

Dr. Michael M. Krop, Chair

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL
READING 6Gx13- 4A-1.18, ASSIGNMENT – MEMBERS OF SAME
FAMILY**

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

This item is submitted for consideration by the Board to amend School Board Rule 6Gx13-4A-1.18, Assignment – Members of Same Family. At its meeting of June 16, 2004, discussion regarding current language of the School Board rule took place and I advised the Board that I would propose an amendment to the rule in order to implement a review process on employment of members of the same family. Therefore, I have proposed an amendment to the Board rule for the mechanism to grant an exception to the Board policy for good and sufficient cause provided that the Superintendent notifies the Board in writing of the exception and the basis for the exception.

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- 4A-1.18, Assignment – Members of Same Family.

**ACTION PROPOSED BY
DR. MICHAEL M. KROP:**

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- 4A-1.18, Assignment – Members of Same Family.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 14, 2004, its intention to amend Board Rule 6Gx13- 4A-1.18, Assignment – Members of Same Family, at its meeting of August 18, 2004.

PURPOSE AND EFFECT: The revision is to provide for a mechanism to grant an exception to the Board policy for good and sufficient cause

SUMMARY: To Board rule establishes the policy and the process regarding direct supervision and employment of members of the same family by administrative supervisors.

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: 1001.42(22); 1001.43(1) 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 cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by August 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 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: Dr. Michael M. Krop
Date: June 30, 2004

Permanent Personnel**ASSIGNMENT--MEMBERS OF SAME FAMILY**

Administrative supervisors may not employ or directly supervise relatives at the same work location unless the Superintendent or the Superintendent's designee, for good and sufficient cause, grants an exception to this policy and notifies the School Board in writing of the exception and the basis for the exception. In no event shall the exception be made for more than one (1) year.

The administrative supervisor of any District entity or office shall disclose to the Superintendent of Schools or his/her designee any relative for whom the supervisor is responsible as to employment decisions, payroll authorization or job performance evaluations. All employees shall disclose to the Superintendent of Schools or his/her designee, the names of all relatives working at the same work location. Failure to immediately so advise shall be grounds for disciplinary action, up to and including dismissal.

School Board personnel may not directly or indirectly recommend independent contracts between the School Board and any relative.

Work location is defined to include payroll cost center or any administrative unit under the direct supervision of a permanent employee of the school system.

"Relative" with respect to an administrative supervisor means an individual who is related to the supervisor as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandfather, grandmother, grandchild or any person who resides in the same residence as the supervisor.

In the event of substantiated charges of favoritism or disruptive repercussions at a work site, based on family relationship, the appropriate area, bureau or district office will be responsible for effective resolution of the issue.

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

Law Implemented, Interpreted, or Made Specific: 1001.42(22); 1001.43(1) F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 2-22-84; 7-13-88; 1-14-04