

Office of Superintendent
Board Meeting of April 17, 2013

April 2, 2013

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

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

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS

LINK TO STRATEGIC FRAMEWORK: SCHOOL /DISTRICT LEADERSHIP

At its February 13, 2013, meeting, the School Board approved Agenda Item H-1 ("Board Item Co-Sponsorship") presented by Ms. Perla Tabares Hantman. Board Chair, authorizing rulemaking to allow Board members to co-sponsor other Board members' regular Board Meeting agenda items. At the March 13, 2013, meeting, the Board authorized the School Board Attorney to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policy 0165.1, *Agendas*, to allow Board members to co-sponsor another Board member's regular Board meeting agenda item. After a Board member's agenda item is published, another Board member may 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. 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.

The Notice of Intended Action was published in the *Miami Daily Business Review* on March 18, 2013, 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 amendment has elapsed.

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

Attached is the Notice of Intended Action and the proposed policy amendment. Changes from the current rule 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 0165.1, *Agendas*, and authorize the Superintendent to file the amended policy in the official records of The School Board of Miami-Dade County, Florida, to be effective April 17, 2013.

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MEETINGS

2 0165.1

Agendas

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A. Preparation and Distribution

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

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

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

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B. Items Board Member Wish to Include in the Agenda

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

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C. Agenda Changes

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

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D. Co-Sponsorship of Board Member Agenda Items

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

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

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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.

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DE. Consent Agenda

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

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EF. Distribution of the Agenda

1 1. School Board Members

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

- 1 | FG. Distribution of Agenda-related Supplemental Materials and
2 | Documents
- 3 | 1. Board Members
- 4 | Prior to each meeting of the Board, the Superintendent
5 | will distribute to each Board member and the student
6 | advisor supporting materials and documents prepared
7 | to accompany the items which are included on the
8 | agenda. The final versions of all items, along with all
9 | relevant agenda related material and back-up
10 | documentation must be presented to Board members
11 | at least two (2) days before the Board committee
12 | meetings. Copies of the supporting materials and
13 | documents also will be made available to the
14 | administrative assistants to the members of the Board.
- 15 | 2. Administrative Staff and Recognized Employee
16 | Organizations
- 17 | The document containing supplemental materials to
18 | the agenda will be distributed to the administrative
19 | staff of the school system as determined by the
20 | Superintendent. The Superintendent shall distribute
21 | this document to employee organizations as provided
22 | for in the collective bargaining agreements with
23 | approved bargaining units.
- 24 | The distribution of this document, though, shall be
25 | kept to an absolute minimum because of the expense
26 | involved in preparing copies of all documents and
27 | materials.
- 28 | 3. For news media representatives, the County Council
29 | PTA/PTSA Executive Board, the Miami-Dade County
30 | Association of Student Government Presidents, and
31 | other governmental and education-related community
32 | agencies, copies of the supplemental materials will be
33 | made available to them at no cost through the Citizen
34 | Information Center. The distribution of these materials
35 | shall be kept to an absolute minimum because of the
36 | expense involved in preparing copies of all documents
37 | and materials.

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

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

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

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 13, 2013