

Rudolph F. Crew, Ed. D., Superintendent of Schools

SUBJECT: PROPOSED AMENDMENT TO SCHOOL BOARD RULES: INITIAL READING 6Gx13- 8C-1.15, AGENDA—REGULAR AND SPECIAL MEETINGS; AND 6Gx13- 8C-1.23, SCHOOL BOARD COMMITTEE STRUCTURE

LINK TO DISTRICT
STRATEGIC PLAN: GENERAL OPERATIONS

At its January 31, 2007 Governance Workshop, the Board members deliberated over several proposed changes to the School Board's regular monthly meeting format, and to the order and presentation of the Agenda for these meetings. Subsequently, the Board adopted a number of the recommended changes at its February 8, 2007 Special School Board meeting. Some of the changes require that the Board commence rulemaking in order to formalize the proposed changes.

Specifically, the Board approved the proposed manner in which items or initiatives submitted by Board members are placed on the Agenda. Proposed Board member items—to be referred to as proposed Board member initiatives, will first be presented to the pertinent School Board Committee. At that time, Committee members will address these initiatives and those initiatives receiving the majority approval of the Committee members will be submitted for inclusion in the Agenda.

In accordance with the Board's decision to request rulemaking to adopt changes to the process for review of Board member items, this item is submitted for consideration by the Board, to amend School Board Rules 6Gx13- 8C-1.15, Agenda Regular and Special Meetings, and 6Gx13- 8C-1.23, School Board Committee Structure.

Attached are the Notice of Intended Action and the proposed School Board Rule. 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 School Board Rules 6Gx13- 8C-1.15, Agenda Regular and Special Meetings, as well as 6Gx13- 8C-1.23, School Board Committee Structure.

RECOMMENDED: 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 Rules 6Gx13- 8C-1.15, Agenda Regular and Special Meetings, as well as 6Gx13- 8C-1.23, School Board Committee Structure.

LMG/pyc

**REPLACEMENT
E-201**

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 14, 2007, its intention to amend School Board Rule 6Gx13- 8C-1.15, *Agenda—Regular and Special Meetings*, at its meeting of April 18, 2007.

PURPOSE AND EFFECT: The purpose of amending this rule is to require that each agenda submitted by Board members for inclusion on the Agenda for each monthly School Board meeting must first be presented at and be approved by a majority of School Board members at the relevant School Board Committee meeting.

SUMMARY: To establish a process for the review and approval of proposed Board member initiatives prior to their inclusion on the monthly School Board meeting's Agenda.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1), (2); 1001.42(23); 1001.43(10), F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 120.525(2); 1001.43(10), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF April 18, 2007, 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 provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by March 13, 2007, 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 NEW 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: Agustin Barrera, Chair
Date: February 8, 2007

School Board--Methods of Operation**AGENDA--REGULAR AND SPECIAL MEETINGS**

- I. Responsibility for Preparation and Distribution of the Board Agenda
 - A. The Superintendent of Schools shall be responsible for the preparation and distribution of the agenda for regular and special meetings of the Board. The agenda shall contain, in order of presentation, a listing of each subject and, if appropriate, the recommendation(s) for each item to be considered by the Board.
 - B. On occasion, holder agenda items may need to be developed in preparation of the agenda when there is insufficient information to provide a full description of the action being proposed. Holder agenda items shall describe in as much detail as possible, the purpose, and the intent of the item.
 - C. The agenda for each Board meeting shall be prepared and distributed in accordance with the requirements of the State of Florida Administrative Procedure Act.

- II. Publication of the Agenda for Regular and Special Meetings

The Administrative Secretary to the Board, designated by and under the direction of the Superintendent of Schools, shall be responsible for publication of the agenda for regular and special meetings.

- A. The agenda for a regular meeting shall be published at least seven (7) days prior to the meeting.
- B. The agenda for a special meeting of the Board shall be prepared upon the calling of the meeting and shall be distributed as widely as practical at least 48 hours prior to the meeting.

- III. Items Board Members Wish to Include in the Agenda

Board members who have items, including resolutions, which they wish to have considered at regular Board meetings should submit such items to the Superintendent of Schools for inclusion in the agenda at least nine (9) calendar days prior to a regular Board meeting. Proposed Board member items or initiatives will only be

placed on the Agenda for the Board's consideration after the proposed Item or initiative has been approved by a majority of the Board members present at the monthly School Board Committee meetings. Those proposed items or initiatives not approved by a majority of the Board members present will not be considered as having been placed on the Agenda, and will not be considered at the regular Board meeting. The process to be followed by the Board in approving proposed Board member items or initiatives is outlined under School Board Rule 6Gx13-8C-1.23 (School Board Committee Structure).

IV. Changes in the Agenda

The agenda shall contain the items to be considered, in the order of presentation. After the agenda has been made available, a change shall be made only for good cause, as determined by the Chair, and stated in the record. Notification of such change shall be at the earliest practicable time. Proposed Board member items or initiatives will be marked as proposed or conditional items and published at the same time as the published Agenda until approved by a majority of the Board members present at the monthly School Board Committee meetings.

V. Distribution of the Agenda

A. To Members of The School Board of Miami-Dade County, Florida

The agenda of regular meetings shall be distributed to members of the Board and the student advisor at least seven (7) days in advance of the meeting date. Copies also will be made available to the administrative assistants to the members of the Board.

B. To Administrative Staff within the School System and Recognized Employee Organizations

The Superintendent of Schools shall determine the administrative staff of the school system to whom the agenda for regular and special meetings of the Board will be distributed in advance of the meetings.

The Superintendent of Schools shall distribute the agenda to employee organizations as provided for in the collective bargaining agreements with approved bargaining units.

C. To Individuals and Organizations Outside the School System

1. A copy of the agenda may be examined and/or obtained by an interested person at the Citizen Information Center after the agenda is published.

For news media representatives, the County Council PTA/PTSA Executive Board, the Miami-Dade County Association of Student Government Presidents, and other governmental education-related community agencies, copies of the agenda will be made available to them in the most efficient manner at no cost through the Citizen Information Center. The approved distribution shall be coordinated by the Office of Deputy Superintendent of Schools. Requests for other distribution may be made by the Superintendent of Schools or any Board member.

2. A copy of the agenda also will be available at the Citizen Information Center, the Region Offices and selected Adult Education Centers for the public's examination prior to and during Board meetings.
3. The agenda will be available via the Internet and may be accessed via the M-DCPS home page at <http://dcps.dade.k12.fl.us>.

VI. Distribution of Supplemental Materials and Documents to the Agenda

A. To Members of The School Board of Miami-Dade County, Florida

Prior to each meeting of the Board, the Superintendent of Schools will distribute to each Board member and the student advisor supporting materials and documents prepared to accompany the items which are included on the agenda. This document, containing recommendations and reports, will be made available to members of the Board as soon as possible following distribution of the agenda but no less than three (3) days in advance of the meeting unless unforeseen circumstances prevent this from being done.

Copies of the supporting materials and documents also will be made available to the administrative assistants to the members of the Board.

- B. To Administrative Staff within the School System and Recognized Employee Organizations

The document containing supplemental materials to the agenda will be distributed to the administrative staff of the school system as determined by the Superintendent of Schools. The Superintendent of Schools shall distribute this document to employee organizations as provided for in the collective bargaining agreements with approved bargaining units.

The distribution of this document, though, shall be kept to an absolute minimum because of the expense involved in preparing copies of all documents and materials.

- C. For news media representatives, the County Council PTA/PTSA Executive Board, the Miami-Dade County Association of Student Government Presidents, and other governmental and education-related community agencies, copies of the supplemental materials will be made available to them in the most efficient manner at no cost through the Citizen Information Center. The distribution of these materials shall be kept to an absolute minimum because of the expense involved in preparing copies of all documents and materials.

A copy of these materials will be available at the Citizen Information Center for public examination prior to and during Board meetings.

Specific Authority: ~~230.22(2); 230.23(20)~~ 1001.41(1),(2); 1001.42(23), F.S.

Law Implemented, Interpreted, or Made Specific: 120.525(2); ~~230.23005(10)~~
1001.43(10)F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Technical Change: 5-1-98

Amended: 7-26-78; 12-13-96; 10-20-99; 5-17-00

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Originator: Agustin Barrera, Chair
Date: February 8, 2007

School Board--Methods of Operation**SCHOOL BOARD COMMITTEE STRUCTURE****I. Objective**

The objective of the School Board Committee structure is to strengthen the Board's role as policy-maker and provide the opportunity for Board members to formulate, review, analyze and deliberate policy recommendations prior to consideration by the full Board.

II. Establishment

The School Board is authorized to designate standing committees in such number as it may deem necessary for the purpose of formulating, reviewing, analyzing and deliberating policy recommendations for particular organizational areas of the school system prior to consideration by the full Board. Subject to change or modification as deemed necessary by the Chair, four committees are established with respect to the organizational areas listed below. In addition, specific strategies outlined in the District Strategic Plan will be explicitly tied to each committee.

- A. Instructional Excellence and Community Engagement - Develops policy and considers matters related to pre-kindergarten through secondary curriculum and instruction, educational planning and assessment, exceptional student education, student services, schools of choice, federal programs, all grants administration, including Title I, adult, vocational and alternative education, community schools and services, increasing the graduation rate and decreasing the dropout rate, education evaluation and research, parental involvement, Parent Academy, community relations, media communications, public relations, information and marketing, and related procurement and rulemaking. The district-wide Teacher of the Year will serve as a non-voting ex-officio member.
- B. School Support Accountability - Develops policy and considers matters related to supporting the delivery of educational services at the school site including, attendance services and boundaries, school security, police and district safety, student discipline, uniforms, school improvement zone, educational facilities compliance, personnel, wage and salary, human resources, leave and retirement, employee support programs, teacher education certification, professional standards, professional development, equal educational opportunity and diversity compliance, labor relations and related school operations procurement and rulemaking. The district-wide Principal of the Year will serve as a non-voting ex-officio member.

- C. Innovation, Efficiency and Governmental Relations - Develops policy and considers matters related to district-wide accountability, systemic reform, strategic planning, performance improvement, management and compliance audits, budget, financial investments, risk and benefits management, information technology, energy management, transportation, food services, legislative and intergovernmental policies and related procurement and rulemaking. A representative of the Coalition of Unions will serve as a non-voting, ex-officio member.
- D. Facilities and Construction Reform - Develops policy and considers matters related to real estate, land acquisition and development, growth management, facilities planning, construction, maintenance, plant operations, and related construction and maintenance procurement and rulemaking. A representative from the community will be appointed by the Chair of the Board and will serve as a non-voting member.

III. Membership

- A. ~~The Chair and Vice Chair of the Board will serve as non-voting, ex-officio members of each Committee they do not directly serve on.~~ Except as specified in subsection C. below, E each Committee will be composed of four voting School Board members, appointed by the Chair of the Board. The Chair of the Board shall also appoint the Chair, Vice Chair and Ex-Officio members to each Committee. Each Board member other than the Chair of the Board will serve on two Committees.
- B. Committee appointees will serve for one year, and the appointments will be made following the November Organizational meeting.
- C. Any Board member may attend any or all Committee meetings; however, only the four appointed members of a Committee are empowered to vote, with the exception that, with respect to items or initiatives proposed by Board members, any Board member present may vote on said proposal whether they are member of the Committee or not.

IV. Powers

- A. The Chair of each Committee will call meetings of the Committee and, in collaboration with the appropriate staff liaison, will establish the agenda for each Committee meeting.
- B. The Committee may consider agenda items or matters being presented by staff to the full Board for consideration, unless such matters are not appropriate for such review. The Committee may consider other issues within the given organizational area which the Committee Chair believes should be addressed.

