

MEMORANDUM

May 16, 2005

TO: Chair and Members of The School Board of Miami-Dade County, Florida
Rudolph F. Crew, Ed.D., Superintendent of Schools

FROM: Johnny Brown, School Board Attorney



SUBJECT: WITHDRAWAL OF AGENDA ITEM G-3 - PROPOSED ENACTMENT OF SCHOOL BOARD RULE: INITIAL READING 6Gx13-4A-1.33, PROCEDURES FOR EMPLOYEES FILING COMPLAINTS COVERED BY FLORIDA WHISTLE-BLOWER ACT

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

Agenda Item G-3 initiating rulemaking for a new Board Rule covering employee Whistle-Blower Act complaints has been withdrawn from the May 18, 2005, School Board Agenda.

At the May 12, 2005, School Support Accountability Committee, a motion was approved recommending that Item G-3 be withdrawn and that the proposed new School Board Rule establishing procedures for the filing, investigating, and reporting Whistle-Blower Act complaints be presented to the School Board's Audit Committee at its regularly scheduled June, 2005 meeting. After the Audit Committee's suggestions and recommendations regarding the proposed Rule are reviewed by the Board Attorney's Office, the proposed Rule will be submitted for initial reading at the following School Board meeting.

In accordance with the Committee's recommendation, Item G-3 is being withdrawn and the proposed Rule will be presented to the Audit Committee at its June 28, 2005, meeting.

Should you have any questions regarding this matter, please contact me at 305-995-1304, at your earliest convenience.

LMG/dlp

Attachment

cc: Superintendent's Cabinet
Luis M. Garcia, Esq.
Ms. Ileana Martinez

Office of Superintendent of Schools
Board Meeting of May 18, 2005

May 4, 2005

Office of School Board Attorney
Johnny Brown, Board Attorney

**SUBJECT: PROPOSED ENACTMENT OF SCHOOL BOARD RULE: INITIAL
READING 6Gx13-4A-1.33, PROCEDURES FOR EMPLOYEES FILING
COMPLAINTS COVERED BY FLORIDA WHISTLE-BLOWER ACT**

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

At its April 13, 2005 School Board meeting, the School Board passed agenda Item B-3, directing the School Board Attorney to initiate rulemaking to enact a Board Rule that would provide guidelines to school district personnel for the filing of complaints covered by Florida's Whistle-Blower Act, §112.3187-112.31895, Fla. Stat. (2004).

The proposed Rule establishes uniform procedures for employees of Miami-Dade County Public Schools (M-DCPS) who file complaints covered by Florida's Whistle-Blower Act and sets forth a process for the investigation of these complaints. In addition, the proposed Rule codifies the school district's adherence to a non-retaliation policy to protect employees who file legitimate Whistle-Blower Act complaints.

Attached are the Notice of Intended Action and the proposed Board Rule.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the promulgation of new School Board Rule 6Gx13-4-A1.33, *Procedures for Employees Filing Complaints Covered by Florida's Whistle-Blower's Act*.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Act to promulgate new School Board Rule 6Gx13-4A-1.33, *Procedures for Employees Filing Complaints Covered by Florida's Whistle-Blower's Act*.

LMG/dlp

WITHDRAWN
(May 16, 2005)

G-3