

John Schuster, Chief Communications Officer

SUBJECT: **PROPOSED AMENDMENT OF SCHOOL BOARD POLICY:
FINAL READING: POLICY 0165, *PUBLIC MEETINGS***

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

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

At the School Board meeting of July 13, 2011, the School Board approved Agenda item E-200, and its intention to amend Board Policy 0165, *Public Meetings*.

The proposed amendment to Policy 0165 will serve to limit to three (3) the number of recognitions, resolutions, endorsements and proclamations that each Board member may present at regular School Board meetings and to change the beginning time of the resolutions segment of the regular Board meeting to 11:45 a.m. The item also provides for the timely reconvening of the 1:00 p.m. regular School Board meetings.

The Notice of Intended Action was published in the *Miami Daily Business Review* on July 18, 2011, posted in various places for public information, and mailed to various organizations representing persons affected by the amended policy and to individuals requesting notification.

The time to request a hearing or protest the adoption of this policy has elapsed.

In accordance with provisions of the Administrative Procedure Act, this amended policy is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the policy in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action and the proposed amended policy. Changes from the current Policy 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 Policy 0165, Public Meetings, and authorize the Superintendent to file the policy with The School Board of Miami-Dade County, Florida to be effective September 7, 2011.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 13, 2011 its intention to amend Board Policy 0165, *Public Meetings*, at its meeting of September 7, 2011.

PURPOSE AND EFFECT: The purpose of the recommended amendment of School Board Policy 0165, *Public Meetings*, is to limit the presentation of recognitions, resolutions, endorsements, and proclamations that may be presented By Board Members at each Regular Board Meeting to three (3) per Board member and to change the beginning time of the resolutions segment of the Board meeting to 11:45 a.m.

SUMMARY: In order to timely reconvene the regular Board meeting at 1:00 p.m., the proposed amendment would limit the presentation of recognitions, resolutions, endorsements, and proclamations that may be presented By Board Members at each Regular Board Meeting to three (3) per Board member.

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 8, 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: Ms. Perla Tabares Hantman, Chair
Date: July 12, 2011

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Public Meetings

A. Regular Meeting

The School Board shall hold at least one (1) regular meeting each month according to a schedule approved by the Board at its organization meeting.

All regular meetings will begin at ~~12:00 p.m.~~ 11:45 a.m. in the Board Administration Building Auditorium, 1450 Northeast Second Avenue, Miami, Florida. At 11:45 a.m. ~~12:00 p.m.~~, the Board will address Board member agenda items designated by the Board Chair and seeking approval of recognitions, resolutions, endorsements or proclamations. Board members are each limited to three presentations of these types of items per Board meeting. A quorum must be present to vote on these items. Following the vote, the meeting will recess and the presentation of approved items may then be made. A quorum is not necessary for these presentations. All persons signed up to speak to these items may do so at this time. The Board meeting will reconvene at 1:00 p.m., at which time a quorum must be present, to complete the remainder of the regular Board meeting agenda.

Upon public notice, regular meetings of the Board may be held at any appropriate public place in the county. Public notice shall consist of publication in a newspaper of general circulation in the county.

Any change in the date or time for these meetings shall be by an action of the Board.

B. Board Committee Meetings

Board committee meetings addressing the monthly Board agenda shall occur after the publication of the official agenda and prior to the regularly scheduled monthly Board meetings. Unless otherwise noticed, these meetings shall be held in Room 726, Board Administration Building, 1450 NE 2 Ave., Miami, Florida.

C. Special Meeting

Special meetings may be called for official action on topics specified in the call and agenda for the meeting by the Superintendent, the Chair of the Board through the Superintendent, or by request of a majority of the members of the Board. A majority of the members of the Board may only request the convening of a special meeting of the full Board by seeking the approval of a majority of the members present at a regular or special Board meeting.

Unless otherwise noticed, all special meetings will be held in the Board Administration Building Auditorium, 1450 NE 2 Ave., Miami, Florida. The date and time shall be specified in the call and agenda for each meeting.

D. Emergency Meeting

If the Board finds that an immediate danger to the public health, safety, or welfare requires immediate action, it may hold an emergency public meeting in accordance with State law.

E. Public Hearings

Public hearings may be scheduled on a specific topic, document, or proposal which is to be the subject of Board action that will be taken at the public hearing or at an upcoming regular Board meeting, either to comply with State law or to hear citizens on an issue of great public interest.

F. Conference Session

Conference sessions may be conducted to receive information and confer with the Superintendent on issues requiring in-depth consideration and discussion with a possible proposed recommended action to be taken by the Board at an upcoming regular meeting. Citizens will not be heard at conference sessions unless the Board determines otherwise in advance of the session.

G. Workshop

Workshops may be scheduled to receive information and confer with the Superintendent on issues requiring in-depth consideration and discussion, with a possible proposed recommended action to be taken by the Board at an upcoming regular meeting. Only after a minimum of six (6) Board members, upon being polled by the Chair through his/her designee, have advised of their intent to attend a workshop on a given date, shall the workshop be scheduled, noticed, and advertised. Once the workshop is advertised, noticed, and the meeting is conducted in accordance with the requirements of this rule and with any applicable provisions of the Sunshine Law, the workshop may be held even if a quorum is not present.

Workshops will be conducted in Conference Room 726B of the Board Administration Building, 1450 Northeast Second Avenue, Miami, Florida, unless otherwise noticed. If a greater than normal attendance by the public is anticipated for any specific Board workshop, the workshop may be held at the Board auditorium. The date and time shall be specified in the call and agenda for the meeting.

H. Member Conferences

Individual Board members may sponsor conference-type discussions, inviting Board members, staff and members of the public to engage in a voluntary and informal discussion of topics of vital concern to the member in an effort to foster a free flowing exchange of information and ideas. These conferences must be open to the public and otherwise satisfy Florida law governing public meetings and applicable Board policies.

These are voluntary forums for discussion purposes only, are not official Board meetings, and no action may be taken on the topics discussed. Agendas for these meetings will be proposed by the Board member calling the meeting and may be changed or amended as provided by the Sunshine Law, Board policies, and the Administrative Procedure Act.

All meetings at which official acts are to be taken are open public meetings, and no resolution, rule, policy, regulation, or formal action shall be considered binding except as taken or made at such a meeting. All meetings of the Board shall be open to the public, except as provided by Florida law, and the order of business of any regular meeting shall include an opportunity for the public to address the Board.

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