlie Crist that said please don’t veto it.”

Prior to this decision, Crist had already been at odds with the GOP, and his veto may likely drive some Republicans to vote against him in the primary for the U.S. Senate seat. As it stands, Crist trails behind Republican contender Marco Rubio by 23 points, according to this morning’s Quinnipiac Poll.

Some believe that the veto implies that Crist may drop out of the GOP primary race and run instead as an Independent, though he has adamantly denied these speculations.



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