

Office of the Superintendent
Board Meeting of September 5, 2012

August 23, 2012

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: **PROPOSED AMENDMENT OF BOARD POLICY: INITIAL
READING POLICY 0155, SCHOOL BOARD COMMITTEES**

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

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

Pursuant to Agenda Item H-13 ("Submission of Committee Discussion Items"), presented by Board Member Raquel Regalado at the July 18, 2012, Board meeting, the Board authorized rulemaking to amend applicable Board policies to allow Board members to submit items for discussion on appropriate Board Committee agendas in advance of the Committee meeting.

This item requests that the Board consider amending School Board Policy 0155, *School Board Committees*, to allow Board members to submit issues for discussion to the appropriate committee staff liaison in sufficient time to be included on the published committee meeting agenda. The issue submitted must include a brief summary of the topic to be discussed. This provision does not prohibit Board members from raising unpublished discussion topics under a committee's new business agenda section. Committees may not forward any discussion issues to the full Board or take any other action on them.

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 0155, *School Board Committees*.

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 0155, *School Board Committees*, to allow Board members to submit issues for discussion by Board Committees in advance of Committee meetings.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on September 5, 2012, its intention to amend Board Policy 0155, *School Board Committees*, at its meeting of October 10, 2012.

PURPOSE AND EFFECT: The purpose of the recommended amendment is to allow Board members to submit items for discussion on appropriate Board Committee agendas in advance of the Committee meeting.

SUMMARY: The amendments will allow Board members to submit issues for discussion to the appropriate committee staff liaison in sufficient time to be included on the published committee meeting agenda. The issue submitted must include a brief summary of the topic to be discussed. This provision does not prohibit Board members from raising unpublished discussion topics under a committee's new business agenda section. Committees may not forward any discussion issues to the full Board or take any other action on them.

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: 1001.41 (1), (2); 1001.42 (25); 1001.43 (10); F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING OF October 10, 2012, 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 October 1, 2012, to the Superintendent, 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. Raquel Regalado, Board Member
Date: August 23, 2012

- 1 B. School Support Accountability
- 2 Develops policy and considers matters related to supporting
3 the delivery of educational services at the school site
4 including, attendance services and boundaries, school
5 security, police and District safety, student discipline,
6 uniforms, school improvement zone, educational facilities
7 compliance, personnel, wage and salary, human resources,
8 leave and retirement, employee support programs, teacher
9 education certification, professional standards, professional
10 development, equal educational opportunity and diversity
11 compliance, labor relations and related school operations
12 procurement and rulemaking. The District-wide Principal of
13 the Year may serve as a non-voting ex-officio member.
- 14 C. Innovation, Efficiency and Governmental Relations
- 15 Develops policy and considers matters related to District-wide
16 accountability, systemic reform, strategic planning,
17 performance improvement, management and compliance
18 audits, budget, financial investments, risk and benefits
19 management, information technology, energy management,
20 transportation, food services, legislative and
21 intergovernmental policies and related procurement and
22 rulemaking. A representative of the Coalition of Unions may
23 serve as a nonvoting, ex-officio member.
- 24 D. Facilities and Construction Reform
- 25 Develops policy and considers matters related to real estate,
26 land acquisition and development, growth management,
27 facilities planning, construction, maintenance, plant
28 operations, and related construction and maintenance
29 procurement and rulemaking. A representative from the
30 community may be appointed by the Chair of the Board to
31 serve as a non-voting ex-officio member.

1

Membership

2

A. The Chair and Vice-Chair of the Board will serve as voting, ex-officio members of each committee they do not directly serve on. Each committee will be composed of four (4) voting 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 (2) committees.

3

4

5

6

7

8

9

10

B. Committee appointees will serve for one (1) year, and the appointments will be made following the November organizational meeting.

11

12

13

C. Any Board member may attend any and all committee meetings but only the Chair, Vice-Chair, and four (4) appointed committee members may vote.

14

15

16

Powers

17

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.

18

19

20

B. The committee may consider agenda items or matters being presented by staff to the full Board for consideration, unless they are not appropriate for review. The committee may consider other issues within the organizational area which the committee chair believes should be addressed.

21

22

23

24

25

1. Matters 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.

26

27

28

29

30

31

32

33

34

2. Matters relating to personnel reorganizations shall be governed by Policy 1120 and Policy 1130.

35

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
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. If the committee chair calls a committee meeting to review the annual budget, the meeting will be held in a budget workshop format and all Board members will be invited to attend and participate.
 4. Board members may submit issues for discussion to the appropriate committee staff liaison in sufficient time to be included on the published committee meeting agenda. The issue submitted shall include a brief summary of the topic to be discussed.
This provision does not prohibit Board members from raising unpublished discussion issues under the committee's new business agenda section.
Discussion issues, whether published or not, shall not be forwarded to the full Board and no action may be taken on these issues by the committee.
- 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. For any matter which will be considered by the full Board, the committee may forward it to the full Board as:
1. recommended;
 2. not recommended;
 3. recommended with modification; or
 4. no recommendation.
- E. The presence of two (2) or more members of a committee shall constitute a quorum for voting purposes. The Chair and Vice-Chair, if present, may be counted in determining if a quorum is present at any committee meeting. The Board Chair shall appoint two (2) alternate members to serve on each Board committee. In those instances where at least two (2) members of a committee are not present, any Board

**THE SCHOOL BOARD OF
MIAMI-DADE COUNTY**

1 member who has been designated to serve as an alternate
2 member of the committee may be counted as a member of the
3 committee for purposes of establishing a quorum. In the
4 event of an anticipated absence, committee members shall
5 notify the committee chair, so that alternate members are
6 advised that their attendance at the meeting is requested. In
7 the absence of a quorum, all Board agenda items scheduled
8 to be considered by the committee will be forwarded to the
9 full Board with no recommendation.

10 F. In the event that a monthly meeting is not called by the
11 committee chair, the vice-chair or a member of the committee
12 who wishes to convene a meeting may request the meeting
13 through the chair of the committee, who shall then schedule
14 the meeting according to the Sunshine Law. No scheduled
15 committee meeting shall be canceled if any member of the
16 committee wishes to convene the meeting.

17 G. In the event that the chair of a committee is unavailable for a
18 scheduled committee meeting, the vice-chair will serve as
19 chair. In the event the chair and vice-chair are unavailable,
20 either remaining member by agreement of the membership
21 may serve as chair of the committee meeting.

22 H. Once considered by committee, agenda items and matters to
23 be considered by the full Board will be forwarded to the full
24 Board. The full Board will be advised of the committee's
25 recommendation in a manner to be determined by the
26 committee chair.

27 **Staff Liaison and Resource Persons**

28 The Superintendent shall designate at least one (1) staff liaison to
29 each committee who will be responsible for notification of meetings,
30 preparation of agendas, documentation of meetings by tape
31 recording and development of reports and data for use of the
32 committee. The staff liaison shall prepare minutes of committee
33 meetings in a uniform format and transmit them to the full Board
34 prior to each regularly scheduled Board meeting.

35 Committee requests for reports, data, and information requiring
36 monetary expenditures or excessive use of staff time and resources
37 must be authorized by the full Board.

38 **Miscellaneous**

39 A. Scheduling

**THE SCHOOL BOARD OF
MIAMI-DADE COUNTY**

BYLAWS
0150/page 6 of 6

1 The committee meetings addressing the monthly Board
2 agenda shall occur after the publication of the official agenda
3 and prior to the regularly scheduled monthly Board meeting.
4 The chair of each committee is responsible for scheduling the
5 committee meeting.

6 B. Agenda items from the Superintendent or staff and the Board
7 Attorney shall include the name of the appropriate committee
8 where the item will be discussed. Board members' agenda
9 items shall include the name of the committee where the item
10 will be discussed. For convenience, Board members may take
11 an agenda item to a committee to which they belong.

12 C. Sunshine Law

13 All committee meetings shall be conducted under the
14 Sunshine Law. (F.S. Chapter 286)

15 D. Rules of Order

16 Robert's Rules of Order will govern committee meetings.

17 Revised 1/18/12

18 © NEOLA 2008