

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR THE COUNTY OF MIAMI-DADE

FINAL REPORT
OF THE
MIAMI-DADE COUNTY GRAND JURY

**MIAMI-DADE COUNTY'S PUBLIC SCHOOLS:
AN EDUCATION IN DIFFERENCES**

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State Attorney
KATHERINE FERNANDEZ RUNDLE

Chief Assistant State Attorney
CHET J. ZERLIN


ELSIE M. ALVAREZ
FOREPERSON


ROBERT L. TURCHIN, JR.
CLERK

FILED
July 6, 2000

Circuit Judge Presiding
JUDITH L. KREEGER

Officers and Members of the Grand Jury

ELSIE M. ALVAREZ
Foreperson

ROSCOE GIBSON, JR.
Vice Foreperson

ANDREA CLEMENT
Treasurer

ROBERT L. TURCHIN, JR.
Clerk

ROGER A. ARGUELLO

WILLIE G. MURRAY

CARMEN CHAVEZ

JOSHUA K. SEIDEL

GAIL A. DAVIS

WANDA SMITH

MAGDALENA ERDMANN

MARTHA GAVILAN SORNOZA

ROSA REY FERRER

GEORGE THONSEN

SUSANNE KAYYALI

BLANCA S. VARGAS

APRIL K. LIENS

MARISON VOLTA

CARLOS A. MADRIGAL

ALICE WILLIAMS

LUISANA MOREJON

* * * * *

Clerk of the Circuit Court
HARVEY RUVIN

* * * * *

Administrative Assistant
ROSE ANNE DARE

* * * * *

Bailiff
NELIDO GIL, JR.

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MIAMI-DADE COUNTY'S PUBLIC SCHOOLS:
AN EDUCATION IN DIFFERENCES

I. INTRODUCTION

The United States of America is often referred to as a nation of immigrants. The tales of those who arrived at Ellis Island still resonate at the core of our national mystique. Around our nation, New York City with its Statute of Liberty stands as the national symbol of this influx of foreign-born people to our shores. While many of our nation's 20th Century immigrants entered America through New York Harbor, it is becoming more and more apparent that the immigrant's new image for the 21st Century may be the Freedom Tower and the beaches of our community. Where else in today's America is there a community that has been so quickly changed by immigration? Where else in today's America has a community absorbed, relocated, supported and educated such a huge influx of foreign-born people in such a short period of time? The true strength of our immigrant heritage rests, not upon the difficulty diversity of interests and customs presents, but upon the powerful results the blending of diverse talents can bring about. Today, throughout our community, our immigrant "melting pot" stands as a pool of raw potential, lacking only the uniform focus needed to realize its hidden promise. We believe our educational system represents the best method by which this promise can be realized.

From the creation of the first public schools, the education of children has been looked upon as the key to societal advancement. Education has come to represent the hopes and dreams of every society's future. For each parent, it has represented an optimistic belief in his or her child's bright future. Regardless of race, creed, national origin, religion or gender, education has been the one goal that has, throughout modern history, been universally sought by all. It is no surprise therefore to find this goal adopted into the most basic of our State's laws:

"The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and

operation of institutions of higher learning and other public education programs that the needs of the people may require.”¹

With these simple words, the Florida Constitution provides a specific and important guarantee to its people; that of the fundamental entitlement to a free public education. It also places a very specific burden upon the State of Florida by mandating it provide whatever is reasonably necessary for all children residing within its borders to receive a high quality education. The importance of this constitutional mandate is highlighted by the fact that the words “high quality education” are among those recently added to our constitution through the vote of the people of our state. Yet, our evaluation of our local educational system during our grand jury term has revealed many instances where our state government is failing the children of Miami-Dade County. We have found many instances where a failure to understand the unique needs of our student population, or an unwillingness to learn about them, results in insufficient and inequitable state funding for our local school district.

We have also found, despite the exhaustive efforts of our Miami-Dade County Legislative Delegation, an apparent lack of willingness within the state legislature to consider the changes necessary to provide Miami-Dade County’s public schools with its fair share of the funding needed to address the unique educational needs of our children. Unquestionably, there have been substantial improvements in the statewide funding of education in recent years. The recent 1997 Special Session that resulted in a large one time infusion of money to build new schools statewide (Classrooms First) stands as the best example of this fact. However, our analysis of the methods used by our State Legislature to fund public education in Miami-Dade reveals a number of ways in which the funds needed are simply not appropriated or the differences that justify additional funding seem to simply be ignored.

We have chosen to use the limited time in our grand jury term to undertake the task of educating the government and the public of our state about these differences. To try to make them understand our very different needs and to try to get them to fund our very different costs. Especially in light of today’s greater reliance upon state mandated standardized testing, the multitude of factors that need to be resolved with many of our

¹ Constitution of the State of Florida, Article IX, Section 1, as amended 1998.

children before they can even *begin* to be taught, places them at an unfortunate disadvantage if they are to be simply compared with students not needing similar intervention. Unless the fiscal disadvantages placed upon our local school system by the current state funding formulas are favorably resolved, the true promise behind the words in our state’s constitution, at least for the children of Miami-Dade County, will never be fully realized. Our state government must make “adequate provision” for all of its children to have the same “high quality education.” It is our sincere hope that our report will provide the catalyst necessary to accomplish this change.

II. THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM

Nine months of every year, five days out of every week, the entire population of what could be considered one of the largest cities in Florida is transported from home, housed, fed, taught and then returned home. In reality, this city is the Miami-Dade County Public School System. Nationally, only the school systems of New York City, Los Angeles and Chicago are larger. With its current enrollment of over 360,000 students and its operation of almost 300 schools, it is by far the largest school district in the entire State of Florida. If the entire metropolitan populations of Gainesville and Panama City together were seated in our student’s desks, there would still be over 14,000 empty seats. In fact, only 11 of Florida’s 67 *counties* have a larger total population than the student enrollment of our local public school system. In addition to its student population, by employing over 35,000 people in support of its educational mission, the Miami-Dade County Public School System is considered one of our community’s largest employers. Besides being the county’s largest local purveyor of food services, it also operates Miami-Dade’s largest transportation system, providing more bus service than the Miami-Dade County Transit Department. In comparison to the other 66 Florida school districts, very few even come close to matching it for sheer size²:

<u>School District</u>	<u>Total Enrollment</u>	<u>Percentage Of State Enrollment</u>
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² Source: Florida Department of Education, “Membership in Florida’s Public Schools - Fall 1999”, Statistical Brief, Series 2000-04B, January 2000

Miami-Dade County	360,142	15 percent
Broward County	241,036	10 percent
Hillsborough County	159,479	7 percent
Palm Beach County	149,664	6 percent
Orange County	144,057	6 percent
Duval County	126,354	5 percent
Pinellas County	111,786	5 percent
All 60 others have <u>less</u> than	79,000	

By itself, Miami-Dade’s public schools account for 15 percent of Florida’s public school students. In fact, simply by combining Miami-Dade’s school population with that of Broward and Palm Beach, we in South Florida account for almost one-third of all students enrolled in the public schools of our entire state! Yet, many witnesses that have testified before us this term have expressed frustration with the difficulty of getting the rest of the state legislature to understand this simple fact. Many have told us of instances where, despite the large number of students affected, the distinct needs of our public school system are either not understood or simply ignored. When asked why this is so, some offered the words “politics” and “turf battle” by way of explanation. Others attributed this to an honest lack of understanding of our unique differences by the rest of the state. Underlying these explanations is the complete lack of common experiences between almost all of Florida’s other school districts and that of our own. In the final analysis, the victim of a continuation of this apparent stalemate is the quality of the education of our children. That one fact alone should provide the impetus necessary for this status quo to be changed.

III. MIAMI-DADE'S OVERCROWDED PUBLIC SCHOOLS

No one can even begin to discuss the Miami-Dade Public School System without hearing the word “overcrowding” immediately mentioned. This is the single issue that always seems to take center stage in any public school debate. The overcrowding of our public schools has been a fact of life for as long as any member of our grand jury can remember. In fact, as long ago as 1953, a Dade County grand jury reported that:

“The School Budget for this year is well over \$30,000,000. Ever increasing demands upon the public purse for school purchases seem inevitable. A shortage of classrooms and

facilities is complained of. An extensive building program is under way, with more to follow."³

Despite being written forty-seven years ago, the words of that grand jury could easily describe today's school system as well. Clearly, our perceptions of overcrowding in our present day public schools are truly based upon a long-standing historical precedent. We wonder what our 1953 predecessors would think of the fact that today's 3.7 *billion* dollar Miami-Dade County school budget, is still not enough to end our shortages of classrooms and facilities? Considering how long this problem has existed, we also wondered why, after all these years, we have not been able to build our way out of overcrowded schools? The answer lies in our fiscal inability to adequately address the changes relating to immigration that our local community, and its school system, have endured in the many years that have passed since the 1953 Fall Term Dade County Grand Jury issued its report.

Unlike almost every school district in the State of Florida, the Miami-Dade school system must strive on a daily basis to provide the high quality education mandated by our state constitution despite the effects a regular influx of immigration has upon the population of its schools. As of November of 1999, approximately 22 percent of the entire student population of the Miami-Dade County Public Schools were foreign-born, many speaking little or no English. The impact of such immigration is highlighted when we look at the new enrollment of foreign-born students over the past six school years:

<u>School Year</u>	<u>Number of New Foreign Born Students Enrolled</u>	<u>Cumulative Totals</u>
1994-1995	13,876	---
1995-1996	15,167	29,043
1996-1997	13,144	42,187
1997-1998	11,863	54,050
1998-1999	14,448	68,498
1999-2000 ⁴	19,552	88,050

Before our grand jury service, we had thought that the largest immigration event in our community, and thus the largest increase in immigrant student enrollment in our local

³ Final Report of the 1953 Fall Term Dade County Grand Jury.

⁴ As of May 31, 2000.

public schools, was the 1980 Mariel boatlift. The following account effectively recreates its effect upon our community and its school system:

“State and local governments were totally unprepared for this human avalanche. While public agencies scrambled to deal with the immense problems facing them, South Florida school districts had to develop programs and prepare facilities for over 13,000 children of Mariel who would be in school in September 1980.”⁵

Comparing the effects of the Mariel boatlift with the total foreign-born students that have enrolled in the Miami-Dade County Public School System every year since the 1994-1995 school year brings a somewhat ominous prospective to our current concerns. With the sole exception of the 1997-1998 school year, we have enrolled more foreign-born children in our local school system *each year since 1994* than enrolled as a result of Mariel.

What other school district or community in the State of Florida has had to absorb into its classrooms a total of 88,050 new foreign-born students in such a short period? What other Florida school district has had to find classroom space in which to educate this huge influx of new students for whom English is usually a new language? In fact, only seven of the 66 other school districts in the State of Florida have 88,050 students enrolled in their entire school system. Of course the expansion of the population of students enrolled in our local school system is not based completely upon foreign-born students. Adding to this number are students who have relocated here from other areas of Florida or from other parts of the United States. However, virtually the entire increased enrollment of our local school system has its source in immigration. As a result, unlike every other school district around our state, this huge influx of foreign-born students stands as the single most significant factor causing the overcrowding problems facing our local school system today.

A. The Human Side of School Overcrowding.

To those of us who are not teachers, who do not work within our public school system, overcrowded schools mean less individualized attention given to students by their teacher. While this is clearly an important effect, our visits to several local schools during

our term have shown the results of overcrowding to be far more troubling than we first imagined. We have visited schools where two totally different classes had to be conducted at the same time by two different teachers using a single classroom; separated only by a chest high makeshift wall of file cabinets and bookcases. We have visited schools where students had to be taught in classrooms created out of storage rooms or alcoves. We have visited schools whose class size necessitated two teachers but whose classrooms could only accommodate sufficient desk space for one. We left convinced that overcrowding has a severe, negative impact not just upon the ratio of teachers to students, but upon the entire educational environment our schools are able to provide.

The many educational opportunities forced to be discarded in a futile attempt to fit the number of students enrolled (or enrolling) into our existing facilities is nothing less than shameful. Our schools have had to abandon their science labs, their computer labs, their music labs, their band performance areas, their media centers, their teacher planning areas, their counselor meeting rooms, their teacher lounges, their book storage rooms, their utility storage rooms and even some of their covered patios, locker rooms and custodial closets; needing to convert them to classroom use instead. We have discovered that even *lunchtime* at our local schools can be an exercise in frustration. Lacking sufficiently large cafeteria areas to accommodate the number of students enrolled, the majority of our public schools are forced to feed their students through a number of 30 minute shifts throughout most of the school day. Many times this has resulted in lunch hours for students that are frankly ridiculous. In 153 of our local schools, the first lunch shift *begins* at 10:30 in the morning. Incredibly there are 34 others that are forced to begin even earlier.

Even with the significant number of new schools being added to our system each year, the goal of building our way out of overcrowding seems to always be outside of our reach. Throughout our term it was a common event for us to hear witnesses express their frustration by describing even new schools as being overcrowded from the very first day they opened. Without the time or the fiscal ability to build new permanent school facilities in the amount demanded by the regular increases in its student enrollment, Miami-Dade County has needed to resort to supplying almost 50,000 “relocatable student stations” through the use of temporary buildings to supplement the capacity of the more traditional

⁵ “The Children of Mariel From Shock To Integration: Cuban Refugee Children in South Florida Schools”,

mortar and steel facilities. Incredibly, even with this small city of over 3,000 “portables” supplying additional classrooms to our permanent school facilities, the vast majority of public schools in our community still must start each day with far more students than their facilities were ever designed to hold. New schools are finding the addition of portables a necessary part of their landscape before their paint is even dry.

Our visits to local schools have left us amazed at the Herculean efforts undertaken by the school’s personnel to make unsuitable areas, such as small storage rooms, into pleasant classroom environments. While we congratulate (and greatly appreciate) their efforts, we find it inexcusable that these types of efforts must be expended in order to provide the *minimum* space needed for the education of our children. Our teachers and principals should be allowed to choose between the best solutions for our children’s education. They should not be forced to pick the least worst alternative available. Our children’s education is not just our local obligation but a primary obligation of our state government as well. We find that the lack of sufficient state funding for the construction of new schools, or the needed renovation of existing facilities, to be an inexcusable limitation on the provision of the high quality education the children of Miami-Dade County so clearly deserve and the law so clearly mandates.

B. The Sources Of Funding To Build New Schools

Since it is clearly the state’s obligation to provide a high quality education, the state budget is the obviously appropriate source of funds necessary to accomplish that goal. Accordingly, we decided to examine the methods by which our state currently provides appropriations in discharge of this obligation. We quickly found the fiscal operation of this system to be incredibly complex. Throughout our term we have had to continually revise and improve our understanding of the various sources of the school system’s funding and the manner by which the moneys it receives are calculated and appropriated. Many times it felt like we were trying to make sense out of a can of alphabet soup. For instance, the State of Florida appropriates money to build new schools through formulas contained in a system known as “PECO.”⁶ The State money to fund the operation of the schools is

Helga Silva, The Cuban National Foundation, Inc., 1985, page 12.

⁶ PECO stands for “Public Education Capital Outlay”

appropriated according formulas in a system known as “FEFP.”⁷ Specific programs for students with special needs (ESOL⁸ and ESE⁹) also receive additional funding above the FEFP base through computations that apply different “program weights.”¹⁰

Despite its complexity, the short story of school finance is that the money to build schools (capital expenditures) are derived from local property taxes, the State of Florida’s annual school construction appropriations (through the formulas in PECO) and, in an extremely limited fashion, from some Federal grants or programs. The money to operate the schools themselves (operating revenues) are derived from the State of Florida (through the formulas in FEFP) and from additional local property taxes. Although virtually no federal money is made available to operate our schools, substantial federal assistance to help needy children pay for meals is provided under the free/reduced lunch program. Later in this report we will discuss the issues we have found relating to FEFP. However, we have found the greatest inequities for the Miami-Dade County Public Schools to exist within the formula used to distribute state money under PECO. We began our analysis with the unquestionable proposition that state law places the legal burden of high quality education squarely upon the State of Florida and not upon local communities:

“The intent of the Legislature is: To provide each student in the public education system the availability of an educational environment appropriate to his or her educational needs which is substantially equal to that available to any similar student, notwithstanding geographic differences and varying local economic factors...”¹¹

Notwithstanding this fact, the vast majority of funding for school construction does not come from any state budget. For example, witnesses from the Miami-Dade County Public School System have told us that in the budget for the just completed 1999-2000 school year State of Florida revenues encompassed only one quarter of the entire capital budget for local school construction. The remainder has to be derived locally from property taxes and to a small extent from impact fees¹². The authority of our local school board to assess

⁷ FEFP stands for “Florida Education Finance Program”

⁸ “English For Speakers of Other Languages”.

⁹ “Exceptional Student Education”.

¹⁰ “Program weights” are factors added to the base student funding that provide a slightly larger share of the total state FEFP appropriation in an attempt to fund the additional costs to the local schools districts for these special needs programs.

¹¹ Chapter 235.002 Florida Statutes 1999, page 377.

¹² Impact fees are paid by a developer for new residential housing to help defray the financial “impact” upon the need for roads, sewers, police, fire, emergency medical services and, to a much lesser extent,

local property taxes is controlled, first by the Florida Constitution (which limits the maximum amount that can be assessed unless approved by the voters) and secondly by the Florida Legislature (which determines by law the amount of tax that can be assessed by a local school district up to the constitutional maximum). Once these limits have been reached, it would take a favorable vote of local taxpayers in a general election to raise them any further. In Miami-Dade County we are currently at the maximum set by the legislature. Therefore, absent a local vote to raise these taxes, we are totally dependent upon rising property values and increasing amounts of property to be taxed for any increase in local revenues needed to build new schools. Recognizing this scenario, in 1988 the Dade County Public Schools were able to obtain voter approval of a \$980 million dollar bond issue¹³ intended specifically for the building of needed new schools. With this funding added to the revenues from local property taxes and state PECO dollars, the Miami-Dade County Public Schools has been able to undertake an unprecedented local school building program. By June of 1999, they had constructed and opened 56 schools and 12 Primary Learning Centers (PLC)¹⁴. Under construction were an additional 7 schools and 1 PLC. Two additional schools and 5 additional PLCs were in the design and planning stage. However, even such unprecedented building activity has failed to match our steadily increasing student population as clearly evidenced by the fact that most of our new schools are already severely overcrowded from the very moment they open their doors. The remaining uncrowded schools are only in that fortunate status because they have yet to enroll students in every grade and swiftly become overcrowded once they do.

schools. The additional costs are usually passed on to the purchaser in the form of higher purchase prices.

¹³ A "bond issue" is a request by the school system for the voters to approve the borrowing of money in exchange for a guarantee of repayment through the issuance of bonds backed by the assets and revenue of the school system. It must be approved in a countywide election by a majority of those voting. Witnesses have told us that the amount of this bond issue was deliberately chosen to avoid the negative impact on voters in 1988 by asking them to approve bonds in the "billions" of dollars. Although this bond issue was successful, witnesses indicate little hope that voters would approve additional bonds considering today's "no new taxes" mentality. The most recent attempt in Broward County (which was defeated soundly at the poles) provides some substance to their concerns. We have also been told that, considering the increase in new student enrollment that actually occurred since 1988, to truly address the needs of our school system the amount of this bond issue should have been in the neighborhood of 2 to 3 billion dollars.

¹⁴ A Primary Learning Center is a new type of educational center developed by our local school district in an attempt to alleviate overcrowding at the elementary school level. It is used to conduct classes in kindergarten through 3rd grade only and can be constructed where space is available at existing elementary school sites.

Our needs are so great that even the \$980 million from this bond issue would not have been sufficient to directly pay for the completed school construction. To meet our school construction needs, our local school officials had to leverage those dollars by issuing “Certificates of Participation” (COPs)¹⁵. These COPs permitted the purchase of far more capital improvements than could be accomplished by the total dollars derived from that bond issue alone. Witnesses have described this system to us as similar to buying on a credit card where the monthly payments are made through the dedication of already existing school tax revenues. Through its use, our school system has been able to open far more new schools (and perform far more renovations of existing schools) than capital revenues alone would have permitted. We congratulate our local school officials for their innovative efforts in this regard.

However, COPs is now like a credit card that has reached its credit limit. Available new tax revenues can not responsibly fund its continuation and we are now reaching the end of our ability to buy new school facilities through this creative approach. As a result, without the ability to raise the additional local moneys needed to build enough new public schools, we must look to the State of Florida, and its fundamental duty to provide high quality education, for the money that we so desperately need.

Annually, through its PECO formulas,¹⁶ the Legislature of the State of Florida distributes state revenue to the individual school districts around the state for the construction of new schools and the renovation of existing ones. The legislature also determines the amount of money to be made available for this distribution through the sale of public education bonds and the appropriation of money from general revenue for this purpose. We have spent a substantial amount of time during our term attempting to fully understand this extremely complicated appropriation method. Our examination first revealed that there is simply not enough state money allocated for distribution through PECO to adequately fund school construction for most large school districts statewide if

¹⁵"Certificates of Participation" operate as a type of lease/purchase agreement where the companies building the schools accept payments from the school system for a specific period of time after which they deed the property to the school system. Like any lease, the payments are smaller than direct financing would necessitate. In addition, this system is permissible without the issuance of a school bond and thus the approval of a public vote.

¹⁶ see Florida Statutes Chapter 235.435 (1)(a) for the formula used to allocate funds for renovations of existing facilities and Chapter 235.435(3)(a) for the formula used to allocate funds for new school construction.

they are experiencing anything close to the level of growth we are here in Miami-Dade. For example, we received a total of \$20,445,302 of new school funding from PECO for the *entire* 1999-2000 school year. Including the purchase of land, one new elementary school in Miami-Dade costs approximately \$14 million; one new middle school costs approximately \$23 million; and one new high school approximately \$56 million. Considering our current overcrowded conditions and the substantial increases we experience monthly from enrollment based upon immigration, this state appropriation amounts to little more than a proverbial “drop in the bucket.” An analysis done at our request by the Miami-Dade County Public Schools reveals how completely inadequate current PECO funding is when contrasted with our actual school construction needs. To build enough new schools to accommodate just our *currently enrolled* student population in permanent facilities would cost an additional \$1.3 billion. The construction needed would take between 8 and 10 years to complete. With each increase we experience in our student enrollment these costs will increase as well. This analysis highlights the total inadequacy of the state's new school construction funding for Miami-Dade's public schools.

Secondly, we have determined that the way PECO is currently formulated effectively handicaps school districts whose growth is based upon immigration as opposed to birthrate or migration. The school district that is handicapped to the greatest extent from this computation is the Miami-Dade County Public Schools. An examination of the formula itself reveals why. For new school construction, PECO calculates the distribution of state funds by taking 40 percent of the total number of students currently (and physically) using existing school facilities¹⁷ (called the “Capital Outlay FTE”). Added to this calculation is 60 percent of the growth of this same number over the previous 4 school years. From this total calculation the actual allocation of PECO funds to individual school districts is made. For a school district experiencing little or moderate growth or one whose growth is based predominately upon local birthrate, this formula would work well. The problem lies in the fact that 60 percent of this calculation takes into consideration only the *past* growth of a local school district. But in Miami-Dade County we receive virtually all of our growth from immigration. Past growth is a completely ineffective predictor of future international

¹⁷ i.e. this does not include students being schooled in homebound programs, hospitals and charter schools.

incidents, or changes in federal immigration policy, that provide the underpinnings for most of the future enrollment of students into our local schools. Even worse for us in Miami-Dade is the fact that the other 40 percent of this calculation does not use growth of any type as a factor *at all*. Additionally, nowhere in this formula is the inclusion of a cost of living differential for the higher costs of construction in Miami-Dade when compared to other parts of the state.

We recognize that PECO was developed in a noble attempt to ensure that every school district, no matter how rich or poor, gets equal state funding for school construction. However, its failure to factor in the true nature and effects of immigration growth has resulted, we hope inadvertently, in a distinct inequity for those school districts such as ours where immigration is the *primary* factor affecting continued student population growth. This results in an inequitable distribution of the state's new school building dollars to the detriment of the Miami-Dade County Public Schools.

Our state legislature has to be made to recognize that the ability of our local school system to even plan for the needed construction of new schools is severely hampered by the nature of immigration itself. Throughout our state, other school districts are fortunate to be able to rely mostly upon the birthrates within their communities to project their future construction needs; a concept that provides the rationale for the formula used for PECO. This is a method totally unusable here in Miami-Dade County since none of our new foreign-born students *were born here*. For an example, one need look no further than the recent projections for our school system done by the Florida Department of Education and based solely upon this birthrate analysis. According to that projection, we currently have no need for additional elementary schools and should expect an increase in enrollment of less than 129 students in our entire school system for the 2004-2005 school year! Birthrate projections can be used to predict future needs over five, ten or even fifteen year periods of time with great accuracy. But increases in immigration depend upon events occurring in foreign countries, changes in our national foreign policies, and a myriad of different societal events that are simply not readily susceptible to a statistician's science.

Adding to our funding difficulties, as we in Miami-Dade well know, the effect of events that trigger an influx of new foreign-born children into our local school system are usually measured in days or months and not in the years needed for new construction

planning. Therefore, our need for adequate PECO funding takes on an urgency far different than other school districts. Simple mathematics provide the reason why. Witnesses have told us that most Miami-Dade public school designs, generally, provide student stations for between 1,000 and 2,800 children depending upon whether they are designed for elementary, middle or high schools.¹⁸ They have also told us that, again generally, construction of a new school usually takes approximately 3 years once the money is appropriated. Beginning with the assumption that sufficient facilities already existed for the entire school population in the 1994-1995 school year (certainly not an assumption based upon reality!), the addition of the almost 14,000 new foreign-born students that enrolled that year would have created an immediate shortage of between 5 and 14 public schools. Applying the amount of time needed to build a new school (3 years), and assuming that the funding needed was immediately available for appropriation, it is easy to see that the earliest that new classroom space could become available in which to teach these additional students would be sometime during the 1997-1998 school year. However, many more new foreign-born students continued to enter our school system during the subsequent schools years (by the 1997-1998 school year cumulatively totaling over 40,000). As a result, on the very day when these new schools opened their doors there would still be a need for as many as 40 new schools *in addition to the original amount*.

We suppose the lack of consideration given to immigration in the PECO formula would be understandable if these events were episodic in nature and reoccurred only rarely. But in truth we know only too well that immigration has been affecting the overcrowding of our community's public education system for at least as long ago as the year that the 1953 grand jury issued its report. We also know that there is every reason to believe that it will affect our schools' student enrollment well into the foreseeable future. We continue to hope that our state government will finally understand our unique funding needs and add the immigration "urgency factor" so desperately needed to provide uniform high quality education for Miami-Dade County's student population. Otherwise, our local school officials will need to keep their eyes, not only on our local birthrate, but also on a crystal ball in an attempt to foretell which future crises in international affairs will impact in the classrooms of Miami-Dade County.

¹⁸ The capacity of (prototypical) new permanent facilities built in Miami-Dade County are 1,060 for an elementary school, 1,482 for a middle school and 2,846 for a high school.

IV. FUNDING THE OPERATION OF OUR PUBLIC SCHOOL SYSTEM

The funds needed to operate our local public school system come mostly from the State of Florida through a formula known as FEFP:

“The major portion of support is distributed under the provisions of the Florida Education Finance Program (FEFP), which was enacted by the State Legislature in 1973, FEFP funds are based on full-time equivalent student enrollment (FTE) through a formula that takes into account (i) varying program costs, (ii) cost differentials among districts, and (iii) a minimum required level of local support. Program cost factors are determined by the State Legislature. The amount of FEFP funds disbursed by the state is adjusted three times during each year to reflect changes in FTE and other variables comprising the formula. To participate in FEFP funding the District must levy a minimum ad valorem property tax millage for operating purposes which is set annually by the legislature.”¹⁹

Overall, we found the formula for FEFP to be, generally, fairer to us than the PECO formula used to distribute state funds for new school construction. Through the use of “program weight,” we do receive additional state money for our many ESE and ESOL students needing those specialized services. However, the additional financial “weight” given to these programs is the same for every school district in the entire state, regardless of the level of concentration or impact the sheer number of students needing these services have upon the school system as a whole. Additionally, the funding of ESOL is based upon the average cost of all such programs across our state. Because our costs are above this average, this calculation means we receive less than our actual costs would necessitate. The fact that there is a District Cost Differential for this funding does nothing to address these additional costs since it is based upon a cost of living calculation that does not take any of these issues into account. It is therefore in this portion of the FEFP formula that we feel, once again, the failure of our state to acknowledge the true effects of immigration upon our local educational environment have resulted in Miami-Dade County ending up with a shorter end of this state funding stick.

In many parts of our state the population attending public schools is far more homogeneous than ours. Witnesses have confirmed that the vast majority of students in

school districts outside of South Florida enter their local school system in kindergarten (or pre-kindergarten) and can therefore progress through the entire continuum of that local educational system until they graduate with a high school degree. In Miami-Dade County, again because of the nature of immigration, a substantial number of our students enroll at virtually every possible entry point and at virtually every possible entry time during the school year.

For every student entering after the beginning of the school year an additional educational challenge is presented to our school system. This challenge can be small in scope if, for example, they are at grade level from the school system from which they are transferring. This challenge can be enormous if, for example, they arrived from a foreign and dissimilar educational system, or they do not have English language proficiency or have never previously attended a formalized educational system of any type. We certainly recognize that overcrowded classrooms present a significant challenge to the school systems that operate in other parts of our state. However, we believe that the many factors we describe in this report make providing a high quality education in Miami-Dade County's overcrowded classrooms a far more formidable task.

To better understand the actual impact immigration enrollment has upon the ability of our local school system to provide a high quality education, we obtained a “snapshot” of the students enrolled in the Miami-Dade County Public Schools ESOL programs in February of this year. The results were revealing. Over 55,000 children were in programs designed for English For Speakers Of Other Languages (ESOL). This is more than the vast majority of other Florida school districts have in their entire student enrollment! Almost 21,000 were determined to be in need of Level One assistance, which is another way of saying that they could not presently speak English at all.

Adding to the unique burden immigration places upon our local school system is the fact that the *timing* of this enrollment is not in any way controlled by the progress of the school year. Consider the following pattern exhibited by the enrollment of the 19,552 new foreign-born students during our current school year:

Month of Enrollment

Number of Foreign-Born Students

¹⁹ “Executive Summary 1999-2000 Tentative Budget”, Miami-Dade County Public Schools, Financial Affairs, Office of Budget Management, July 1999, page 4-2.

July 1999	760
August 1999	6,021
September 1999	2,310
October 1999	1,047
November 1999	956
December 1999	497
January 2000	2,512
February 2000	1,670
March 2000	1,489
April 2000	1,487
May 2000	<u>803</u>
Total:	19,552

Can any one of us imagine how disruptive this unpredictable enrollment is upon the regular provision of education to current students by our teachers? What are they to do when a total of 4,182 new foreign-born students enroll in school in January and February and almost half of the school year is already over, or for the 2,290 that enroll with less than two months left in the school year? Many school principals and teachers were vivid in their descriptions to us of the crisis management necessary for them to deal with this influx. It presents them with the worst of circumstances: the potentially most educationally difficult population of students, enrolling in the middle or end of the school year into classes already underway. This is not a one-time, episodic situation. We have found the exact same pattern to exist in the last five school years as well. Additionally, despite the impression that the sole source of this immigration is from the Caribbean and South America, the countries these students arrive from are incredibly diverse, spanning almost 170 different foreign lands including such places as Burma, Angola, China, Egypt, Guyana, Kuwait, and many, many more.²⁰ In addition to Spanish, our ESOL students also include

²⁰ In the 1999-2000 school year, students attending Miami-Dade County's public schools came from the following foreign countries: Albania, Algeria, American Samoa, Andorra, Angola, Anguilla, Antigua and Barbuda, Antilles, Argentina, Armenia, Aruba, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bermuda, Bolivia, Bosnia and Herzegovina, Brazil, British Virgin Islands, Bulgaria, Burma, Byelorussian SSR, Canada, Cayman Islands, Chile, China, Cocos Islands, Colombia, Congo, Costa Rica, Croatia, Cuba, Curacao Island, Cyprus, Czech Republic, Czech Oslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, England, Estonia, Ethiopia, Figi, Finland, France, French Guiana, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guadeloupe, Guatemala, Guernsey, Guinea, Guyana, Haiti, Honduras, Hong Kong, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea (South), Kuwait, Laos, Peoples Dem. Rep., Latvia, Lebanon, Liberia, Libya, Lithuania, Malaysia, Marshall Islands, Martinique, Mauritius, Mexico, Moldova, Republic of, Monaco, Mongolia, Montserrat, Morocco, Mozambique, Myannar, Nepal, Netherlands, Netherlands Antilles, New Zealand, Nicaragua, Nigeria, Northern Mariana Islands, Norway, Oman, Pakistan, Palau, Belau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Scotland, Senegal,

many whose primary language is equally diverse, including Haitian Creole, French, Portuguese, Contonese/Zhongwen, Urdu, Russian, Arabic, Tagalog and Jamaican Creole.

Addressing the individual needs of these new students greatly increases the difficulties our local educators face. Witnesses have explained to us that the unsettling political situations in many of the countries where these students previously lived require substantial adjustments on the part of those students before the educational process can even begin. There are students in our schools who were formerly threatened with induction to guerrilla armies in their home countries; students who have watched family members and friends killed before their eyes; students who have grown up in poverty levels unthinkable in our society, with non-existent healthcare and little if any family structure. Each of these students must be brought within our local school system and evaluated, placed into existing classes, and educated. At the same time, these schools are already dealing with the many other, sometimes similar, issues presented by those students already enrolled and attending classes. These unique needs place additional financial burdens on our local school system that are significantly over and above any funds received from the State of Florida through its FEFP "program weights." Nevertheless, regardless of the amount of funding made available by the State Legislature, the daily needs of these students must be met. As a result, over the last three years, witnesses estimate that the Miami-Dade County Public School System has spent over \$272 million of unreimbursed local tax dollars to provide the additional services needed. We think this was money that should have been available to build several much needed new schools. The fact that it was not, we think, is directly attributable to a lack of adequate funding by the state. It thus seems obvious to us that FEFP should include in its formulas a factor to appropriate additional funding to provide the support system needed to deal with the myriad of unique issues presented by the nature of our student population.

In order to be taught, a student must be ready to learn. To a certain extent, the role of addressing deficiencies in this area has traditionally fallen upon the teacher. We think that the appropriate solution, especially considering the nature of our local school

Seychelles Islands, Sierra Leone, Singapore, Slovakia, South Africa, Soviet Union, Spain, Sri Lanka, St. Kitts-Nevis, St. Lucia, St. LVC Vincentucia, St. Vincent and Grenadin, Sudan, Suriname, Sweden, Switzerland, Syria, Tahiti, Taiwan, Prov. Of China, Tanzania, United Rep. Of, Thailand, Togo, Trinidad and Tobago, Trust Terr. Of Pacific, Tunisia, Turkey, Turks and Caicos Islands, Ukraine, United Arab Emirates, Uruguay, Uzbekistan, Venezuela, Vietnam, Wales, Yugoslavia, Zaire, Zambia, Zimbabwe.

population, would be through the use of counselors and social workers instead. Therefore, unlike most school districts across our state, we in Miami-Dade County must give greater concern to the totally insufficient number of counselors or social workers our local school system is able to employ. Since there is no “program weight” within FEFP to address this need, our local school district has been forced to adopt an admittedly unrealistic ratio when it comes to providing counselors or social workers for its schools. For instance, our elementary schools have to adjust to the availability of only one (1) school counselor for every 1,200 students. In Miami-Dade’s middle and high schools, the ratio is one counselor for every 438 students. School social workers are similarly limited in availability with a ratio of only one social worker for every 4,190 students regardless of which level of school they are attending. There is no question that everyone within our public schools knows these ratios are ridiculous, an opinion with which we are in complete agreement. Totally insufficient funding for this need forces our local educators and principals to choose between more teachers or more counselors/social workers. The proper solution is to not have to make this choice at all. Having to choose between the lesser of two evils does nothing to help deal with the many needs of our student population. The net result of these shortages is a forced system of crisis management that is the antithesis of the proactive assistance so desperately needed by our children. An additional factor or “weight”, based upon immigration, must be placed within the current FEFP formula to fully fund the unique needs necessary to educate our local school population.

V. THE IMPENDING TEACHER SHORTAGE

During our examination of the various funding issues this term, we learned that the conditions we have found to exist in our schools affect more than just our children who attend them. For those who had chosen teaching as a career, the environment in which they were forced to work has resulted in a large number deciding to abandon the profession instead. A recent nationwide analysis found that 20 percent of new teachers leave teaching within three years. An April 18, 2000 teacher survey of former teachers holding current Florida teaching certifications in the main teacher shortage areas²¹ undertaken by the Office of Economic and Demographic Research revealed the depths of this problem. Almost 43 percent said their reasons for leaving were based upon dissatisfaction with the teaching

profession, a desire for higher salary or a decision to pursue a different career. Even more telling, when asked if they currently would consider returning to the teaching profession, over 80 percent said no. After examining this issue and visiting a number of our schools, we can certainly see why.

The flight from the teaching profession has created critical teacher shortages in subjects that are crucial to the education of our children. It has resulted in teachers educating students in subjects that are “out-of-field.” For instance, in the fall of 1998 the Florida Department of Education estimated that 31 percent of ESOL teachers in Florida were teaching out-of-field. Almost 18 percent of Technical Education classes and 28 percent of Gifted classes were conducted by teachers out-of-field. More than 14 percent of the teachers that were educating our Mentally Handicapped or Special Learning Disorder and Emotionally Handicapped children were teaching out of their field of certification. In 1998, teachers who were out-of-field were conducting almost 10 percent of Florida's classes in basic educational fields. In our current era of increased competition and quickly expanding technologies, this teacher shortage forces us to fight the educational battle with a school system balanced upon one leg and with one hand tied behind its back.

Adding to our concerns is the impact the State of Florida Deferred Retirement Option Program (DROP) will have in just a few short years on the number of teachers that will continue to be available to teach our children. This program gave as an incentive for continued employment after reaching full retirement status, the ability to have the State of Florida pay monthly retirement benefits into a separate, non-taxable fund even while the employee continued to be employed and received a salary for a maximum of five years. After a maximum of five years, the employee must retire, taking with them a substantial amount of money from the sum total of these payments. Not surprisingly, this program has proved to be enormously popular. However, the Miami-Dade County Schools estimate that, because of this program, they will be losing 7,000 teachers over the next 3 years. One could argue correctly that without this program they would already be gone. However, the DROP program will substantially add to the obvious shortage in teachers looming in our not too distant future. We are glad that our state legislature has begun to recognize this problem and this year appropriated additional funding to raise teacher's salaries an

²¹ The current areas of acute teacher shortages are in math, computer science, science, exceptional

average of 8 percent. However, most dedicated teachers will quickly say that money is not the only consideration in their choice of teaching as a profession. The satisfaction gained from their accomplishments with students provides meaningful rewards as well. Teachers are the most important, integral part of our public education system. They work magic with our children each and every school day. But we must provide them with the proper tools to teach. We must provide our children with the proper environment in which to be taught. The many problems we have outlined in our report have a direct impact upon both of these concerns. Solving them will do much to solve our teacher shortage as well.

VI. THE NEED FOR FISCAL RESPONSIBILITY

We have spent the majority of our term, and our report, detailing the many ways in which Miami-Dade County's public schools do not get adequate funding from our state government. We have pointed out the inequities that exist in the state's funding formulas and called for the changes that are so badly needed. However, our state has a right to expect that once this funding is appropriated, we will spend it wisely. If we are to ask for more funding, we must hold each and every member of our local school system accountable for the sensible use of those funds.

In that light, although not our main focus this term, we were frankly amazed when we found out how much it costs for our local school system to add portables to its school campuses. We have been told that an 864 square foot portable costs \$56,186 to build if it contains a bathroom (needed for an elementary schools) or \$54,961, if it does not. This works out to between \$63 and \$65 per square foot. To our further amazement, we have also learned that the expected costs of relocating and installing existing portables averages either \$50,000 or \$45,000 *each*, depending again upon whether or not a bathroom is contained inside. Adding these costs to the cost of constructing a new portable would bring the total expense for a single portable, at minimum, to almost \$100,000! Perhaps because of this expense, our school system has developed a habit of reusing (and refurbishing) its existing inventory of portables far beyond the time when a private company would have simply replaced them. In fact, throughout our local schools there are 277 portables still in use that were built during World War II. Almost half of the portables we use were built more than 20 years ago. Even considering this fact, we were surprised

by the condition of most (but not all) of the portables that we visited during our term. Many smelled of mildew and their ceilings held clear signs of recent water leaks. The air conditioning systems were marginal at best. The lighting was so poor that we had great concerns for the eyesight of the children being forced to read under those conditions. Their foundations made us wonder exactly where that relocation money was actually being spent. Unlike most of the “mortar and steel” school buildings we inspected, we were left with the impression that many of the portables we visited have no place in our current schools at all.

Considering their costs and condition we were not surprised when witnesses told us that our local school district has not purchased a new portable in the last five years. However, we feel that the price our school system pays for their relocation is exorbitant. This is especially so when considered against a recent Florida Department of Education survey of the costs of relocating portables in other districts around our state. In that study, the vast majority of other districts reported an average of between \$4,000 to \$5,000 with the highest being Broward County at \$15,000. Our average cost just to move a single portable is \$22,000. In this regard we think our costs are way out of line.

If the price is determined through a competitive bid process as required by law, why can't our school system acquire less expensive competitive bids? Certainly good, clean, well-constructed portable or modular buildings offer the potential for quicker construction. They may therefore be the best answer to quickly alleviate the school overcrowding we have found to exist. Unfortunately, we do not have sufficient time available in our term to give the manner in which the Miami-Dade County Public Schools administers its construction budget the close examination it deserves. We do however feel this issue should be closely examined by a subsequent grand jury and by our school board itself. In that regard, we were pleased to learn near the end of our term that our local school board had created a task force to study whether in-house ethics oversight of the way our school system operates is needed. If we are to successfully seek the additional funding so clearly needed to serve our local student population, we must first be assured that the funds we currently use are being appropriately spent.

VI. RECOMENDATIONS

1. *We recommend that the School Board of the Miami-Dade County Public Schools, the Miami-Dade County Legislative Delegation, the Miami-Dade County Board of County Commissioners and the Mayor of Miami-Dade County, consistent with the findings contained within this report, jointly present to our State Legislature in the 2001 legislative session an analysis of the effects of immigration on the operation of the Miami-Dade County Public School System. The singular purpose of this effort should be to increase the total amount of state funding that is appropriated to the construction and operation of the public schools in our community on a consistent yearly basis.*
2. *We further recommend that these same elected officials seek the amendment of the formulas underlying the distribution of state money through PECO and FEFP as one of their highest legislative priorities for the 2001 legislative session. Consistent with the findings of this report, these changes must ensure that the growth of a school district's population due to immigration, and the additional operational expenses presented, are appropriately included in any and all factors or program weights used to determine the distribution of each school district's appropriation of state funding.*
3. *We also recommend that the entire legislature of the State of Florida and Florida's entire Congressional Delegation jointly present to the Congress of the United States of America a non-partisan initiative to obtain sufficient Federal funding to address the impact of immigration upon Florida's public schools.*
4. *We have every degree of confidence that the efforts we have recommended our locally elected officials carry out within our State Legislature will be undertaken with the appropriate vigor, desire and skill. However, we feel strongly that the needs of our children can not and should not wait for the solutions they so clearly deserve. Therefore, in the event that these efforts prove to be unsuccessful in the 2001 legislative session, we recommend that*

the School Board of the Miami-Dade County Public Schools file a lawsuit against the State of Florida for its failure to comply with the mandates of our state constitution relating to its duty to make adequate provisions for a high quality public education for all children residing within its borders. This lawsuit should have as its purpose, not just the appropriation of additional state money and appropriate changes in the state's funding formulas, but also to acquire court monitoring and oversight over the continued appropriation and distribution of state money for the operation of the public schools in Miami-Dade County.

