

Office of Superintendent of Schools  
Board Meeting of August 25, 1999

August 16, 1999

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: PROPOSED PROMULGATION OF NEW SCHOOL BOARD RULE: FINAL  
READING 6GX13- 8C-1.171, BOARD MEETINGS — DECORUM**

The School Board of Miami-Dade County, Florida, announced on June 23, 1999, its intention to promulgate new School Board Rule 6Gx13- 8C-1.171, Board Meetings--Decorum, at the meeting of August 25, 1999.

The Notice of Intended Action was published in the *Miami Daily Business Review* on June 28, 1999, posted in various places for public information and mailed to various organizations representing persons affected by the new 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 new 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 proposed new rule.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, adopt new School Board Rule 6Gx13- 8C-1.171, Board Meetings--Decorum, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective August 25, 1999.

JB/im

**K-24**

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 23, 1999, its intention to promulgate new School Board Rule 6Gx13- 8C-1.171, Board Meetings--Decorum, at its meeting of August 25, 1999.

**PURPOSE AND EFFECT:** To implement the provisions of §230.173 Florida Statute, which provides for the removal of citizens who become disorderly or disrupt School Board meetings, and further defining unacceptable behavior at School Board meetings.

**SUMMARY:** The rule authorizes the Chair to remove from any School Board meeting any person interfering with the expeditious or orderly process of the meeting after issuing a warning that continued interference with the orderly process of the meeting will result in removal.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 230.22(2); 230.23(17) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 230.173; 230.23005(10) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING OF August 25, 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 July 19, 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 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: Mr. Johnny Brown  
Supervisor: Ms. Phyllis O. Douglas  
Date: June 9, 1999

School Board--Methods of Operation

**BOARD MEETINGS--DECORUM**

The School Board seeks public input and participation. However, the public purpose is not served when citizens become disorderly or disrupt meetings.

The Chair may order the removal, from a public meeting held by the Board, of any person interfering with the expeditious or orderly process of such meeting, provided the Chair has first issued a warning that continued interference with the orderly process of the meeting will result in removal.

Listed below are some of the types of actions which may constitute interference with the expeditious or orderly process of a Board meeting if continued after the appropriate warning.

- 1) Using any form of profanity or loud abusive comments.
- 2) Shouting comments from the audience.
- 3) Carrying of signs or placards which obstruct the view of other citizens.
- 4) Heckling or verbal outbursts in support of or in opposition to a speaker or his or her remarks.
- 5) Clapping and applauding which disrupts the meeting.
- 6) Refusing to yield the podium when the Chair has advised the speaker that his/her time is up.
- 7) Expressing comments which do not address the topic to which the speaker has signed up.

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

Law Implemented, Interpreted, or Made Specific: 230.173; 230.23005(10) F.S.

History

New:

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA