

Office of Superintendent of Schools
Board Meeting of August 17, 2005

August 3, 2005

Freddie Woodson, Associate Superintendent
School Operations

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: FINAL READING
6Gx13- 1C-1.15, FUNDS—SOLICITING FROM STUDENTS AND
SCHOOL BOARD AUTHORIZATION**

COMMITTEE: INSTRUCTIONAL EXCELLENCE & COMMUNITY ENGAGEMENT

The School Board of Miami-Dade County, Florida, announced on June 15, 2005, its intention to amend School Board Rule 6Gx13- 1C-1.15, Funds-soliciting from students and School Board authorization, at its meeting of August 17, 2005.

The Notice of Intended Action was published in the *Miami Daily Business Review* on June 20, 2005, posted in various places for public information, and mailed to various organizations representing persons affected by the amended 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 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 amended rule. 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 Board Rule 6Gx13- 1C-1.15, Funds—Soliciting from Students and School Board Authorization, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, effective August 17, 2005.

KP:pra

C-100

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 15, 2005, its intention to amend Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization, at its meeting of August 17, 2005.

PURPOSE AND EFFECT: To provide students opportunity to participate in national/state fund-raising drives for the 501(c)(3) public charity supported by student clubs' national/state sponsoring organization provided the fund-raising activity follows all Miami-Dade County Public Schools guidelines for fund-raising and is not conducted concurrently with the United Way of Miami-Dade County student campaign.

SUMMARY: Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization, establishes guidelines and procedures for student fund-raising for humanitarian causes and charitable organizations.

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 17, 2005, 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 for a lower cost regulatory alternative as provided by Section 120.541(1) F.S. must do so in writing by July 12, 2005, 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. F. Craig Sturgeon
Supervisor: Mr. Freddie Woodson
Date: May 31, 2005

Revised
Subsequent to
Initial Reading
on 6/15/05

Public Activities Involving Staff or Students

**FUNDS—SOLICITING FROM STUDENTS AND SCHOOL BOARD
AUTHORIZATION**

I. Authorization for United Way of Miami-Dade County Solicitation

The School Board authorizes the United Way of Miami-Dade County solicitation among elementary and secondary school students for the following purposes:

- A. to create a habit on the part of future citizens of participating in community-wide activities;
- B. to create an awareness of the purpose of the United Way of Miami-Dade County by the active participation of students; and
- C. to develop active leadership on the part of students in carrying on community activities which will be limited to the school community of which they are a part.
- D. The Board authorizes the Superintendent of Schools to determine the period of time the United Way of Miami-Dade County student campaign will be conducted in Miami-Dade County Public Schools, in concurrency with the United Way of Miami-Dade County community-wide campaign.

II. Authorization for Student Participation in Fund-raising Activities

The School Board authorizes schools to participate, at the discretion of the principal, in fund-raising activities of voluntary health agencies.

- A. Participation of the school is to be limited to publicizing the activity, e.g., through posters, club activities, making available materials for distribution at a central location, and permitting school organizations and clubs to cooperate with the agencies. All such participation is to be approved, in advance, by the principal or the principal's designated representative.
- B. The school name may not be used in connection with fund-raising activities nor may funds be solicited during school hours on school property.
- C. Staff members will not be responsible for organizing drives or handling funds.

III. Authorization for Scholarship Saturday Events

The Superintendent may authorize students to participate in fund-raising activities for Scholarship Saturday.

IV. Authorization for Limited Senior High School Club Participation in Fund-raising Activities for Charitable Purposes

The School Board authorizes senior high school clubs to participate, at the discretion of the principal, in fund-raising activities for charitable purposes.

A. A senior high school club may fund-raise or donate to the national/state 501(c)(3) public charity supported by the club's national/state sponsoring organization provided that the fund-raising involved follows all Miami-Dade County Public Schools guidelines as stated in the *Manual of Internal Fund Accounting* for fund-raising.

B. Such fund-raising may not be conducted concurrently with the United Way of Miami-Dade County student campaign in the Miami-Dade County Public Schools except when the 501(c)(3) public charity fund-raising drive supported by the club's national/state sponsoring organization occurs during the United Way student campaign.

IV: V. Authorization for Exceptions

The School Board recognizes that it is not possible to incorporate every situation or event into the guidelines and, therefore, allows for exceptions to be made on an individual basis, as determined by specific merits of each occurrence. Requests for such exceptions must be approved by the Superintendent of Schools and shall be transmitted to the School Board.

Specific Authority: 230.22(2) F.S.; 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.
Law Implemented, Interpreted, or Made Specific: 230.22(1) F.S.; 1001.41(1) F.S.

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

Repromulgated: 12-11-74

Amended: 8-25-77; 7-25-79; 4-22-92; 6-24-92; 7-22-98

Revised
Subsequent to
Initial Reading
on 6/15/05