

Office of Superintendent of Schools
Board Meeting of January 13, 1999

December 16, 1998

Office of School Board Attorney
Phyllis O. Douglas, Board Attorney

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: FINAL
READING 6GX13- 1C-1.153, BLOOD COLLECTION DRIVE--SOLICITING
FROM STUDENTS IN SCHOOLS**

The School Board of Miami-Dade County, Florida, announced on December 9, 1998, its intention to amend School Board Rule 6GX13- 1C-1.153, Blood Collection Drive--Soliciting from Students in Schools, at the meeting of January 13, 1999.

The Notice of Intended Action was published in the *Miami Daily Business Review* on December 14, 1998 posted in various places for public information, and mailed to various organizations representing persons affected by the amended rule and to individuals requesting notification.

The time to request a hearing or protest the adoption of this rule has elapsed.

In accordance with the provisions of the Administrative Procedure Act, this amended rule is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the rule in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action and the amended rule. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt amended Board Rule 6GX13- 1C-1.153, Blood Collection Drive--Soliciting from Students in Schools, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective January 13, 1999.

POD:im

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NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on December 9, 1998, its intention to amend School Board Rule 6Gx13- 1C-1.153, Blood Collection Drive - - Soliciting from Students in Schools, at its meeting of January 13, 1999.

PURPOSE AND EFFECT: To amend the rule to reflect the current blood collection policy.

SUMMARY: The rule sets forth the procedures for conducting blood collection drives at senior high schools and vocational adult community education centers.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(22); 230.23(17) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23005(5); 381.0601; 743.06 F.S.

IF REQUESTED A HEARING WILL BE HELD DURING THE BOARD MEETING OF January 13, 1999, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by January 4, 1999, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Ms. Phyllis O. Douglas
Date: December 8, 1998

Public Activities Involving Staff and Students**BLOOD COLLECTION DRIVE -- SOLICITING FROM STUDENTS IN SCHOOLS**

Senior High Schools and Vocational/Adult/Community Education Centers

The School Board authorizes that, at the discretion of the principal, senior high schools and vocational/adult/community education centers may participate in blood collection drives with ~~American Red Cross~~ an entity to be selected by the Board through a Request for Proposal. The solicitation may be conducted at senior high schools and vocational/adult/community education centers under conditions that meet all of the following criteria:

- A. The activity is purely voluntary with no financial remuneration to the school or the student. All such participation is to be sanctioned by the principal and approved by the region superintendent.
- B. Students, staff and community members at large who are 17 years of age and older may participate in the blood drive. Individuals 18 years of age and older may consent to the donation of blood without parental permission. Students who are 17 years old must bring a written consent from the parent or guardian.
- C. Donor's consent to the donation of blood shall be secured using the form provided by ~~American Red Cross~~ the blood collector and approved by the Office of Risk and Benefits Management.
- D. Employees or students of a school shall not participate, directly or indirectly, in the process of taking blood from student donors. Students may assist in minor record-keeping chores and distributing refreshments.
- E. The ~~American Red Cross~~ blood collector must provide sufficient trained personnel to monitor the condition of the donor following the giving of blood.
- F. The ~~American Red Cross~~ blood collector must provide a standard certificate of insurance to indemnify and hold harmless The School Board of Miami-Dade County, Florida, its employees and representatives, from and against liability arising out of or in connection with ~~the American Red Cross~~ the entity conducting a blood drive on school property.

Specific Authority: 230.22(2); 230.23(17) F.S.

Law Implemented, Interpreted, or Made Specific: 230.23005(5); 381.0601; 743.06 F.S.

History

New: 8-22-84

Amended: 1-21-87; 7-22-98

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA