

MEMORANDUM

July 29, 2011

TO: The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

FROM: Alberto M. Carvalho, Superintendent of Schools *AMC*

SUBJECT: LITIGATION CHALLENGING PROPOSED AMENDMENT NUMBER 7 TO THE FLORIDA CONSTITUTION RELATING TO RELIGIOUS FREEDOM

On Wednesday, July 20, 2011, a complaint challenging Amendment 7 relating to religious freedom was filed in the Circuit Court of the Second Judicial Circuit in Leon County, Florida.

As you may recall, during the 2011 Legislative Session, the legislature passed House Joint Resolution (HJR) 1471 which proposed an amendment to Article I, Section 3 of the Florida Constitution. The proposed amendment would strike the prohibition against spending public tax dollars in support of any church or religious institution and replace it with a provision that would, instead, require public tax dollars to flow to churches and religious institutions.

The lawsuit is joined by leaders of the Florida Education Association, Florida School Boards Association President Lee Swift, the Florida School Administrators Association, representatives of various religious groups, and others in a legal effort to prevent the placement of Amendment 7, on the November 2012 general election ballot. A copy of the complaint can be found at: <http://www.fsba.org/userfiles/File/Amendment7.Complaint.pdf>.

If you have any questions or need additional information, please contact Ms. Iraida R. Mendez-Cartaya, Assistant Superintendent, Office of Intergovernmental Affairs, Grants Administration, and Community Engagement, at 305-995-1497.

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cc: School Board Attorney
Superintendent's Cabinet