

Office of Superintendent of Schools
Board Meeting of March 13, 2013

February 25, 2013

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

**SUBJECT: PROPOSED AMENDMENT TO SCHOOL BOARD POLICY
 INITIAL READING: 0165.1, AGENDAS**

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

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

Pursuant to Agenda Item H-1 ("Board Item Co-Sponsorship of School Board Agenda Items") presented by Ms. Perla Tabares Hantman, Board Chair, at the February 13, 2013, Board meeting, the Board authorized rulemaking to allow Board members to co-sponsor other Board members' regular Board Meeting agenda items.

This item requests that the Board consider amending School Board Policy 0165.1, *Agendas*, to allow Board members to co-sponsor another Board member's regular Board meeting agenda item after it is published by publicly expressing their desire to co-sponsor the item at the Board Committee meeting prior to the regular Board meeting at which the item is to be considered by the Board. If the prime sponsor accepts the co-sponsorship(s), the prime sponsor must revise the item prior to the regular Board meeting to reflect the co-sponsorship(s).

The proposed amendment would also allow Board members to publicly express their desire to co-sponsor another Board member's item at the regular Board meeting in which the item will be considered. If co-sponsorship is requested at a regular Board meeting, the request will be treated pursuant to *Robert's Rules of Order* as a motion to amend the item.

Board members may only co-sponsor regular Board agenda items sponsored by other Board members. In addition, requests to co-sponsor another Board member's recognition, resolution, endorsement or proclamation items will be counted towards the co-sponsoring member's three item limit for these types of agenda items as described in Board Policy 0165.1.

Attached are the Notice of Intended Action and the proposed policy amendments. 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 School Board Attorney to initiate rulemaking proceedings pursuant to the Administrative Procedure Act to amend School Board Policy O165.1, *Agendas*.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings pursuant to the Administrative Procedure Act to amend School Board Policy 0165.1, *Agendas*, to allow Board members to co-sponsor other Board members' agenda items.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on March 13, 2013, its intention to amend Board Policy 0165.1, *Agendas*, at its meeting of April 17, 2013.

PURPOSE AND EFFECT: The purpose of the recommended amendment is to allow Board members to co-sponsor other Board members' regular agenda items.

SUMMARY: The amendment will allow Board members to co-sponsor another Board member's agenda item after it is published by publicly expressing their desire to co-sponsor the item at the Board Committee meeting prior to the regular Board meeting at which the item is to be considered by the Board. If the prime sponsor accepts the co-sponsorship(s), the prime sponsor must revise the item prior to the regular Board meeting to reflect the co-sponsorship(s). Board members may also publicly express their desire to co-sponsor another Board member's item at the regular Board meeting in which the item will be considered. The co-sponsorship request will be treated pursuant to *Robert's Rules of Order* as a motion to amend the item. Board members may only cosponsor items sponsored by other Board members.

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 April 17, 2013, 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 April 8, 2013, 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. Perla Tabares Hantman, Board Chair
Date: February 25, 2013

1 MEETINGS

2 0165.1 **Agendas**

3 A. Preparation and Distribution

4 The Superintendent shall be responsible for the preparation
5 and distribution of the agenda for regular and special
6 meetings of the School Board. The agenda shall contain, in
7 order of presentation, a listing of each subject and, if
8 appropriate, the recommendation(s) for each item to be
9 considered by the Board.

10 On occasion, holder agenda items may need to be developed
11 in preparation of the agenda when there is insufficient
12 information to provide a full description of the action being
13 proposed. Holder agenda items shall describe the purpose
14 and intent of the item in as much detail as possible.

15 The agenda for each Board meeting shall be prepared and
16 distributed in accordance with the requirements of the State
17 of Florida Administrative Procedure Act.

18 B. Items Board Member Wish to Include in the Agenda

19 Board members who have sponsor items, including
20 resolutions, which they wish to have considered at regular
21 Board meetings should submit them to the Superintendent
22 for inclusion in the agenda at least nine (9) calendar days
23 prior to a regular Board meeting. Proposed Board member
24 items are to be submitted for each subsequent meeting no
25 earlier than the next regular business day after the
26 conclusion of the prior regular Board meeting. In order to
27 ensure that items proposed by Board members are numbered
28 in the order in which they are received by the Board Office
29 Manager or anyone designated by the Superintendent for this
30 purpose, all proposed items by Board members will be date-
31 stamped and numbered in the sequence in which they are
32 received. All proposed items submitted must contain, at a
33 minimum, a subject heading specifying the topic that is being
34 proposed for discussion.

1 C. Agenda Changes

2 The agenda shall contain the items to be considered in the
3 order of presentation. After the agenda has been made
4 available, a change shall be made only for good cause, as
5 determined by the Chair, and stated in the record.
6 Notification of such change shall be at the earliest practicable
7 time.

8
9 D. Co-Sponsorship of Board Member Agenda Items

10 Board members may co-sponsor another Board member's
11 agenda item after it has been published by publicly
12 expressing their desire to co-sponsor the item at the Board
13 committee meeting prior to the Board meeting in which the
14 item will be considered. If the prime sponsor accepts the co-
15 sponsor(s), the prime sponsor will revise and resubmit the
16 item with the addition of the co-sponsor(s).

17
18
19 Board members may also express their desire to co-sponsor
20 an item at the regular meeting in which the item is presented
21 for Board approval. If co-sponsorship is requested at a Board
22 meeting, the Board shall treat the request pursuant to
23 Roberts Rules of Order as a motion to amend the item to
24 indicate the co-sponsorship(s).

Board members may only co-sponsor other Board members'
regular Board meeting agenda items. Co-sponsorship of
another Board member's recognition, resolution, endorsement
or proclamation will be counted towards the co-sponsoring
member's three item limit for these types of agenda items as
described in Policy 0165.

25 D E. Consent Agenda

26 At the beginning of regular Board meetings, the Chair will call
27 for items which the Board members would like to address and
28 announce those items. The Chair shall then call for a vote on
29 all other agenda items. These items constitute the consent
30 agenda. Rule-making items on which a public hearing has
31 been timely requested pursuant to Bylaw 0131 may not be
32 approved on consent.

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

EF. Distribution of the Agenda

1. School Board Members

The agenda of regular meetings shall be distributed to members of the Board and the student advisor at least seven (7) days in advance of the meeting date. Copies also will be made available to the Board members' administrative assistants. The final versions of all items and all relevant agenda related material and back-up documentation must be presented to Board members at least two (2) days before the Board committee meetings. This requirement shall not apply to items dealing with personnel appointments and assignments, matters that are not appropriate for review by Board committees, and items presented at special or emergency meetings of the Board.

2. Administrative Staff and Recognized Employee Organizations

The Superintendent shall determine the administrative staff of the school system to whom the agenda for regular and special meetings of the Board will be distributed in advance of the meetings and shall distribute the agenda to employee organizations as provided for in the collective bargaining agreements with approved bargaining units.

3. Individuals and Community Organizations

a. A copy of the agenda may be examined and/or obtained by an interested person at the Citizen Information Center after the agenda is published.

For news media representatives, the County Council PTA/PTSA Executive Board, the Miami-Dade County Association of Student Government Presidents, and other governmental education-related community organizations, copies of the agenda will be made available at no cost through the Citizen Information Center. Requests for other distribution may be made by the Superintendent or any Board member.

1 b. A copy of the agenda also will be available at the
2 Citizen Information Center prior to and during
3 Board meetings.

4 c. The agenda may be accessed via the Board's
5 website.

6 FG. Distribution of Agenda-related Supplemental Materials and
7 Documents

8 1. Board Members

9 Prior to each meeting of the Board, the Superintendent
10 will distribute to each Board member and the student
11 advisor supporting materials and documents prepared
12 to accompany the items which are included on the
13 agenda. The final versions of all items, along with all
14 relevant agenda related material and back-up
15 documentation must be presented to Board members
16 at least two (2) days before the Board committee
17 meetings. Copies of the supporting materials and
18 documents also will be made available to the
19 administrative assistants to the members of the Board.

20 2. Administrative Staff and Recognized Employee
21 Organizations

22 The document containing supplemental materials to
23 the agenda will be distributed to the administrative
24 staff of the school system as determined by the
25 Superintendent. The Superintendent shall distribute
26 this document to employee organizations as provided
27 for in the collective bargaining agreements with
28 approved bargaining units.

29 The distribution of this document, though, shall be
30 kept to an absolute minimum because of the expense
31 involved in preparing copies of all documents and
32 materials.

33 3. For news media representatives, the County Council
34 PTA/PTSA Executive Board, the Miami-Dade County
35 Association of Student Government Presidents, and
36 other governmental and education-related community
37 agencies, copies of the supplemental materials will be
38 made available to them at no cost through the Citizen
39 Information Center. The distribution of these materials
40 shall be kept to an absolute minimum because of the

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

BYLAWS
0160/page 5 of 5

1
2
3
4
5
6
7
8
9
10
11
12
13
14

expense involved in preparing copies of all documents and materials.

A copy of these materials will be available at the Citizen Information Center prior to and during Board meetings.

GH. The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered by a majority vote of the members present and items added for good cause as determined by the Chair.

HI. The agenda for special meetings called by the Superintendent, or by the Superintendent on request of the Board Chair, or on the request of a majority of the Board members, shall be prepared upon the calling of the meeting but not less than forty-eight (48) hours prior to such a meeting.