1. Matters which are not appropriate for Committee review include the names of candidates recommended by the Superintendent for assignment, transfer, or appointment to positions, employee disciplinary matters, matters to be considered in Executive Session, matters involving litigation, settlements, resignations and attorney work product from the Board Attorney, and any other matters which the full Board deems inappropriate for Committee review.
 2. Matters relating to personnel reorganizations shall be governed by the provisions of School Board Rule 6Gx13- 4A-1.15, Assignment, Transfer, and Appointment – Administrative Positions.
 3. The annual budget may be considered by the Innovation, Efficiency and Governmental Relations Committee, at the discretion of the Committee Chair, prior to consideration by the full Board. Should the Committee Chair choose to call a Committee meeting to review the annual budget, such meeting will be held in a budget workshop format and all Board members will be invited to attend and participate.
- C. Each Committee is authorized to invite public officials, public employees or private individuals to appear before the Committee for the purpose of obtaining information.
- D. Except as specified in section III above, f For any matter which will be considered by the full Board, the Committee may make one of the following recommendations:
1. approval
 2. disapproval
 3. approval with modification
 4. forward to full Board with no recommendation
- E. The presence of two or more members of a Committee shall constitute a quorum for voting purposes. The Board's Chair shall appoint two alternate members to serve on each School Board Committee. In those instances where at least two members of a Committee are not present, any School Board member who has been designated to serve as an alternate member of the Committee may be counted as a member of the Committee for purposes of establishing a quorum. In the event of an anticipated absence, Committee members shall notify the Committee's Chair, so that alternate members are advised that their attendance at the meeting is requested. In the absence of a quorum, all Board agenda items scheduled to be considered by the Committee will be forwarded to the full Board with no recommendation.

- F. In the event that a monthly meeting is not called by the Committee Chair, the Vice Chair or a member of the Committee who wishes to convene a meeting may request the meeting through the Chair of the Committee, who shall then schedule the meeting in accordance with the notice provisions of the Sunshine Law. No scheduled Committee meeting shall be canceled if any member of the Committee wishes to convene the meeting.
- G. In the event that the Chair of a Committee is unavailable for a scheduled Committee meeting, the Vice Chair will serve as Chair. In the event the Chair and Vice Chair are unavailable, either remaining member by agreement of the membership may serve as Chair of the Committee meeting.
- H. Once considered by Committee, agenda items and matters to be considered by the full Board will be forwarded to the full Board with the Superintendent's recommendation. The full Board will also be advised of the Committee's recommendation in a manner to be determined by the Committee Chair. Proposed items and initiatives submitted by Board members will be forwarded to the full Board for placement on the monthly School Board meeting Agenda only upon a favorable majority vote of the Board members present at the Committee vote.

V. Staff Liaison and Resource Persons

The Superintendent of Schools shall designate at least one staff liaison to each Committee, who will be responsible for staff support, including the notification of meetings, preparation of agendas, documentation of meetings by tape recording and development of reports and data for use of the Committee, as required. The staff liaison shall prepare minutes of Committee meetings in a uniform format and transmit them to the full Board prior to each regularly scheduled Board meeting. Committee requests for reports, data and information requiring monetary expenditures or excessive use of staff time and resources must be first authorized by the full Board.

VI. Miscellaneous

- A. Scheduling - The Committee meetings addressing the monthly School Board agenda shall occur after the publication of the official agenda and prior to the regularly scheduled monthly School Board meeting. The Chair of each Committee is responsible for scheduling the Committee meeting.
- B. Agenda items from the Superintendent or staff and the Board Attorney shall include the name of the appropriate Committee where the item will be discussed. Board members' proposed agenda items shall include the

name of the Committee where the item will be discussed. For convenience, Board members may take an agenda item to a Committee to which they belong.

- C. Sunshine Law - all Committee meetings shall be conducted in accordance with the Sunshine Law. (Chapter 286, Florida Statutes)
- D. Speakers - a place on the Committee agenda shall be reserved for public input and participation.
- E. Rules of Order - Robert's Rules of Order will govern Committee meetings.

Specific Authority: 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.
Law Implemented, Interpreted, or Made Specific: 1001.32(2);
1001.41(2)(5); 1001.43(10) F.S.

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
New: 12-10-97
Amended: 3-13-02; 6-19-02; 10-22-03; 3-17-04; 5-18-05; 3-15-06

