

Rudolph F. Crew, Superintendent of Schools

**SUBJECT: ANNUAL REPORT OF THE ETHICS ADVISORY COMMITTEE**

**COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS**

**LINK TO DISTRICT**

**STRATEGIC PLAN: ENSURE ADEQUATE AND EFFECTIVE INTERNAL  
CONTROLS AND OPERATIONAL EFFICIENCY**

The Ethics Advisory Committee is hereby submitting its annual report to the School Board. The document includes attachments that list the committee's many endeavors and accomplishments since its creation by the School Board in March 2002. This report will be presented by its Chair, Ms. Jane Moscovitz, Esq.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, receive the Annual Report of the Ethics Advisory Committee.



# Miami-Dade County Public Schools

*giving our students the world*

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

**Ethics Advisory Committee**  
Jane W. Moscovitz, Esq., Chair  
Dr. Susan Angulo, Vice Chair  
Jaqueline Becerra, Esq.  
Roberta Kressel  
Dr. Susan Mullane  
Daneen Regna  
Frederick F. Thornburg, Esq.

**Miami-Dade County School Board**  
Agustin J. Barrera, Chair  
Dr. Martin Karp, Vice Chair  
Renier Diaz de la Portilla  
Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Robert B. Ingram  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

November 1, 2007

The Honorable Chair and  
Members of The School Board of Miami-Dade County, Florida  
Dr. Rudolph F. Crew, Superintendent of Schools

I am pleased to provide you with the Ethics Advisory Committee's (EAC) annual report. During Fiscal Year 2006-2007 the committee met seven times. The following highlights our accomplishments:

- Enacted a Code of Ethics that addresses the different needs of the students; Board Members, administrators and teachers; and those who do business with the District.
- Prepared a Business Code of Ethics for vendors.
- Reviewed Ethics in the School Curriculum.
- Reviewed various Board Rules.
- Recommended a Civility Rule.
- Kept abreast of and supported Inspector General and other oversight activities.
- Reviewed issues of concern from Board members.

The Committee wants to take this opportunity to make available to the School Board the correspondence issued during the year included as **ATTACHMENT A**. Also attached are: the Annual Report of the Ethics Advisory Committee, presented to the School Board at the June 14, 2006 meeting, included as **ATTACHMENT B** and the official agenda of the May 26, 2005 EAC/Board Workshop and related materials/reports from the EAC included as **ATTACHMENT C**.

The work done since its founding by the School Board reflects the Committee's dedication to its mission to promote high standards of ethical conduct. The EAC will continue to meet in FY 2007-2008 and welcomes the continued support and participation of the School Board and administration.

Sincerely yours,

Jane W. Moscovitz, Esq., Chair  
Ethics Advisory Committee

## **ANNUAL REPORT OF THE ETHICS ADVISORY COMMITTEE**

This report summarizes the issues addressed by the Ethics Advisory Committee (EAC) for the school year 2006-2007. The EAC's goals are to restore the public confidence in our public schools by promoting ethical behavior and educating all stake holders as to the required standards of ethical conduct.

The EAC is composed of seven (7) independent volunteers who are appointed for staggered terms of four years. To assure our independence, the seven volunteer members are appointed by specifically designated judicial, academic, or other community institutions that are not influenced by the School Board. From the time the Committee was created in 2002, the EAC members have promoted professionalism and dedication in conducting the business of the Committee.

The members during the 2006-2007 school year were:

- Ms. Jane W. Moscovitz, Esq., appointed by the Chief Judge of the Eleventh Judicial Circuit of Florida, chaired the Committee this year. Ms. Moscovitz is a member of the law firm of Moscovitz & Moscovitz, P.A. and is a former Assistant U.S. Attorney.
- Mr. James Howe, served as Vice Chair during the year. He was appointed by the Greater Miami Chamber of Commerce. Mr. Howe is the Executive Director of the National Conference for Community and Justice of Greater Miami and also serves on several boards. Mr. Howe stepped down from EAC membership, in June 2007.
- Mr. Frederick F. Thornburg, Esq., a former EAC Chair and Vice Chair, was appointed to the Committee by the Dade County Council PTA/PTSA. Currently, he is the Director (Dean) of the CAU undergraduate and MBA Business Schools and serves on a number of civic, charitable and company boards. He has taught ethics in graduate school. After serving as the law clerk to the Chief Judge of the United States Court of Appeals for the 7th Circuit and practicing as a partner in the multi-state law firm of Barnes & Thornburg, he served on the TWC Board of Directors and as President of Wackenhut International, Inc.
- Dr. Susan Mullane has also served as Chair and Vice Chair of the EAC in previous years. Dr. Mullane was appointed by the Dean of the School of Education, University of Miami, where she serves an associate professor and has a specialty in ethics.

- Ms. Daneen Regna was appointed by the Director of Center for Labor Studies at FIU and is a former teacher and now serves as the President of the UTD Retired Teachers Chapter.
- Dr. Susan Angulo was appointed to the EAC by the President of St. Thomas University, where she serves as the Assistant Vice President for Academic Affairs.
- The Honorable Judge Seymour Gelber was appointed to the EAC by the Chief Judge of the Eleventh Judicial Circuit of Florida. Judge Gelber served as the Mayor of Miami Beach. He continues to serve periodically as a judge in the state judiciary system and also serves on the Miami-Dade Ethics Commission.

The commitment and professional work of the staff has proven critical in the successful conduct of the EAC business. Mr. Allen Vann, Chief Auditor of Miami Dade County Public Schools serves as the liaison to the Committee and assists in the conduct of all necessary operations. The work of Ms. Elsie Montijo, Administrative Secretary in Mr. Vann's Office, deserves special mention. The members of the Committee are grateful for the excellent support received during the year.

The EAC activities during the year included discussions and recommendations relating to a wide range of issues as summarized below.

<p><b>CODE OF ETHICS RULE ENACTED</b></p>	<p>The EAC appointed a subcommittee on Complaint Process to obtain a more thorough understanding on that issue that is covered in the Code. School Board members had pointed out some ambiguities in the original Certificate of Compliance submitted by the EAC. The administration of the Office of Professional Standards, Investigations &amp; Diversity Compliance, Civilian Investigative Unit, and the School Police Department, made presentations to the EAC where the features and controls for the systems in place were discussed. Following the presentations, the EAC removed the ambiguous wording. The resubmission of the Code of Ethics and the Certificate of Compliance to the School Board for its consideration and approval was made subsequent to review with Ms. Karen Aronowitz, the President of the UTD. The resulting revisions were approved. Subsequently, the Chair presented to the Committee a request from Board Member Ms. Greer, that the School Board Rule Code of Ethics cover all volunteers. A subcommittee is drafting a separate rule.</p>
<p><b>PROPOSED BUSINESS CODE OF ETHICS RULE</b></p>	<p>The Committee prepared an M-DCPS Business Code of Ethics. The School Board is in the process of enacting the rule.</p>

<p><b>ETHICS IN SCHOOLS' CURRICULUM</b></p>	<p>Mr. John Doyle, the District's Administrative Director, Curriculum and Instruction Social Sciences reported on the implementation of ethics into the curriculum and partnerships with St. Thomas University, the Robert Myers Group, and the Youth Ethics Initiative (YEI), contracted to produce additional instructional material for senior high school students.</p>
<p><b>REVIEW OF SCHOOL BOARD RULE, 6GX13-1C.108 GIFTS TO SCHOOL PERSONNEL</b></p>	<p>The EAC reviewed the adequacy of the rule based on a Board Member's request. The issue related to vendor sponsorship of holiday parties. After careful consideration, the EAC determined that the rule was adequate and communicated this to the School Board.</p>
<p><b>INSPECTOR GENERAL ACTIVITIES</b></p>	<p>Since September 2005 the functions of the Inspector General (IG) have been aligned with the Office of Management and Compliance Audits as directed by the School Board. The Ethics Committee has continued to monitor and keep abreast of the process. The search and selection process for a new IG was hampered by stringent prerequisites for the position requiring substantive auditing experience, whereas the state statute does not require it. The EAC wrote a letter to the Board recommending that the Board relax its rule to be consistent with the statutes. The Chair of the EAC is a member of the search committee.</p> <p>A proposal is under consideration to contract with the County Inspector General to work at the School Board. The EAC recommended exploring that solution.</p>
<p><b>REVIEW OF INVESTIGATION OF ALLEGED IMPROPRIETY BY MATER ACADEMY CHARTER SCHOOL(S) AND ACADEMICA</b></p>	<p>The Chair attended two Audit Committee meetings where allegations of improper ethical behavior and potential self dealing with regard to questionable leasing transactions by the charter school through the principals of its management company were sustained. In a letter to the Board, the EAC expressed support for the audit conclusions and the recommendations of the Superintendent.</p>
<p><b>GRAND JURY REPORT - MIAMI NORTHWESTERN SR. HIGH SCHOOL</b></p>	<p>The EAC has been briefed and is monitoring this issue. The Superintendent directed the Chief Auditor in his role as acting Inspector General, to monitor the implementation of the Grand Jury recommendations.</p>

<p><b>EVALUATION OF THE PROPRIETY OF EMPLOYEE CONTRIBUTIONS TO SCHOOL BOARD POLITICAL CAMPAIGNS</b></p>	<p>The Board rule prohibits members from soliciting, but allows them to accept contributions from employees. Although there cannot be a blanket prohibition of contributions, the EAC wants to make an appropriate recommendation to the Board on the issue, with an eye to applying restrictions in the future.</p>
<p><b>DO ETHICAL QUESTIONS ARISE FROM EXPENDING TAX DOLLARS TO DEFEND AGAINST CIVIL RIGHTS LAWSUIT RELATED TO BOOK BANNING CASE?</b></p>	<p>After extensive analysis that included references to the explanations provided by the outside attorney and input from members of the public, the Committee decided not to address this issue as it was deemed beyond the EAC's purview and jurisdiction.</p>
<p><b>RECOMMENDED A CIVILITY RULE</b></p>	<p>The Committee submitted a Civility Rule to the School Board for its consideration and possible approval.</p>
<p><b>SUPPORT FOR THE YOUTH ETHICS INITIATIVE (YEI)</b></p>	<p>The organization conducts Ethics Conferences and supports incorporating ethics courses into the curriculum. The EAC supports YEI's mission to promote ethics awareness and training among students and educators.</p>



# Miami-Dade County Public Schools

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

**Ethics Advisory Committee**  
Jane W. Moscovitz, Esq., Chair  
James E. Howe, Jr., Vice Chair  
Dr. Susan Angulo  
Judge Seymour Gelber  
Susan Mullane  
Daneen Regna  
Frederick F. Thornburg, Esq.

October 27, 2006

**Miami-Dade County School Board**  
Agustin J. Barrera, Chair  
Perla Tabares Hantman, Vice Chair  
Frank J. Bolanos  
Evelyn Langlieb Greer  
Dr. Robert B. Ingram  
Dr. Martin Karp  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

**Re: Ethics Advisory Committee Recommendations Regarding  
(1) Business Code of Ethics & (2) Civility Rule**

Dear Honorable Chair and Members of the School Board:

At the October 13, 2006 meeting of the Ethics Advisory Committee (EAC) it was voted unanimously to respectfully recommend and urge the members of the Miami-Dade County School Board to adopt and enact the following as School Board Rules:

- (1) Business Code of Ethics, and
- (2) Civility Rule

Both documents are attached.

This suggestion is consistent with the mission and responsibilities assigned to the EAC by the School Board. The passage of these rules would further enhance public confidence and trust in the school system.

This recommendation is respectfully submitted on behalf of the EAC.

Yours very truly,

*Jane W. Moscovitz*  
Jane W. Moscovitz

JWM:rb  
Enclosures

cc: Dr. Rudolph F. Crew  
Ms. Ofelia San Pedro  
Ms. Carolyn Spaht  
Ms. Julie Ann Rico  
Mr. Luis M. Garcia  
Ms. Rose Diamond  
Mr. Allen M. Vann  
Mr. Joseph Gomez  
Mr. Jose F. Montes de Oca  
Ethics Advisory Committee  
School Board Audit Committee

**CONTRACTS AND DOCUMENTS**

**MIAMI-DADE PUBLIC SCHOOLS BUSINESS CODE OF ETHICS**

**I. APPLICATION**

This Business Code of Ethics ("Code") shall govern the conduct of all contractors, lobbyists, and consultants who are under contract with the School Board of Miami-Dade County, Florida ("School Board"). These standards of conduct supersede all prior written ethics policies duly adopted by the School Board, which may be in conflict with these standards. These standards of conduct are to be read in conjunction with the latest applicable School Board contracting and procurement policies and procedures. All contractors shall ensure that their subcontractors comply with this Code. The School Board will accept bids and proposals for contracts and procurement of goods or services only from firms or entities which agree to comply with this Code and all applicable School Board contracting and procurement policies and procedures.

**II. DEFINITIONS:**

- A. Consultant - an individual providing information and advise in his or her area of expertise, pursuant to a contract with the Board. This may include, but is not limited to, real estate brokers, developers, and experts in their field.
- B. Contractor – an individual, company, joint venture, or other corporate entity who has entered into a written contract to provide goods or services to the School Board in accordance with an invitation to bid, a request for proposal, a purchase order, or by the approval of the School Board.
- C. Lobbyist – any individual, firm, or corporation compensated by or who contracts for economic consideration from any principal person or organization for the purpose of lobbying. Please see the provisions of School Board Rule 6Gx13-8C-1.21(Lobbyists) for a more complete definition.

**III. INTENT AND PURPOSE**



The purpose of this Code is:

1. To protect the integrity of the school district's procurement process;
2. To provide a uniform statement of expected conduct for consultants and contractors doing business with the School Board in an effort to ensure a fair and ethical environment throughout the procurement process.

#### **IV. CODE IS NOT EXHAUSTIVE/NON-EXCLUSIVE**

This Rule does not address all ethical issues that may arise through the school district's procurement process. Accordingly Nonetheless, each person or entity is expected to act in an ethical manner at all times while engaging in business with the School Board.

#### **V. ENFORCEMENT OF CODE OF CONDUCT**

Violations of any provisions of this Code may be investigated by the School Board's Inspector General or by any other appropriate enforcement authority. The School Board may reject any bid or proposal, or impose other sanctions against any person, contractor, or entity, that has not complied with the requirements of this Code in accordance with applicable State laws or Board Rules.

#### **VI. PROHIBITED CONDUCT**

No bidder, proposer, contractor, or subcontractor shall fraudulently deceive or attempt to deceive any school district official with regard to any material fact pertinent to any pending or proposed School Board contract. Nor shall an individual, company, or other entity engage in conduct with the purpose or intent of placing any school district employee, official, or agent under personal obligation to the bidder, proposer, contractor or subcontractor by engaging in, but not limited to, the following acts or conduct: Providing gifts or monetary compensation to a School Board employee or promising gift, or other compensation in return for a contract, or any other conduct that would place the employee in violation of the prohibitions contained in § 112.313, Fla.Stat (2006).

**VII. AVOIDANCE OF THE APPEARANCE OF IMPROPRIETY**

All contractors shall refrain from conduct which they know or reasonably should know is likely to create in the minds of reasonable, objective, fair-minded observers an appearance of impropriety.

**VIII. LOBBYIST REGISTRATION**

All consultants and contractors must ensure that any lobbyist working on their behalf comply with the requirements under School Board Rule 6GX13-8C-1.21, Lobbyist.

**IX. GIFTS AND OFFERS OF EMPLOYMENT TO SCHOOL PERSONNEL**

No consultant, bidder, proposer, or contractor shall offer, give, or promise to offer or give--directly or indirectly--any money, gift or gratuity to any School Board employee whose duties involve authorizing and/or procuring contracts for goods and services for the school district. The provisions of School Board Rule 6GX13 – 1C-1.08, Gifts to School Personnel, are incorporated by this Rule.

Similarly, no person or entity covered by this Code, including, but not limited to, consultant, bidder, proposer, or contractor shall offer, or promise to offer, either--directly or indirectly--any future employment or business opportunity to any School Board employee or consultant, their immediate family, spouse, significant other, or business associates of such persons if such offer of employment is conditioned expressly or implicitly on the awarding of a present or future contract, or preference in the awarding of a contract to anyone at any time by the School Board.

**X. DISCLOSURE OF EMPLOYMENT OF FORMER SCHOOL BOARD EMPLOYEES**

To prevent current or former School Board employees from using their relationship with School Board from improperly influencing procurement decision-making, all bidders, proposers, consultants, and contractors are required to disclose the names of any of their employees who serve as agents or principals for the bidder, proposer or contractor, and who within the last two years, have been or are employees of the School Board. Such disclosures will be in accordance with current School Board rules, but will include, at a minimum, the name of the former School Board employee, a

list of the positions the employee held in the last two years of his or her employment with the School Board, and the dates the employee held those positions.

In addition, the School Board will not contract with any bidder, proposer, consultant, or contractor that compensates any former School Board employee or consultant to influence any action on a matter pending with School Board if that employee, within the last twelve (12) months, held a School Board position in which they personally and substantially participated in the matter.

The School Board will not contract with any bidder, proposer, contractor or sub-contractor that employs a former School Board employee or consultant who, while serving in a School Board position within the last two (2) years, substantially participated in the development of the invitation to bid or request for proposal's requirements or specifications, or who took part in contracting process for the specific goods or services being solicited by the School Board. The Superintendent or his/her designee, for good cause, may waive this prohibition in writing with notification to the Board prior to awarding the contract. Good cause may be shown in circumstances where awarding the contract to another party will not be in the best interest of the School Board.

**XI. PRECLUSION FROM CONTRACTING FOR INDIVIDUALS OR FIRMS INVOLVED IN THE DEVELOPMENT OF THE BID, PROPOSAL, OR CONTRACT SPECIFICATIONS**

No contractor or consultant who participates in the development of the scope of work, solicitation documents, contractual instruments, or of the technical specifications on behalf of the school district may participate as a proposer or sub-proposer or perform any work associated with that particular procurement. The Superintendent or his/her designee upon, for good cause, may waive this prohibition in writing prior to the award of the contract.

**XII. CONFLICTS OF INTEREST**

All individuals, firms, contractors, and consultants, must take steps to avoid conflicts of interest, for example, but not limited to, those conflicts delineated in School Board Rule ~~6Gx13-4A-1.212~~, *Conflict of Interest*. The Superintendent or his/her designee, in consultation with legal counsel, shall determine whether a conflict of interest exists and recommend appropriate action that will resolve the conflict. If it is determined that an actual or apparent conflict of interest exists, the Superintendent or his/her designee shall notify

the contractor in writing of this finding and the actions that will be recommended to the School Board in order to resolve the conflict of interest.

### **XIII. NON-RETALIATION POLICY**

The School Board encourages good faith reporting of all suspected violations of this Code. Accordingly, anyone making a good faith report of a suspected violation of this Code shall not be subjected to any adverse action by the School Board, nor shall anyone or any company, accused of violating this Code and subsequently found not to have committed a violation of this Code, be subjected to any adverse sanctions or penalties by the School Board. The identity of any persons reporting violations of this Code shall be kept confidential to the extent permitted by law.

All suspected violations shall be reported to the Office of the Inspector General for investigation. If the Inspector General determines that the allegations have merit, the matter will be referred to the appropriate authorities. If the Inspector General determines that the matter should be investigated by another department or by an outside entity, the Inspector General may refer the matter to the other department or outside entity for investigation or final disposition.

### **XIV. RESOLVING VIOLATIONS OF THE CODE**

If it is determined that a violation of this Code has taken place, the School Board may take one or more of the following actions:

- a. Meeting with the consultant or contractor to discuss the violation, and any and all possible resolutions to the violation(s);
- b. Suspending the consultant or contractor in accordance with the provisions of the contract in question, or by initiating debarment procedures as established by School Board Rule 6Gx13-3F-1.023, *Contractor Debarment Procedures*;
- c. Directing the prime contractor to remove the a subcontractor who has been shown to have intentionally violated the Code from the project;

- d. Rescinding, voiding, or terminating the contract as may be permitted by law, School Board rules, or the relevant contract; and/or
- e. Any other reasonable sanction deemed appropriate, and which is permitted by law, School Board rules, and by the provisions of the impacted contract.

#### **XV. PROSPECTIVE APPLICATION**

This Code will not be applicable to contracts or written agreements which were in existence at the time this Code was enacted, nor to solicitations that had been published at the time this Code was enacted. This Code will be incorporated into all formal bid solicitations, vendor applications, and to any Request for Proposals issued by the School Board upon enactment of this Rule. Any individual or firm shall be required to complete a Certificate of Compliance with this Code, which is attached hereto and incorporated herein by reference.

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

Law Implemented, Interpreted, or Made Specific: 112.313; F.S.

History

New: 00-00-06

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

**CERTIFICATE OF COMPLIANCE**  
**MIAMI-DADE PUBLIC SCHOOLS BUSINESS CODE OF ETHICS**  
**[CONSULTANTS, VENDORS, CONTRACTORS]**

I, the undersigned, \_\_\_\_\_  
(Print your name)

Hereby certify as follows:

1. On behalf of \_\_\_\_\_ [firm's name](hereinafter the "Firm"), the undersigned has received a copy of the School Board's Code of Conduct for Non-Employees, School Board Rule 6Gx13-\_\_\_\_\_ (hereinafter "Code").
2. The undersigned has read and understands this Code; and has familiarized the Firm with the Code.
3. The undersigned represents, in his or her capacity as an agent and representative of the Firm, the undersigned and the Firm agree to abide by the provisions of the Code and both the undersigned understands that any violation of the Code's provisions by the undersigned, or any employee or representative of the Firm, may, among other things, disqualify the Firm from doing business with the School Board in accordance with the provisions of the Code. The undersigned also represents that he has the authority to make this representation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title or Position

\_\_\_\_\_  
Company Name

## **CIVILITY RULE**

The members of the M-DCPS School Board unanimously agree to be bound and to expect all participants in M-DCPS School Board meetings, including committee and workshop meetings at every level, to agree to be bound by the following Rule of Civility:

All members and participants agree to treat each other with respect, courtesy, and patience and to avoid abrasive, abusive, and hostile conduct and demeaning, disparaging and humiliating words in their communications with each other. Subject to all applicable governing rules, all members and participants agree to permit others to express fully their point of view and to give consideration to the positions advanced by others.



# Miami-Dade County Public Schools

giving our students the world

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

**Ethics Advisory Committee**  
Jane W. Moscovitz, Esq., Chair  
James E. Howe, Jr., Vice Chair  
Dr. Susan Angulo  
Judge Seymour Gelber  
Dr. Susan Mullane  
Daneen Regna  
Frederick F. Thornburg, Esq.

February 9, 2007

**Miami-Dade County School Board**

Agustin J. Barrera, Chair  
Dr. Martin Karp, Vice Chair  
Renier Diaz de la Portilla  
Evelyn Langlieb Greer  
Perla Tabares Hantman  
Dr. Robert B. Ingram  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

The Honorable Chair and Members of the School Board of Miami-Dade County, Florida  
1450 N.E. Second Avenue, 700  
Miami, Florida 33132

Dear School Board Members:

**Subject: Investigation of Allegations of Impropriety Mater Academy Charter School(s) and Academica Corporation and Related Request from the Superintendent of Schools for the School Board to Deny the Charter School Applications of Related Parties**

At today's Ethic's Advisory Board meeting of February 9, 2007, the Committee voted unanimously to support and endorse the conclusions of the Audit Committee and the work of the Office of Management and Compliance Audits in uncovering serious allegations of impropriety. Findings of poor governance, ethical violations, conflicts of interest, and questionable transactions were all sustained by the Audit Committee at the conclusion of a thorough review of the investigation and the related responses from the Academica Management and the charter school(s) they manage.

It stands to reason that the Superintendent's decision to deny the applications of schools, which will be managed by Academica and many of whom will share common governing boards with the aforementioned schools, should be greeted with full support from the School Board. Promoting integrity and transparency in government is of paramount concern to this committee. We urge you to consider our position in deciding this matter at your upcoming Board Meeting of February 14, 2007.

Sincerely,

Jane W. Moscovitz, Esq., Chairman  
Ethics Advisory Committee

cc: Dr. Rudolph F. Crew, Superintendent of Schools  
Miami-Dade County Public Schools Audit Committee members





# Miami-Dade County Public Schools

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

**Ethics Advisory Committee**  
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Frederick F. Thornburg, Esq.

February 9, 2007

**Miami-Dade County School Board**  
Agustin J. Barrera, Chair  
Dr. Martin Karp, Vice Chair  
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Dr. Marta Pérez  
Dr. Solomon C. Stinson

The Honorable Chair and Members of the School Board of Miami-Dade County, Florida  
1450 N.E. Second Avenue, 700  
Miami, Florida 33132

Dear School Board Members:

**Subject: Qualifications of Candidates for the position of Inspector General**

At its meeting today, February 9, 2007, the members of the Ethics Advisory Committee unanimously agreed to recommend to you that the School Board Rule which establishes the minimum requirements for the position of the Inspector General be relaxed and thus be in concert with the Florida Statutes. This will allow for the three excellent finalists proposed by the Selection Committee to have your full consideration and hopefully result in the selection of one of these candidates as the next Inspector General to Miami-Dade County Public Schools.

This selection process, as you well know, has been ongoing for over a year and there is a dire need to finally bring this process to an end and appoint an Inspector General.

Sincerely,

Jane W. Moscovitz, Esq., Chairman  
Ethics Advisory Committee

cc: Dr. Rudolph F. Crew, Superintendent of Schools  
Miami-Dade County Public Schools Audit Committee members



# Miami-Dade County Public Schools

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**Ethics Advisory Committee**  
Jane W. Moscovitz, Esq., Chair  
James E. Howe, Jr., Vice Chair  
Dr. Susan Angulo  
Judge Seymour Gelber  
Dr. Susan Mullane  
Daneen Regna  
Frederick F. Thornburg, Esq.

May 1, 2007

**Miami-Dade County School Board**  
Agustin J. Barrera, Chair  
Dr. Martin Karp, Vice Chair  
Renier Diaz de la Portilla  
Evelyn Langlieb Greer  
Pera Tabares Hantman  
Dr. Robert B. Ingram  
Ana Rivas Logan  
Dr. Marta Pérez  
Dr. Solomon C. Stinson

Dear Honorable Chair and Members of the School Board:

Pursuant to your request, that the Ethics Committee review Board Rule, 6Gx13-1C.108, *Public Activities Involving Staff or Student – Gifts to School Personnel*, reference the February 14<sup>th</sup> School Board meeting revised Agenda Item H-12 the committee reviewed the rule at its regularly scheduled meeting on April 20, 2007. The EAC recommend making no changes to the School Board Rule.

In addition, the EAC also discussed the changes to the School Board Rule 6Gx13- 4A-1.213, Code of Ethics. The EAC unanimously approved the changes to the Board Rule and voted transmitting to the School Board for initial Reading. See proposed agenda item A-2 for the May 16, 2007 meeting. We would urge you to enact this rule change as it is long overdue.

Sincerely,

Jane W. Moscovitz, Esq., Chairman  
Ethics Advisory Committee

cc: Dr. Rudolph F. Crew  
Ms. JulieAnn Rico  
Mr. Luis Garcia  
Ms. Carolyn Spaht  
Mr. Allen M. Vann  
Ethics Advisory Committee Members

MEMORANDUM

May 3, 2007

TO: The Honorable Chair and Members of The School Board of  
Miami-Dade County, Florida

FROM: Rudolph F. Crew, Superintendent of Schools 

SUBJECT: **BOARD FOLLOW-UP - FEBRUARY 14, 2007, SCHOOL BOARD MEETING - REQUEST THAT THE ETHICS COMMITTEE REVIEW BOARD RULE 6Gx13- 1C.108, GIFTS TO SCHOOL PERSONNEL, AS WELL AS ANY OTHER RELEVANT RULE, AND PROVIDE RECOMMENDATIONS TO CLARIFY SPECIFIC LANGUAGE IN THE RULES**

The above-referenced subject was discussed at the Ethics Advisory Committee (EAC) meeting, Friday, April 20, 2007. A letter was sent to you from the EAC on Tuesday, May 1, 2007, stating that the committee recommends no changes to the School Board Rule.

Should you have any questions, please contact Mr. Allen M. Vann, Chief Auditor, Office of Management and Compliance Audits, at 305-995-1436.

RFC/AMV:em  
M1345

cc: School Board Attorney  
Superintendent's Cabinet  
Ethics Advisory Committee

**Public Activities Involving Staff or Student**

**GIFTS TO SCHOOL PERSONNEL**

Many school patrons, in their sincere effort to express appreciation to school employees at various times, participate in money-raising campaigns among parents in order to purchase gifts for school employees. These activities are often misunderstood and frequently cause embarrassment to our personnel.

The School Board expresses itself as opposed to expensive gifts to school employees on the part of individuals or to solicitation of funds from a group for this purpose and directs that Board employees shall not accept gifts of more than nominal value from patrons or from anyone doing business with the schools.

Specifically, the Board directs its employees not to:

1. Accept gifts and gratuities from any vendor, potential vendor, or patron in excess of \$25.00 in value. This includes, but is not limited to, meal functions invitations, complimentary admissions to entertainment or sporting events or programs, tangible gifts of appreciation, monetary contributions, donations of stocks and bonds.

However, gifts and awards made by vendors, potential vendors, and patrons to teachers and other staff for participation in valid educational programs sponsored by the vendors, potential vendors, or patrons and approved by the Superintendent or designee are not prohibited.

2. Participate in trips paid by a vendor or potential vendor for the purpose of inspecting products or programs useful to the school district. Such trips if deemed necessary by the school system shall always be made at school district expense following procedures approved by the Superintendent of Schools or the Superintendent of Schools' designee.
3. Solicit any vendor to make contribution or contributions to any person or organization other than The School Board of Miami-Dade County, Florida.
4. Solicit personal discounts on merchandise or services from School Board vendors, potential vendors and patrons.

Florida Statute 233.115(2) establishes that "No school official or member of a district or state instructional materials council shall accept any emolument money, or other valuable thing, or any inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material."

Specific Authority: 230.22(2) F.S.

Law Implemented, Interpreted, or Made Specific: 230.22(1); 233.115(2) F.S.

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

Repromulgated: 12-11-74

Amended: 8-19-81; 8-20-86; 10-21-87; 11-2-88

Technical Change: 5-1-98