

Frank J. Cobo, Member

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: INITIAL READING
6Gx13- 1C-1.10, FUNDS-SOLICITATION OF BY STUDENTS AND
SCHOOL ORGANIZATIONS**

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

The proposed amendment to School Board rule 6Gx13- 1C-1.10, Funds-Solicitation of By Students and School Organizations, reflects the action proposed and approved by the School Board at its meeting of March 17, 2004, to emphasize and ensure safety guidelines for student fund-raising activities.

Fund-raising activities play an integral role throughout the district by providing support of school programs at all levels, supplementing many activities and athletic programs. The amendment to the rule addresses and establishes the procedures of student safety by specifically prohibiting roadside solicitations. In addition, language to discourage solicitation of cash donations and procedures for school principals who decide to approve such solicitation has been added.

Attached is 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- 1C-1.10, Funds-Solicitation of by Students and School Organizations.

ACTION PROPOSED BY

FRANK J. COBO:

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 Board Rule 6Gx13- 1C-1.10, Funds-Solicitation of by Students and School Organizations.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 16, 2004, its intention to amend Board Rule 6Gx13- 1C-1.10, Funds-Solicitation of by Students and School Organizations, at its meeting of August 18, 2004.

PURPOSE AND EFFECT: To ensure satisfactory safety guidelines for student fund-raising activities and place restrictions on solicitation of funds, specifically prohibiting roadside solicitation of funds.

SUMMARY: Board Rule 6Gx13- 1C-1.10, Funds-Solicitation of by Students and School Organizations, establishes guidelines and procedures for student fund-raising activities emphasizing student safety.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1001.41(3) F. S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 18, 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 regulatory alternative as provided by Section 120.541(2), F. S., must do so in writing by July 13, 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 to the public for inspection and copying at cost in the Citizen Information Center, Room 158, 1450 N. E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Frank J. Cobo
Date: June 2, 2004

Public Activities Involving Staff or Students**FUNDS--SOLICITATION OF BY STUDENTS AND SCHOOL ORGANIZATIONS**

Upon occasion, school organizations desire to raise funds to support their activities through student solicitation of funds from the public. Such solicitations are sometimes in the form of "tag days," candy sales, car washes, and similar fund-raising activities.

Because of the safety hazards to the individual student involved in such fund solicitation, ~~as well as the possibility of creating a poor public image of the school in the mind of the public which supports the school through tax funds;~~ the following guidelines shall be observed:

1. No student, school organization, or member of the school staff may solicit funds in the name of the school from the public for any purpose without prior approval of the school principal and the region ACCESS Center assistant superintendent or his/her designee.
- ~~2. Solicitation through the use of "tag days" is expressly prohibited.~~
- ~~2.~~ 3. The sale of magazines by students in grades 9, 10, 11, and 12 shall be permitted only in accordance with the procedures specified in School Board Rule 6Gx13- 5C-1.07, Student Organizations-Fund Raising.
3. Roadside solicitation of funds is strictly prohibited. Participants in school approved candy sales, car washes, and similar fund-raising activities are prohibited from standing in roadways and/or medians of roadways.
4. Solicitation of cash donations from the public is discouraged; however, should the school principal decide to approve such solicitation, approval from the Access Center's assistant superintendent must be obtained in advance. All approvals must be in writing using the approved M-DCPS forms and must be retained at the school for audit purposes.

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

Law Implemented, Interpreted, or Made Specific: 230.22 1001.41(3) F. S.

History:**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

Repromulgated: 12-11-74

Technical Change: 5-1-98