5. *We also recommend that each member of the School Board of the Miami-Dade County Public Schools conduct an analysis of the physical conditions that exist in all of our public schools with the intent of correcting the deficiencies in "relocatable classrooms" (portables) that we have observed during our visits to schools this term. The deficiencies relating to sub-standard lighting, inadequate air conditioning, water leaks, smells and mildew within all "relocatable classrooms" (portables) in every Miami-Dade County public school must be corrected. Although we agree that bringing these conditions to the attention of the appropriate school maintenance personnel is primarily the duty of the individual school's principal, the elected members of our school board must shoulder the ultimate responsibility. They should therefore take the lead in this matter by regularly visiting our public schools and taking quick corrective action if needed.*

<u>NAME OF DEFENDANT</u>	<u>CHARGE</u>	<u>INDICTMENT RETURNED</u>
ANTHONY FREDERICK MORRIS	First Degree Murder Robbery Using Deadly Weapon or Firearm	True Bill
NELSON JESUS ALFONSO RUFIN	First Degree Murder Grand Theft 3rd Degree/Vehicle Robbery/Strong-Arm	True Bill
ROLANDO MEL CANO	First Degree Murder First Degree Murder	True Bill
TAVARES DANIELS (A) and ANTHONY MONTGOMERY (B)	Attempted Armed Robbery First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense Unlawful Possession of a Firearm or Weapon by a Convicted Felon (B only)	True Bill
NORMAN ALEXANDER REID	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill
GENEROSO LLEO (A) and FIDEL PEREZ GONI (B)	First Degree Murder Armed Burglary Armed Robbery Conspiracy to Commit First Degree Felony	True Bill
ALFREDO ARMANDO DIAZ	First Degree Murder Aggravated Assault Armed Burglary Unlawful Possession of a Firearm by a Convicted Felon Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill
DAYMIS RODRIGUEZ	First Degree Murder	True Bill
LAZARO LEON RODRIGUEZ	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense	True Bill

NAME OF DEFENDANT	CHARGE	INDICTMENT <u>RETURNED</u>
WILLIE BROWN (A), TONY BRUCE also known as TONY DANIEL BRUCE also known as TONY DARNELL BRUCE, (B) and ADRIAN LAMONT HARRIS (C)	First Degree Murder (A,B,C) Attempted Armed Robbery (A,B,C) Unlawful Possession of a Firearm While Engaged in a Criminal Offense (A,B,C) Unlawful Possession of a Firearm by a Convicted Felon (B) Unlawful Possession of a Firearm by a Convicted Felon (C)	True Bill
JOSEPH POLLARD	First Degree Murder Robbery Using Deadly Weapon or Firearm	True Bill
RAUL RODRIGUEZ	First Degree Murder Arson First Degree	True Bill
CORNELLIUS HALE LOFTON	First Degree Murder	True Bill
CHAZRE EVIN DAVIS	First Degree Murder	True Bill
TIMOTHY JOSEPH LAYTON	First Degree Murder Robbery Using Deadly Weapon or Firearm	True Bill
ARTHUR JAMES MARTIN (A) and RODNEY LINIS RAGIN (B)	First Degree Murder Robbery Using Deadly Weapon or Firearm Robbery Using Deadly Weapon or Firearm Burglary with Assault or Battery Therein While Armed Unlawful Possession of a Firearm or Weapon by a Convicted Felon (A) Unlawful Possession of a Firearm or Weapon by a Convicted Felon (B)	True Bill
ROGELIO ESCOBAR	First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offense Shooting or Throwing Deadly Missile Discharging a Firearm from a Vehicle	True Bill
MARCO STEVEN DAVIS (A) and RODNEY LABOSSIERE (B)	First Degree Murder (A) Accessory After the Fact (B) Unlawful Possession of a Firearm While Engaged in a Criminal Offense (A)	True Bill

NAME OF DEFENDANT	CHARGE	INDICTMENT <u>RETURNED</u>
CARLA MICHELLE HOLMES	First Degree Murder Attempted Armed Robbery Burglary with Assault or Battery Therein While Armed	True Bill
TERRILL AILEP	First Degree Murder Kidnapping with a Weapon Armed Robbery	True Bill
ROBERTO LEYVA SUAREZ	First Degree Murder Arson First Degree	True Bill
MARCO ELADIO HERRERA	First Degree Murder Attempted First Degree Murder Attempted First Degree Murder Armed Robbery Armed Robbery Armed Robbery Armed Robbery Attempted Armed Robbery	True Bill
MARY LOUISE BUTCHER	First Degree Murder Heroin/Sell/Manufacture/Deliver Possess With/Intent	True Bill
MARY LOUISE BUTCHER	First Degree Murder Heroin/Sell/Manufacture/Deliver Possess With/Intent	True Bill
OMAR ORLANDO JOHNSON	First Degree Murder Robbery Using Deadly Weapon or Firearm	True Bill
ALCIDES MEDINA QUILES	First Degree Murder	True Bill
JANICE TAMARRA GRANT, PATRICE E. TAYLOR and CHARLES ALAN PETIT	First Degree Murder Burglary with Assault or Battery Therein While Armed Armed Robbery Unlawful Possession of a Firearm While Engaged in a Criminal Offense Unlawful Possession of a Firearm by a Convicted Felon Unlawful Possession of a Firearm by a Convicted Felon	True Bill
ROSA I. RODRIGUEZ [Presented by the State Attorney's Office for the 10th Judicial Circuit Of Florida]	Accepting Illegal Campaign Contribution Failure to Truthfully Report Campaign Contribution	True Bill

NAME OF DEFENDANT	CHARGE	INDICTMENT <u>RETURNED</u>
ESUS ALFREDO JORGE	First Degree Murder Aggravated Assault with a Firearm Armed Burglary Unlawful Possession of a Weapon While Engaged in a Criminal Offense	True Bill
JEFFREY TRIVANTY FLANDERS	First Degree Murder Armed Robbery	True Bill

ACKNOWLEDGEMENTS

The idea of serving on a Grand Jury was foreign to most of us six months ago. As we were selected and the process began, we realized how important it was to have a diverse group of citizens representative of our community serving together as part of our judicial system. It has been a wonderful experience to be among a group initially separated by ethnicity and different backgrounds, that quickly came together with the common goal of solving the issues at hand.

This process and our accomplishments as jurors could not have been possible without the tireless efforts of Chief Assistant State Attorney Chet J. Zerlin, whose dedication, knowledge and professionalism made our service a truly rewarding experience. Thank you, Mr. Zerlin, for your guidance and patience during these past months. We would also like to thank Rose Anne Dare, Administrative Assistant, for her hard work in maintaining efficiency in the operations of the grand jury and we would also thank Neo Gil, Bailiff, who was always attentive and made our days enjoyable. Thanks also to Julio Fernandez, our interpreter, for his efforts.

We are especially thankful to the Honorable Judith L. Kreeger and State Attorney Katherine Fernandez Rundle for their professionalism, dedication and continued commitment to the Miami-Dade County community and its judicial system. Their efforts exemplify the leadership that makes the country we live in so great. It has been an honor to work with them.

Respectfully submitted,



Elsie M. Alvarez
Miami-Dade County Grand Jury
Fall Term 1999

ATTEST:



Robert L. Turchin, Jr.
Clerk

Date: July 6, 2000