

Paul R. Philip, Chief of Staff

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: FINAL
 READING 6Gx13- 8C-1.171, BOARD MEETINGS—DECORUM**

COMMITTEE: LEGISLATIVE RELATIONS AND POLICY DEVELOPMENT

The School Board of Miami-Dade County, Florida, announced on August 21, 2002, its intention to amend School Board Rule 6Gx13- 8C-1.171, Board Meetings—Decorum, by adding language to ensure a Sergeant-At-Arms is available to the Chair to enforce the rule of order when citizens become disorderly or disrupt School Board meetings, at its meeting of October 23, 2002.

The Notice of Intended Action was published in the *Miami Daily Business Review* on August 26, 2002, 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 rule proposed for amendment. 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 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 October 23, 2002.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on August 21, 2002, its intention to amend School Board Rule 6Gx13- 8C-1.171, Board Meetings—Decorum, at its meeting of October 23, 2002.

PURPOSE AND EFFECT: To provide for the removal of citizens who become disorderly or disrupt School Board meetings, and further defines unacceptable behavior at School Board meetings.

SUMMARY: The amendment to the rule authorizes the Chair to direct the Sergeant-At-Arms to remove from any School Board meeting the removal of any person interfering with the expeditious and orderly process of the meeting after issuing a warning that continued interference with the orderly process will result in removal.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) 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 October 23, 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 September 16, 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 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. Paul R. Philip
Supervisor: Mr. Merrett R. Stierheim
Date: August 9, 2002

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. Accordingly, the removal process will be designated to the Sergeant-At-Arms as determined and directed by the Chair.

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(47 22) F.S.

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

History

New: 8-25-99

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA