

Office of Superintendent of Schools
Board Meeting of June 16, 2010

June 2, 2010

Milagros R. Fornell, Associate Superintendent
Curriculum and Instruction

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL
READING 6Gx13-1B-1.032, DIVERSITY EQUITY AND
EXCELLENCE ADVISORY COMMITTEE**

**COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY
ENGAGEMENT**

**LINK TO STRATEGIC
FRAMKEWORK: EDUCATION**

The Diversity Equity and Excellence Advisory Committee (DEEAC) met on Thursday, January 28, 2010. At this meeting the committee reviewed the current DEEAC School Board Rule and recommended substantive and technical revisions to the Rule in the following areas:

- delineation of responsibilities and duties of the committee;
- appointment process to fill vacancies on the committee; *and*
- incorporation of the committee's By-laws into the governing School Board Rule.

This item is presented to the School Board for consideration in order to implement the above-listed recommendations presented by the District's Diversity Equity and Excellence Advisory Committee incorporating the same into the subject rule.

Attached are the Notice of Intended Action and the proposed amended rule. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the School Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of School Board Rule 6Gx13-1B-1.032, Diversity Equity and Excellence Advisory Committee.

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 Rule 6Gx13-1B-1.032, Diversity Equity and Excellence Advisory Committee.

C-103

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 16, 2010, its intention to amend Board Rule 6Gx13-1B-1.032, Diversity Equity and Excellence Advisory Committee, at its meeting of August 4, 2010.

PURPOSE AND EFFECT: The purpose of this amendment is to update the responsibilities and duties of the Diversity Equity and Excellence Advisory Committee (DEEAC) and provide for an appointment process to fill vacancies on the committee.

SUMMARY: Employees and members of the public will be advised of the delineated responsibilities and duties of the Diversity Equity and Excellence Advisory Committee; appointment process to fill vacancies on the committee; and the incorporation of the committee's By-laws into the governing School Board Rule.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(26); 1001.43(10), F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: Pate v. The School Board of Miami-Dade County, Florida, Case No. 69-1020-CIV-Dimitrouleas, Order of June 21, 2001 as modified by order of August 16, 2001.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 4, 2010, 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 a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by July 13, 2010, 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 at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132

Originator: Ronda A. Vangates, Esq.
Supervisor: Milagros R. Fornell
Date: June 2, 2010

Participation by the Public**DIVERSITY EQUITY AND EXCELLENCE ADVISORY COMMITTEE**

~~During the court supervised desegregation process of the Miami-Dade County School System, United States District Judge C. Clyde Atkins appointed a Bi-Racial Committee of twelve citizens which reported to the Court and which was to assist the Court and the School Board in implementing the desegregation plan. Subsequently, the committee was renamed the Diversity Equity and Excellence Advisory Committee.~~

~~By order of June 21, 2001, as modified on August 16, 2001, United States District Judge William P. Dimitrouleas declared this school system unitary and relinquished supervision over the District effective June 30, 2002. The Court stated that in the natural progression of returning control and decision-making to the School Board, control over the Bi-Tri Committee (including renaming the committee if deemed appropriate) would rest with the School Board. The Court further ordered that~~

~~"...effective today, The School Board of Miami-Dade County shall have control over the appointment of members, including the terms and method of appointment. The terms of the current members shall end on December 31, 2001, and they shall remain on the Committee until that date, thus allowing for some overlap between the current members and any new members, unless current members individually choose otherwise. It is hoped that the current chairperson, Mr. James Howe, will remain the Chairman through at least December 31, 2001. Starting from today, the School Board may appoint additional members to the Committee and/or reappoint current members at their sole and unreviewable discretion, for such length of terms as the School Board shall determine;"~~

~~In accordance with the order of Judge Dimitrouleas, commencing January 1, 2002, an advisory committee, the Diversity Equity and Excellence Advisory Committee, which reports to the School Board is created. The Committee shall be comprised of eleven members, one to be appointed by each School Board member, and two to be appointed by the Superintendent. The initial term of the committee members appointed by Board members from odd numbered districts and one of the Superintendent's appointees shall be four years and the remaining five members will serve for two years. Thereafter, all appointments will be for a term of four years except for appointments to serve out an un-expired term, which shall end on the date when the original appointment would have ended. Any vacancies on the committee between the adoption of this rule and December 31, 2001 shall be filled by majority vote of the School Board on a recommendation to be made by the Chair of the Board.~~

~~The Diversity Equity and Excellence Advisory Committee shall review issues pertaining to the successful maintenance of a multicultural school system, including such matters as the recruitment and diversity of personnel, transportation of students, selection of school sites, establishment of attendance zones and other matters as may be assigned by the School Board from time to time.~~

I. Purpose

The purpose of the Diversity, Equity and Excellence Advisory Committee ("DEEAC") is to review issues and make recommendations to The School Board of Miami-Dade County, Florida ("School Board") and Superintendent of Schools with the goal of eliminating disparities and educational barriers and continue progressing toward racial parity and diversity. The core purpose and objective of the DEEAC is to assist the District with creating and maintaining a multicultural school system.

Pursuant to the United States District Court order, issued by Judge William Dimitrouleas issued on June 21, 2001, and modified on August 16, 2001, which declared the Miami-Dade Public School System unitary, the Diversity Equity and Excellence Advisory Committee was established.

Nationally known experts consulted by the School Board during the desegregation process concluded that disparities remained in Black, White, and Hispanic student participation in the areas of special education, advanced academics, and in the frequency these students encountered educational barriers such as suspension, expulsion and retention.

II. Responsibilities

A. The DEEAC's responsibilities include reviewing and making recommendations regarding the:

- 1) implementation of School Board Rules which relate to the Miami-Dade Public School System's ("District") unitary status and diversity;
- 2) student enrollment;
- 3) attendance boundary zones;
- 4) regional administrative centers;
- 5) recruitment and diversity of personnel;
- 6) transportation of students;

- 7) selection of school sites;
- 8) equitable distribution of educational resources and services;
- 9) annual District diversity compliance reports; and
- 10) other matters as may be assigned by The School Board of Miami-Dade County, Florida and/or the Superintendent of Schools.

B. DEEAC reviews and recommendations shall be reported on an annual basis to The School Board of Miami-Dade County, Florida by November 30th of each school year. This annual report shall assess the implementation of School Board policies to ensure that the District maintains its commitment to provide a high-quality education to all students -- a commitment that was made to the Court and the community upon receiving unitary status.

C. DEEAC members shall also:

- 1) facilitate and/or attend public meetings and School Board conference sessions and meetings related to DEEAC's purpose; and
- 2) serve on other District advisory committees to represent DEEAC's purpose.

III. Membership

- A. Membership shall be comprised of eleven members, one to be appointed by each School Board Member and two to be appointed by the Superintendent of Schools.
- B. The term of service for each member shall be four years and shall run concurrently with the term of service of the respective School Board Member or Superintendent of Schools. If a vacancy occurs, the respective School Board Member or Superintendent of Schools shall appoint or reappoint a member to the committee.
- C. Newly elected or appointed School Board Members and/or Superintendent of Schools shall have the discretion to reappoint the former School Board Member's or Superintendent of School's appointee or to appoint a new member. An incumbent member may remain on the DEEAC until a new member is appointed.

- D. The DEEAC shall elect a Chair and Vice Chair. The term of office is two years.

IV. Meetings

- A. The DEEAC shall meet at least six (6) times throughout the school year and shall meet all of the requirements of the Sunshine and Public Records laws, Chapter 119 and 286.011, Florida Statutes.
- B. Meeting dates and times shall be determined by the DEEAC at the first meeting of every school year.
- C. Six (6) members shall constitute a quorum for the DEEAC to conduct business.
- D. The DEEAC shall conduct its meetings pursuant to *Robert's Rules of Parliamentary Procedure*.
- E. District staff, as assigned by the Superintendent of Schools, shall provide administrative support to the DEEAC, including arranging and scheduling meetings per DEEAC direction, publishing meeting notices, establishing the agenda in collaboration with the Chair, keeping the minutes, and gathering relevant documentation for distribution to members.

Specific Authority: 1001.41(1)(2); 1001.42(22)(26); 1001.43(10) F.S.

Law Implemented, Interpreted, or Made Specific: Pate v. The School Board of Miami-Dade County, Florida, Case No. 69-1020-CIV-Dimitrouleas, Order of June 21, 2001 as modified by order of August 16, 2001.

History

New: 12-12-01

Amended: 5-19-04

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA