

Office of Superintendent of Schools
Board Meeting of November 19, 2013

November 8, 2013

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

SUBJECT: FINAL READING: PROPOSED AMENDMENT OF POLICY 6480,
EXPENDITURES

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS

LINK TO STRATEGIC

FRAMEWORK: SCHOOL/DISTRICT LEADERSHIP

At the August 7, 2013, Board meeting, the Board approved Agenda Item H-3 ("Board Memberships") presented by Ms. Perla Tabares Hantman, Board Chair, directing that guidelines be developed related to the types of professional, educational, and community-based organizations for which membership fees and/or dues may be an appropriate expenditure from Board member office funds. Currently, Board Policy 6480, *Expenditures*, which applies to Board members, employees and school sites, restricts the use of District general funds to professional organization membership unless the Superintendent deems a membership to be in the best interest of the District.

Pursuant to the Board's direction, the Board considered at the October 16, 2013, Board meeting, an amendment to Agenda Item G-2, Initial Reading of Proposed Policy 6480, *Expenditures*, allowing guidelines to be developed and approved by the Board so that Board member office funds may be used to pay for other types of memberships. Dr. Martin Karp, Board Vice-Chair, offered additional language that would also allow District funds to pay for attending other official events. The Board approved the item as amended.

The proposed guidelines implementing these amendments are attached for the Board's approval.

The Notice of Intended Action was published in the *Miami Daily Business Review* on October 21, 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.

REVISED

G-1

RECOMMENDED:

That The School Board of Miami-Dade County, Florida:

- (1) adopt amended Policy 6480, *Expenditures*, and authorize the Superintendent to file the amended policy with The School Board of Miami-Dade County, Florida, to be effective November 19, 2013; and
- (2) approve the attached administrative guidelines implementing this amendment.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on October 16, 2013, its intention to amend Board Policy 6480, *Expenditure*, at its meeting of November 19, 2013.

PURPOSE AND EFFECT: The purpose of the recommended amendment is to provide authority to develop guidelines for Board member office funds to be used for memberships and/or dues for educational and community-based organizations if in the best interest of the District.

SUMMARY: Currently, Board member office funds can only be used for professional organization memberships. This amendment authorizes guidelines to be developed and approved by the Board that will allow general funds to also be used for membership and/or dues in educational and community based organizations.

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 November 19, 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 November 12, 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: August 7, 2013

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EXPENDITURES

2 Expenditures from District and all other funds available for the public school
3 program are authorized by law and School Board procedures. The Superintendent
4 is authorized to provide procedures to pay for material, supplies, or services needed
5 for the District that have been properly incurred under the laws, policies and
6 regulations governing purchases and transactions upon proper documentation and
7 review. Such payments will be approved by the Board as provided by law.

8 Neither the District, nor any person acting on behalf of the District, may expend
9 general funds for (1) political advertisement or electioneering communication; (2)
10 purchase of items for personal use (i.e., bottled water, coffee, cups, etc.); (3) food for
11 meetings, awards, hospitality, and special observations; (4) equipment for personal
12 use (i.e., microwaves, refrigerators, coffee makers, etc.); (5) donations to outside
13 parties; (6) individual memberships in professional, educational and community
14 organizations and related activities and services except pursuant to administrative
15 guidelines based on the District's best interests developed by, unless the
16 Superintendent and approved by the School Board; ~~deems such membership to be~~
17 ~~in the best interest of the school system;~~ (7) taxes, late penalties; and/or
18 (8) beautification and decoration accessories.

Added
pursuant
to Board
Action on
10/16/13

19 A. Payment for Goods and Services

20

21 The payment of purchase orders, contracts, invoices, and utilities
22 shall be made according to the approved budget and State law.

23 B. Salary Expenditures

24 1. No salary payment shall be made except to properly
25 authorized and approved personnel and shall begin at the
26 time employment is authorized.

27 2. Payments shall be based upon a Board-adopted salary
28 schedule for each position.

29 3. Employees shall be paid on a bi-weekly basis.

30 4. Principals and department heads shall be responsible for
31 submitting accurate payroll records according to established
32 time schedules and procedures.

- 1 C. Overtime Payment
- 2 1. Authorization to work overtime must be by prior approval of
- 3 the department head or principal.
- 4 2. Overtime compensation shall be paid as approved by the
- 5 Board.

6 F.S. 1001.43, 1001.51, 1012.22

7 F.A.C. 6A-1.014, 6A-1.057

General Expenditure Guidelines – School Board Offices

Individual memberships and related expenditures for professional, educational and community organizations may be funded by the District, if reasonable, allowable and within office budgets. Memberships and related costs are permitted for organizations which promote the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization. Memberships and related costs are also permitted if the organization directly promotes the District's education, research, or service mission.

In addition to requirements unique to these activities, such costs are subject to the District's normal procurement policies and procedures, as well as general expenditure documentation requirements. See Board Policy 6480, *Expenditures*, Board Policy 6320, *Purchasing*, the District's Expenditure Guidelines.

All costs related to the approved memberships should be in the District's best interest, meet an approved business purpose and be reasonable in amount considering the type of occasion, the number of persons present, and the time and place of the event or meeting. Costs associated with attending related events, which are sponsored by the District or by civic or charitable organizations, should be events or functions sponsored by, or is for the benefit of, an organization to which the District has sponsored a membership and is related to the District's education, research, or service mission.

ADDED

Unallowable Costs

Public monies cannot be expended solely for the personal benefit of an individual. In addition, District funds cannot be used to pay for costs that are not allowable. Alcoholic beverage or related costs cannot be paid for or reimbursed by District. Costs associated with an employee's family/friends/etc. are not normally legitimate allowable costs.

Payment Requests

Payment requests must itemize all costs in sufficient detail to satisfy the District's requirements for control of unallowable costs and to facilitate classifying the expenses in the appropriate category.

The Superintendent may issue additional procedures to further define and implement these guidelines.