

Perla Tabares Hantman, Member

SUBJECT: THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA DIRECT THE SUPERINTENDENT AND BOARD ATTORNEY TO INITIATE RULEMAKING ON THE NOTICE REQUIREMENTS OF PUBLIC MEETINGS OF THE SCHOOL BOARD AND ITS ADVISORY COMMITTEES

COMMITTEE: INNOVATION, EFFICIENCY AND GOVERNMENTAL RELATIONS

Public meetings of the School Board and all Advisory committees to the Board have certain mandatory notice requirements as provided by law. By way of example, the Administrative Procedure Act, Chapter 120 of the Florida Statutes, requires that all meetings of the full Board, including hearings and workshops require publication of notice of the meeting and the agenda at least seven days prior to the scheduled event. Section 120.525, Florida Statute.

Similarly, advisory Boards and committees are subject to the Sunshine Law, Section 286.011, Florida Statute, which requires, among other things, *that reasonable notice* be given to the public of the date, time and location of the meeting and that minutes of the meeting be kept and preserved. Generally, board advisory committees, including School Board committees, provide five day notice of the scheduled meeting; however, this requirement has not been promulgated through rulemaking.

In order to ensure proper compliance with Florida laws pertaining to the public notice required by law for meetings of the full Board and its Advisory committees, the Board Attorney and the Superintendent should initiate rulemaking to provide clear direction in this area, which, by necessity, would include the legal and operational notice requirement for each type of meeting. Such requirements must designate the specific legal requirements for each type of meeting as well as the responsible entity or individual responsible for meeting these requirements.

Accordingly, this item requests that the Superintendent and the Board Attorney provide definitive guidance in this area.

B-15

ACTION PROPOSED BY

MS. PERLA TABARES HANTMAN:

That The School Board of Miami-Dade County, Florida direct the Superintendent and Board Attorney to:

1. initiate rulemaking on the notice requirements of public meetings of the School Board and its advisory committees; and
2. that until such rule(s) are put into place that the School Board Attorney's office shall give advice to the Superintendent's office on the appropriate, required notice provisions referred to above to ensure compliance.