



CHARLIE CRIST
GOVERNOR

April 15, 2010

Secretary Kurt S. Browning
Secretary of State
Department of State
R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399

FILED
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TALLAHASSEE, FLORIDA

Dear Secretary Browning:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Committee Substitute for Senate Bill 6, enacted during the 42nd Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2010 and entitled:

An act relating to Education Personnel...

The decision to approve or veto a bill is one of the fundamental duties of the Governor. Since 2007, I have reviewed hundreds of proposed laws. More often than not, I sign bills approved by the Legislature because the process generally produces ideas which embody the ideals of representative government. Though sparingly, I have exercised the authority to veto legislation.

To proponents of a bill, a Governor's veto may be mischaracterized as ill informed or political. It is likely that my action today will be met with similar charges from supporters of SB 6. However, there is only one person who can accurately state the reason for a veto - the one who holds the pen.

Let me be clear; I veto SB 6 because this bill is contrary to my firmly held principle to act in the best interest of the People of Florida. I am confident in my decision today because I know it is the right thing to do for the People.

After reviewing the legislation, I have identified several issues of concern. First and foremost, this bill does not appropriately accommodate special education students and their dedicated teachers. These children can and do learn; however, there must be more consideration given to their individual needs than is afforded in this bill.

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Further, the bill does encroach on local decision-making. At worst, it could result in an infringement upon the constitutional authority of school boards. While the bill allows school boards to create district policies, there are considerable directives given to local boards and a requirement for state sign-off before plans can be approved. Some of these directives are quite overreaching, such as not allowing multi-year teacher contracts, choosing arbitrary percentages for calculating a teacher's effectiveness, and permanently decertifying an excellent teacher in Florida who simply needed improvement two out of the previous five years on the job.

SB 6 places teachers in jeopardy of losing their jobs and teaching certificates without a clear understanding of how gains will be measured, and without taking into account circumstances beyond the control of teachers. Teachers have an incredible impact on the lives of their students, but they are not the only influence.

During the House debate and after the final passage of the bill, even the supporters of SB 6 acknowledged the imperfections of the bill. They were satisfied with the ability to come back next year for a glitch bill or make corrections and clarifications in the implementing process. Such assurances are not enough for me to sign this legislation today.

Finally, I veto this bill because of the process by which it was passed. This legislation sped through committees without the meaningful input of parents, teachers, superintendents, and school boards. It was troubling to learn that the bill would not be amended after it passed in the Senate, particularly when more and more concerns were coming to light. As I articulated on the opening day of the 2010 Legislative Session, "It is not only the substance of those issues that is important; it is also the attitude with which you address them. These will determine whether you have done your job well."

The incredible outpouring of opposition by teachers, parents, students, superintendents, school boards, and legislators has greatly influenced my decision today. They brought to light many concerns that were not addressed in the amendatory process. As with any major legislation, stated goals sometimes do not match the words in the bill. That is why under normal circumstances bills can be meaningfully debated and changed so that flaws may be remedied.

In summary, I find the content of SB 6 and the manner of its adoption significantly flawed. Nonetheless, I believe in the stated goals of establishing differential and performance-based merit pay for classroom teachers, developing workable measures of student learning gains, and preparing students for their place in a global economy. These are worthy of future pursuit in a collaborative setting with participation of those who are directly impacted.

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To those who may ask for a prescribed fix for SB 6, I say we must start over. This bill has deeply and negatively affected the morale of our teachers, parents, and students. They are not confident in our system because they do not believe that their voices were heard. They, like I, did not fathom that there would be no opportunity for meaningful deliberation and appropriate changes to this bill. Tens of thousands of Floridians have reached out to me asking for a veto of SB 6 and instead address the important goal of improving education in a more deliberative and open manner. Should the Legislature decide to go back to the drawing board, I believe it is critical that they heed the call of Floridians. To make such landmark changes, we must have the patience and wisdom to communicate effectively with the People.

As Governor, it is my responsibility to work ardently to position Florida for success on round two of "Race to the Top." Although Florida's first application was strong, we learned a very important lesson on the value of stakeholder participation. Like every good competitor, we will make strategic changes and raise our game. In the coming days I will announce the creation of a collaborative work group to thoroughly review and vet our application and suggest improvements that will help us win.

Florida has made tremendous gains in our education system. We cannot, we must not stop. As we move forward, let us ensure that we fulfill our highest calling, which is to honor the People for whom this government is established. The education of our children is far too important for us to do otherwise.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 6, and do hereby veto the same.

Sincerely,

A handwritten signature in black ink that reads "Charlie Crist". The signature is written in a cursive, flowing style with a large initial "C".

Charlie Crist

cc: Senate President Jeff Atwater