

Office of Superintendent of Schools
Board Meeting of March 13, 2002

February 25, 2002

Johnny Brown, School Board Attorney

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL
READING 6Gx13- 8C-1.16, MINUTES-BOARD MEETINGS**

At the School Board meeting of February 13, 2002, the School Board instructed the Board Attorney to initiate rulemaking procedures by amending the subject rule to require recording the minutes of all publicly noticed meetings of the Board.

The revision to the subject rule adds language by requiring the recording and distribution of minutes of all publicly noticed meetings of the Board for public record and review.

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

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of Board Rule 6Gx13- 8C-1.16, Minutes-Board Meetings.

RECOMMENDED: That the School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Rule 6Gx13- 8C-1.16, Minutes-Board Meetings.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on March 13, 2002, its intention to amend School Board Rule 6Gx13- 8C-1.16, Minutes–Board Meetings, at its meeting of April 17, 2002.

PURPOSE AND EFFECT: The revision to the School Board Rule adds language by requiring the recording and distribution of the minutes of all publicly noticed meetings of the Board for public record and review.

SUMMARY: This rule establishes procedures for the preparation and distribution of the official minutes of all publicly noticed meetings of the Board in accordance with Florida Statutes.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23(1); 230.31; 230.33(3) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF April 17, 2002, 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 April 8, 2002, 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: Mr. Frank J. Bolaños
Date: February 25, 2002

School Board--Methods of Operation

MINUTES--BOARD MEETINGS

The Superintendent of Schools, as Secretary to the Board, shall be responsible for the preparation and distribution of official minutes of Board meetings. (Florida Statute 230.23(1)). The Superintendent of Schools will designate a member of his/her secretarial staff to assist him/her in this responsibility. This person will be called the Recording Secretary to the Board.

I. Contents of Minutes

The minutes shall not be a verbatim record of the actions and proceedings of any meeting of the Board.

The minutes shall record all motions and resolutions, the names of the Board members making and seconding the motions and resolutions, essential explanatory and supporting information, and the vote thereon.

Each member of the Board shall be responsible for seeing that both the minutes and his/her vote are properly recorded.

If any member of the Board wishes any of his/her statements recorded, he/she may request during the meeting that such statement become a part of the minutes.

The minutes shall contain also the name of any individual appearing before the Board during "Scheduled Public Hearings," the substance of his/her remarks, and any action taken.

II. Distribution of Minutes

Minutes of each Board meeting shall be presented for approval either at the next regular meeting of the Board or at an intervening special meeting if the Board desires. Minutes do not become official until they have been formally approved by the Board (Florida Statute 230.23(1)(a)).

The Superintendent of Schools shall determine the distribution to members of the administrative staff.

III. Official Record of Minutes

The Superintendent of Schools, through the secretary designated in his/her office as Recording Secretary to the Board, shall provide for the maintenance of official minutes of the Board in accordance with Florida Statute 230.23.

IV. Examination of Official Minutes by the Public

Copies of the official minutes of the Board shall be available for examination by the general public at the following locations during their regular office hours:

A. School Board Administration Building

1. Office of Recording Secretary to the Board
2. Citizen Information

B. Miami Public Library

V. Making Copies of Official Minutes

Certified copies and extracts of official minutes of the Board which are requested for legal and other authorized purposes shall be prepared and certified by the Recording Secretary to the Board in the Office of the Superintendent of Schools.

VI. Minutes of Other Publicly Noticed Meetings

The Superintendent of Schools, in addition to the regularly scheduled Board meetings, special meetings, or scheduled Public Hearings, shall be responsible for the preparation and distribution of the minutes of all other publicly noticed meetings of the Board (i.e., workshops, ad-hoc committee meetings, etc.).

The official minutes of these meetings shall be approved as determined by the presiding officer at the meeting.

Specific Authority: 230.22(2); 230.23(22) F.S.

Law Implemented, Interpreted, or Made Specific: 230.23(1); 230.23005(10); 230.31; 230.33(3) F.S.

History

Repromulgated: 12-11-74

Amended: 11-6-96

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA