

John Schuster, Chief Communications Officer

SUBJECT: **PROPOSED AMENDMENT OF BOARD POLICY: INITIAL
READING: POLICY 9125, NOTICE OF DISTRICT
ADVISORY COMMITTEE MEETINGS**

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

**LINK TO STRATEGIC
FRAMEWORK:** **SCHOOL/DISTRICT LEADERSHIP**

At its July 13, 2011 meeting, agenda item H-2 ("Board Members' Attendance and Participation at District Advisory Committee Meetings"), was approved by the Board. The item directed the Superintendent to initiate rulemaking to amend School Board Policy 9125 to expressly authorize School Board members' attendance and participation at District advisory committee meetings.

This item requests that the Board consider amending School Board Policy 9125 to expressly authorize School Board members' attendance and participation at District advisory committee meetings.

Attached are the Notice of Intended Action and the proposed amendment. Changes from the current Policy 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 pursuant to the Administrative Procedure Act to amend School Board Policy 9125, *Notice of District Advisory Committee Meetings*.

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 Board Policy 9125, Notice of District Advisory Committee Meetings.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on August 3, 2011 its intention to amend Board Policy 9125, *Notice of District Advisory Committee Meetings*, at its meeting of September 7, 2011.

PURPOSE AND EFFECT: The purpose of the recommended amendment of Board Policy 9125, *Notice of District Advisory Committee Meetings*, is to expressly authorize School Board members' attendance and participation at District advisory committee meetings.

SUMMARY: The proposed amendment would expressly authorize School Board members' attendance and participation at District advisory committee meetings.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:
1001.41 (1), (2); 1001.42 (25); 1001.43 (10); F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 1001.32(2); 1001.41(2)(5); 1001.43 (10) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING OF September 7, 2011, 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 in Section 120.54(1), F.S., must do so in writing by August 29, 2011, 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 POLICY 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: Perla Tabares Hantman, Chair
Date: July 18, 2011

1 NOTICE OF DISTRICT ADVISORY COMMITTEE MEETINGS

2 The Superintendent and administrative staff are encouraged to provide for the
3 creation of appropriate organizations such as councils, cabinets, and committees
4 that will foster communication with the community, parents, and staff and support
5 the District's objectives.

6 All District advisory committee and sub-committee meetings shall be held in open
7 public sessions and all materials made in connection with official business of these
8 meetings and not exempt from disclosure pursuant to Florida statutes are open for
9 public inspection, pursuant to Florida's Government-in-the-Sunshine and Public
10 Records Laws, F.S. Chapters 286.011 and 119. School Board members shall have
11 the right to attend and may participate in any school District advisory committee
12 meeting.

13 District advisory committees, attendance boundary committees, Educational
14 Excellence School Advisory Councils (EESACs), Board committees, and all other
15 committees that advise the Board are to use the following procedures for publication
16 and posting of the District's meeting announcements.

17 A notice of a meeting at a location other than the Board Administration Building
18 (SBAB) must be posted in a public area, such as a school lobby, where interested
19 persons will see it at least five (5) working days before the meeting is to take place.
20 All District advisory meetings and sub-committee meetings must be posted
21 electronically to the Board's Citizen Information Center at least five (5) working days
22 prior to the meeting. A District-recognized holiday or recess will not count as one (1)
23 of the five (5) days. The day of posting will count as the first of the five (5) days so
24 long as the notice is posted before 10 a.m. The day of the meeting will count as the
25 fifth day if the meeting is held after 4:30 p.m. The notice must reference the
26 meeting's subject. If one exists, a copy of the agenda for the meeting must be
27 provided to the Board's Citizen Information Center (SBAB Room 158,
28 FAX 305-995-1151, Work Location No. 9043).

29 Procedures for posting notices of meetings can be found in the User Guide at
30 <http://ehandbooks@dadeschools.net>

1 Postponed or Cancelled Meetings

2 If a meeting has been advertised but cannot be held and must be cancelled due to
3 circumstances beyond the District's control (i.e., act of God or force majeure war,
4 labor strike, or extreme weather), the re-notice of the meeting shall only require
5 forty-eight (48) hours notice for the meeting.

6 Cancellations of meetings must also be posted. To cancel a meeting, locate the
7 meeting on the District's web site, and use the password provided at the time of
8 posting. Upon receipt of the e-mail confirming cancellation, the hardcopy of the
9 notice of cancellation should be printed and used to replace or cover the original
10 meeting announcement at the work location.

11 Additional Requirements

- 12 A. Minutes of all meetings must be kept.
- 13 B. The following statement should appear on every notice of a meeting:
14 "If a person wishes to appeal any decision made with respect to any
15 matter considered at this meeting (hearing), such a person should
16 ensure the preparation of a verbatim record of the proceedings
17 including the testimony and evidence upon which the appeal is to be
18 based."
- 19 C. Committees should conduct some form of vote on all substantive
20 issues that are to be recommended to the Board.
- 21 D. No meeting may be held at any facility or location that discriminates
22 on the basis of sex, race, color, religion, ethnic or national origin,
23 political beliefs, marital status, age, gender, gender identification,
24 sexual orientation, social and family background, linguistic
25 preference, disability, or economic status or that operates in such a
26 manner as to unreasonably restrict public access to such a facility.

1 E. The following access statement must appear on every notice of
2 a meeting:
3

4 "If you have a disability that requires an accommodation, you may
5 call the individual listed as the Contact Person for the above-posted
6 meeting or call the Telecommunications Device for the Deaf (TDD) at
7 (305) 995-2400. Requests for accommodations or assistance must
8 be made at least forty-eight (48) hours in advance. For special
9 equipment (chair lifts, special wheel chairs, etc.) or other special
10 assistance, such as a sign language interpreter or meeting
11 materials, the request for assistance must be made at least five (5)
12 days in advance." Should you have any questions or concerns
13 regarding compliance with the Americans with Disabilities Act
14 (ADA), you should contact the Division of Facilities ADA Compliance,
15 at (305) 995-4650.

16 F.S. Ch. 119, 286.011, 1001.41(1)(2), 1001.42(23), 1001.43(10), 1001.452