

Office of Superintendent of Schools  
Board Meeting of March 17, 2004

March 3, 2004

Office of School Board Attorney  
Johnny Brown, School Board Attorney

**SUBJECT:            PROPOSED AMENDMENT OF SCHOOL BOARD RULE: FINAL  
                          READING 6Gx13- 8C-1.11, BOARD MEETINGS - PRESIDING  
                          OFFICIAL**

**COMMITTEE:        LEGISLATIVE RELATIONS, PUBLIC RELATIONS AND  
                          PERSONNEL SERVICES**

The School Board of Miami-Dade County, Florida, announced on February 11, 2004, its intention to amend School Board Rule 6Gx13- 8C-1.11, Board Meetings - Presiding Official, at the meeting of March 17, 2004, to establish that the use of communications media technology be only at the Organization meeting, and to limit participation and voting of physically absent Board members to extraordinary circumstances as determined by a majority vote of the Board members physically present at the meeting.

The Notice of Intended Action was published in the *Miami Daily Business Review* on February 17, 2004, 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 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-1.11, Board Meetings - Presiding Official, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective March 17, 2004.

**C-22**

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 11, 2004, its intention to amend Board Rule 6Gx13- 8C-1.11, Board Meetings – Presiding Official, at its meeting of March 17, 2004.

**PURPOSE AND EFFECT:** The revision to the Board Rule establishes that the use of communications media technology may only be used at the Organization meeting, and limits participation and voting of physically absent Board members to extraordinary circumstances, as determined by a majority vote of the Board members physically present at the meeting.

**SUMMARY:** To establish that a majority vote of the Board members physically present is required at the Organization meeting for the use of communications media technology.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 1001.371; 1001.43(10) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF March 17, 2004, 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 March 9, 2004, 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. Johnny Brown  
Date: January 28, 2004

School Board--Methods of Operation**BOARD MEETINGS – PRESIDING OFFICIAL**

## I. Organizational Meeting

At the organizational meeting, the Superintendent of Schools shall act as chair until the organization is completed, after which the elected chair shall preside.

## II. Regular and Special Meetings

At all regular and special meetings of the Board, the elected chair shall preside. In the absence of the chair, the vice-chair shall preside. If neither the chair nor vice-chair is present, those Board members attending will select a chair by mutual consent.

III. Communications Media Technology

Communications Media Technology may be used only at the Organization meeting where a quorum is present to allow a physically absent member of the Board to participate and vote. Such participation shall be limited to extraordinary circumstances as determined by a majority vote of Board members physically present at the Organization meeting.

Specific Authority: ~~230.22(2)~~ 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

Law Implemented, Interpreted, or Made Specific: ~~230.15~~ 1001.371; 1001.43(10) F.S.

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Technical Changes: 10-23-96

Amended: