

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

SUBJECT: INITIAL READING: PROPOSED NEW POLICY BYLAW 0121.1, *FINANCIAL EMERGENCIES*, AND POLICY BYLAW AMENDMENTS 0150, *BOARD COMMITTEE MEETINGS*, 0166, *NON-PUBLIC MEETINGS*, 0165, *PUBLIC MEETINGS*, 0151 *ORGANIZATIONAL MEETING*, 0144, *TERM OF OFFICE*, 0141.2, *CONFLICT OF INTEREST*, 0141.3, *CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP*, 0165.1, *CONSENT AGENDA*, 0169.1, *PUBLIC PARTICIPATION*

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS
LINK TO STRATEGIC FRAMEWORK: SCHOOL/DISTRICT LEADERSHIP

Pursuant to Revised Agenda Item H-10 ("Scheduling Board Meetings") presented by Dr. Martin Karp, Board Member, at the January 15, 2014, Board meeting, the Board authorized rulemaking to amend relevant Board policies to require that Wednesday be the preferred day for scheduling School Board meetings. This item requests approval to amend Board Policies 0150, *Board Committee Meetings*, 0165, *Public Meetings*, and 0166, *Non-Public Meetings*, to require that Wednesday be the preferred date for Board meetings. The policy amendments recognize and provide that other factors may impede such consideration, including but not limited to advertisements and agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously calendar conflicts and travel, legislative session, Dade Days and graduations.

In addition, this item requests approval of policy amendments to various other Board Bylaws in order to comply with new statutory requirements and amendments related to the organizational meeting, term of office, public participation in Board meetings, conflicts of interest, prohibited gifts and honoraria, and a new policy regarding reporting and resolving financial emergencies.

Attached is the Notice of Intended Action and the proposed new policy and amendments. Changes from the current policies 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 promulgate new Board Policy 0121.1, *Financial Emergencies*, and amend Board Policy Bylaws 0150, *Board Committee Meetings*, 0166, *Non-Public Meetings*, 0165, *Public Meetings*, 0151, *Organizational Meeting*, 0144, *Term of*

Office, 0141.2, Conflict of Interest, 0141.3, Conflicting Employment or Contractual Relationship, 0165.1, Consent Agenda, and 0169.1, Public Participation

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings pursuant to the Administrative Procedure Act to promulgate new Board Policy 0121.1, *Financial Emergencies*, and Board Policy Bylaws 0150, *Board Committee meetings*, 0166, *Non-Public Meetings*, 0165, *Public Meetings*, 0151, *Organizational Meeting*, 0144, *Term of Office*, 0141.2, *Conflict of Interest*, 0141.3, *Conflicting Employment or Contractual Relationship*, 0165.1, *Consent Agenda*, and 0169.1, *Public Participation*.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 9, 2014, its intention to promulgate new Board Policy 0121.1, *Financial Emergencies*, and amend Board Policy Bylaws 0150, *Board Committee Meetings*, 0166, *Non-Public Meetings*, 0165, *Public Meetings*, 0151, *Organizational Meeting*, 0144, *Term of Office*, 0141.2, *Conflict of Interest*, 0141.3, *Conflicting Employment or Contractual Relationship*, 0165.1, *Consent Agenda*, and 0169.1, *Public Participation*, at its meeting of May 14, 2014.

PURPOSE AND EFFECT: The purpose of the amendments to Board Policies 0150, *Board Committee Meetings*, 0165, *Public Meetings*, and 0166, *Non-Public Meetings*, is to require that Wednesday be the preferred date for Board meetings. These policy amendments recognize and provide that other factors may impede such consideration, including but not limited to advertisements and agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously calendar conflicts and travel, legislative session, Dade Days and graduations.

In addition, this item requests approval of policy amendments to various other Board Bylaws in order to comply with new statutory requirements and amendments related to the organizational meeting, term of office, public participation in Board meetings, conflict of interest, prohibited gifts and honoraria, and a new policy regarding reporting and resolving financial emergencies.

SUMMARY: The amendments require that Wednesdays be first consideration for scheduling Board meetings. Other amendments are required to comply with new legislative requirements and statutory amendments related to the organizational meeting, term of office, public participation in Board meetings, conflicts of interest, prohibited gifts and honoraria, and a new policy regarding reporting and resolving financial emergencies.

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: 100.041, 112.313(7), (13), (14), 112.3125, 112.3143, 112.3148, 112.3149, 286.0114, 1001.371, 1001.41 (1), (2); 1001.42 (25); 1001.43 (10), ; F.S.,

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF April 9, 2014, 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 May 5, 2014, 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 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 NEW AND AMENDED POLICIES are 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: Walter J. Harvey, School Board Attorney

Date: January 15, 2014

NEW POLICY

0121.1

Financial Emergencies

When a financial emergency, as defined by F.S. 218.503(1), occurs, the School Board shall notify the Commissioner of Education and the Legislative Auditing Committee that such conditions have occurred, or will occur if action is not taken to assist the Board.

The Commissioner of Education shall contact the Board to determine what actions have been taken by the Board to resolve or prevent the condition. The Board shall provide the information requested within forty-five (45) days of the date of the request.

The Commissioner of Education shall determine whether the Board needs state assistance to resolve or prevent the condition. If State assistance is needed, the Board is considered to be in a state of financial emergency, and the Commissioner has the authority to implement measures as set forth in State law to assist the Board in resolving the financial emergency.

The failure of the members of the Board to resolve a state of financial emergency would constitute malfeasance, misfeasance, and neglect of duty, and the members of the Board may be subject to the penalties set in forth Article IV, Section 7 of the Constitution of the State of Florida.

F.S. 218.39, 218.50, 218.501, 218.503, 218.504

ORGANIZATION

0155 School Board Committees

The objective of the School Board committees is to provide the opportunity for Board members to formulate, review, analyze, and deliberate policy recommendations prior to consideration by the full Board.

The Board is authorized to designate standing committees as necessary for formulating, reviewing, analyzing, and deliberating policy recommendations for particular organizational areas of the school system prior to consideration by the full Board. Subject to change or modification as deemed necessary by the Chair, four (4) committees are established with respect to the organizational areas listed below. In addition, specific strategies outlined in the District Strategic Plan will be explicitly tied to each committee.

A. Instructional Excellence and Community Engagement

Develops policy and considers matters related to pre-kindergarten through secondary curriculum and instruction, educational planning and assessment, exceptional student education, student services, schools of choice, Federal programs, all grants administration, including Title I, adult, vocational and alternative education, community schools and services, increasing the graduation rate and decreasing the dropout rate, education evaluation and research, parental involvement, Parent Academy, community relations, media communications, public relations, information and marketing, and related procurement and rulemaking. The District-wide Teacher of the Year may serve as a non-voting ex-officio member.

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.

Membership

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.

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

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.

Powers

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.

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.

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.

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

1 3. The annual budget may be considered by the
2 Innovation, Efficiency and Governmental Relations
3 Committee, at the discretion of the committee chair,
4 prior to consideration by the full Board. If the
5 committee chair calls a committee meeting to review
6 the annual budget, the meeting will be held in a budget
7 workshop format and all Board members will be invited
8 to attend and participate.

9 4. Board members may submit issues for discussion to
10 the appropriate committee staff liaison in sufficient
11 time to be included on the published committee
12 meeting agenda. The issue submitted shall include a
13 brief summary of the topic to be discussed.

14 This provision does not prohibit Board members from
15 raising unpublished discussion issues under the
16 committee's new business agenda section.

17 Discussion issues, whether published or not, shall not
18 be forwarded to the full Board and no action may be
19 taken on these issues by the committee.

20 C. Each committee is authorized to invite public officials, public
21 employees, or private individuals to appear before the
22 committee for the purpose of obtaining information.

23 D. For any matter which will be considered by the full Board, the
24 committee may forward it to the full Board as:

- 25 1. recommended;
- 26 2. not recommended;
- 27 3. recommended with modification; or
- 28 4. no recommendation.

- 1 E. The presence of two (2) or more members of a committee shall
2 constitute a quorum for voting purposes. The Chair and
3 Vice-Chair, if present, may be counted in determining if a
4 quorum is present at any committee meeting. The Board
5 Chair shall appoint two (2) alternate members to serve on
6 each Board committee. In those instances where at least
7 two (2) members of a committee are not present, any Board
8 member who has been designated to serve as an alternate
9 member of the committee may be counted as a member of the
10 committee for purposes of establishing a quorum. In the
11 event of an anticipated absence, committee members shall
12 notify the committee chair, so that alternate members are
13 advised that their attendance at the meeting is requested. In
14 the absence of a quorum, all Board agenda items scheduled
15 to be considered by the committee will be forwarded to the
16 full Board with no recommendation.
- 17 F. In the event that a monthly meeting is not called by the
18 committee chair, the vice-chair or a member of the committee
19 who wishes to convene a meeting may request the meeting
20 through the chair of the committee, who shall then schedule
21 the meeting according to the Sunshine Law. No scheduled
22 committee meeting shall be canceled if any member of the
23 committee wishes to convene the meeting.
- 24 G. In the event that the chair of a committee is unavailable for a
25 scheduled committee meeting, the vice-chair will serve as
26 chair. In the event the chair and vice-chair are unavailable,
27 either remaining member by agreement of the membership
28 may serve as chair of the committee meeting.
- 29 H. Once considered by committee, agenda items and matters to
30 be considered by the full Board will be forwarded to the full
31 Board. The full Board will be advised of the committee's
32 recommendation in a manner to be determined by the
33 committee chair.

Staff Liaison and Resource Persons

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

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

Miscellaneous

A. Scheduling

The committee meetings addressing the monthly Board agenda shall occur after the publication of the official agenda and prior to the regularly scheduled monthly Board meeting. The chair of each committee is responsible for scheduling the committee meeting. The Board shall first consider Wednesdays to schedule all committee meetings in which Board members are requested to attend, recognizing that certain factors may impede consideration for Wednesdays including, but not limited to, advertisements, agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously scheduled calendared conflicts and travel, legislative session, Dade Days and graduations.

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

C. Sunshine Law

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

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1 D. Rules of Order

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

3 Revised 1/18/12

4 Revised 10/10/12

5 © NEOLA 2008

MEETINGS

0166

Non-Public Meetings

A. Attorney-Client Sessions

The School Board and its attorneys may meet in private to discuss pending litigation to which the Board is presently a party under the following conditions:

1. The Board Attorney shall advise the Board at a public meeting that s/he desires advice concerning the litigation. Alternatively, the Board Attorney may submit a written request for an attorney-client session to the Board Chair.
2. The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.
3. The Board shall give reasonable public notice on the Board's website and a local newspaper of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending.
4. The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the Clerk of the Board within a reasonable time after the meeting.
5. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

1 6. The transcript shall be made part of the public record
2 upon conclusion of the litigation.

3 7. Any discussions held during the attorney-client session
4 and any materials presented at the session are
5 confidential and may not be publicly disclosed, except
6 as provided under F.S. 286.011(8).

7 B. Risk Management Sessions

8 The Board and its attorneys may meet in private to discuss
9 the evaluation of claims filed with the risk management
10 program or which relate solely to offers of compromise of
11 claims filed with the risk management program. Until
12 termination of all litigation and settlement of all claims
13 arising out of the same incident, persons involved in
14 discussions pertinent to the evaluation of a filed claim shall
15 not be subject to subpoena in any administrative or civil
16 proceeding with regard to the content of those discussions.

17 All risk management sessions held between the Board, its
18 attorneys and members of the School District's Risk
19 Management department shall abide by the recording
20 requirements. The Board Attorney shall communicate the
21 need for a Risk Management session to the Chair of the Board
22 who shall determine the date the meeting will be held.

23 Risk management sessions do not require public notice. Any
24 discussions held during a risk management session and any
25 materials presented at the session are confidential and may
26 not be publicly disclosed until termination of all litigation and
27 settlement of all claims arising out of the same incident,
28 although portions of the claim files may remain exempt from
29 disclosure.

30 C. Executive Sessions

31 The Board may meet privately in confidential executive
32 session to discuss issues related to collective bargaining.

33 All work product developed by the Superintendent or the
34 Board in preparation for negotiations, and during
35 negotiations are confidential and exempt from Public Records
36 laws.

1 The Superintendent shall notify the Board of the need for an
2 executive session at the earliest practical date before the
3 session is scheduled.

4 Executive sessions of the Board do not require public notice,
5 but the memorandum setting the date, time and purpose of
6 the session may be publicly disseminated. Any discussions
7 held during an executive session and any materials presented
8 at the session are confidential, and may not be publicly
9 disclosed.

10 D. Penalties For Violation of Confidentiality of Closed Sessions

11 All participants attending these non-public meetings must
12 maintain the confidentiality of the information provided and
13 may not disclose this information to the public. Disclosure of
14 confidential information may place the Board in a
15 disadvantageous position in either litigation or in collective
16 bargaining. In addition, disclosure of such confidential
17 information could be a violation of the Code of Ethics for
18 Public Officers and Employees as outlined under F.S.
19 Chapter 112. A complaint shall be filed, if deemed
20 appropriate, by the Ethics Advisory Committee with the
21 Florida Commission on Ethics against any individual who is
22 determined to have disclosed confidential information that
23 was provided solely at an attorney-client, risk management,
24 or executive session. The Florida Commission on Ethics has
25 the authority to make final determinations with regard to
26 such complaints. Participants at these sessions are not
27 precluded from using the information provided in these
28 sessions to fulfill the duties and responsibilities of their
29 assigned administrative positions.

30 E. Settlement Authority

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Any settlements of civil cases that are reached as a result of an attorney-client session and that are beyond the monetary threshold afforded to the Board Attorney, shall be presented to the Board for approval. Settlements of tort cases that are reached as a result of direction given at a risk management session do not require Board authorization if they do not go beyond the previously established monetary thresholds.

F. Scheduling

The Board shall first consider Wednesdays to schedule all meetings in which Board members are requested to attend, recognizing that certain factors may impede consideration for Wednesdays including, but not limited to, advertisements, agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously scheduled calendared conflicts and travel, legislative session, Dade Days and graduations.

MEETINGS

0165

Public Meetings

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.

The Board shall first consider Wednesdays to schedule all meetings in which Board members are requested to attend, recognizing that certain factors may impede consideration for Wednesdays including, but not limited to, advertisements, agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously scheduled calendared conflicts and travel, legislative session, Dade Days and graduations.

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.

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All regular meetings will begin at 11:00 a.m. in the Board Administration Building Auditorium, 1450 Northeast Second Avenue, Miami, Florida. At 11:00 a.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 limited to two (2) 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 Superintendent's Special Orders shall follow the Board member presentations. The Board may then recess for lunch if time permits. 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

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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.

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

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

14 F.S. ~~447~~286.011, 286.0114, F.S.

15 Revised 9/7/11
16 Revised 10/16/13

ORGANIZATION

0151 Organizational Meeting

The School Board shall organize in November of each year by electing a Chair and Vice-Chair. In an election year, the organizational meeting must be held on the second Tuesday following the general election. The School Board shall organize annually on the third Tuesday after the first Monday in November of each year.

The Chair and Superintendent shall sign a copy of the proceedings of organization as provided in state law and these bylaws, including the schedule of regular meetings and the names and addresses of all District officers. The Superintendent shall file the document within two (2) weeks with the Florida Department of Education.

F.S. 100.041, 1001.371

MEMBERSHIP

Term

School Board members shall be elected at the general election in November for staggered terms of four (4) years arranged so that the five (5) members from odd-numbered districts shall be elected at one general election and the four (4) members from even-numbers districts shall be elected at the next general election.

The term of office shall begin on the ~~third~~second Tuesday following the general election ~~after the first Monday in November of the year in which the member is elected.~~

F.S. 100.41, 1001.35, 1001.371

MEMBERSHIP

0141.2

Conflict of Interest

School Board members are governed by the Code of Ethics for Public Officers and Employees, Part III of F.S. Chapter 112 and by other statutes in the school code. Board members and the Superintendent shall annually participate in four (4) hours of ethics training as specified by law (F.S. 112.3145, C.O.E. 34-7.0251)

The following is a summary of the statutory mandates. They are not definitive rules and the statute must be consulted for applicable definitions and for exemptions.

A. Standards of Conduct

1. Gifts

No Board member may either solicit or accept anything of value - including a gift, loan, reward, promise of future employment, favor, or service - that is based on any understanding that the vote, official action, or judgment of the Board member would be influenced by such gift.

F.S. 112.313(2)

2. Other Prohibited Gifts

No Board member may solicit any gift, food, or beverage ~~from a person, vendor, potential vendor, any other entity doing business with the Board, political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (or the partner, firm, employer, or principal of the lobbyist), where the gift or food or beverage is for the benefit of the Board member, another Board member, or any member of the immediate family of a Board member.~~ No Board member or any person on behalf of the Board member may knowingly accept, directly or indirectly, a gift from a person, vendor, potential vendor, any other entity doing business with the Board, political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (and related individuals and entities, including, but not limited to, or the partner, firm, employer, or principal of the lobbyist), if the Board member knows or reasonably believes the gift has a value in excess of \$100 - unless the gift is accepted on behalf of and transferred promptly to a governmental entity or a charitable organization, or is given to the Board member by a governmental entity for a public purpose. Gifts from relatives and gifts associated primarily with the recipient's employment or business are not prohibited. Food or beverage consumed at a single sitting or event may be accepted.

"Vendor" is defined as a business entity doing business directly with the Board, such as renting, leasing, or selling realty, goods, or services.

F.S. 112.3148

3. Honoraria

No Board member may solicit an honorarium related to the member's public office or duties. No Board member may knowingly accept, directly or indirectly, an honorarium from a person, vendor, potential vendor, any other entity doing business with the Board a political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (and related individuals and entities, including, but not

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1 | limited to, or from the employer, principal, partner, or
2 | firm of the lobbyist). Actual and reasonable
3 | transportation, lodging, and food and beverage
4 | expenses related to the honorarium event for a Board
5 | member and spouse may be accepted.

6 |
7 | "Vendor" is defined as a business entity doing business
8 | directly with the Board, such as renting, leasing, or
9 | selling realty, goods, or services.

10 |
11 | F.S. 112.3149

8. Employees Holding Office

No Board employee may be a member of the Board while simultaneously continuing as an employee.

F.S. 112.313(10)

B. Voting Conflicts

A Board member is prohibited from voting in an official capacity on any matter which would inure to his/her special private gain or loss, or to the special gain or loss of a principal by whom s/he is retained, or to the special gain of the parent organization or subsidiary of a corporate principal by which s/he is retained, or to the special gain or loss of a relative or business associate. Prior to the vote, the Board member must shall publicly state to the assembly the nature of his/her the Board member's interest in the matter from which the member must abstain from voting. The board member shall make every reasonable effort to disclose the nature of the board member's interest as a public record in a memorandum filed with the Board's recording secretary. If it is not possible for the Board member to file a memorandum before the vote, the memorandum must be filed within and within fifteen (15) days file a written disclosure of the interest with the Board's recording secretary of the Board.

F.S. 112.3143

C. Instructional Materials

No Board member shall accept anything of value or any inducement to introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material.

F.S. 1006.32

D. Textbooks

No Board member shall receive any gift or compensation for promoting the sale or exchange of any schoolbook, map, or chart in any public school, or be an agent for the sale, or the publisher of any school textbook or reference work, or be

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1 pecuniarily interested in the introduction of any such
2 textbook.

3 F.S. 1006.32(8)

- 1 E. No contract for supplying materials, supplies, and services
2 needed for the District school system shall be made with any
3 member of the Board, with the Superintendent, or with any
4 business organization in which any Board member or the
5 Superintendent has any financial interest whatsoever.

6 F.S. 1001.42

7 **Additional Provisions**

- 8 A. Board members shall accept no gifts from any individual,
9 firm, or business entity which the Board member has reason
10 to believe is doing business with or seeking to do business
11 with the District. Meals and admissions to events which
12 relate directly to the school system may be accepted.
- 13 B. Board members shall not participate in trips paid by a vendor
14 or potential vendor for the purpose of inspecting products or
15 programs useful to the District. Such trips, if deemed
16 necessary, shall always be made at District expense and
17 approved by the Board at a public meeting.
- 18 C. Board members, their spouses, or campaign committees shall
19 not solicit any vendor or any employee of this District to make
20 contributions to any political campaign or testimonial.
- 21 D. Board members shall not solicit nor accept personal
22 discounts on merchandise or services from individuals, firms,
23 or business entities which the Board member has reason to
24 believe are doing business with or seeking to do business
25 with this District unless those discounts are available to the
26 general public.
- 27 E. No Board member may recommend the services of any lawyer
28 or law firm, architect or architectural firm, public relations
29 firm, or any other person or firm, professional or otherwise, to
30 assist in any transaction involving the District unless the
31 recommendation is made at a public meeting of the Board.

- 1 F. Board members are prohibited from acting as an agent or
2 attorney for compensation for anyone in connection with any
3 matter in which the District is interested for two (2) years
4 after his/her Board service terminates.

5 **Guidelines for Avoidance of Conflict of Interest**

6 The following guidelines are intended to avoid conflicts of interests
7 or the appearance of conflict as it relates to personal purchases or
8 private contracting. These guidelines do not apply to purchases
9 made in a private capacity of goods or services at a price and upon
10 terms available to similarly situated members of the general public.

- 11 A. When entering into a transaction or contractual relationship
12 as described above, Board members will make the following
13 inquiries to the entity with whom they are contracting:

- 14 1. Does the business entity have a contractual
15 relationship with the Board for more than \$500?
- 16 2. Is the contracting individual a principal or employee of
17 an entity with a contractual relationship with the
18 Board for more than \$500?

- 19 B. If an affirmative answer is given to either inquiry above, the
20 Board member will request from the Board Attorney a written
21 opinion indicating whether contracting with the individual or
22 entity would constitute a conflict of interest pursuant to Code
23 of Ethics for Public Officers and Employees, or other State
24 statute or Board rule. The Board Attorney will issue a written
25 opinion or will refer the Board member to the Florida
26 Commission on Ethics.

- 27 C. Clarification and opinions regarding the application of the
28 Code of Ethics for Public Officers and Employees can be
29 obtained at any time from the Florida Commission on Ethics.

30 Revised 9/3/13

MEMBERSHIP

0141.3

Conflicting Employment or Contractual Relationship

No School Board member may hold any employment or contract with any business entity or agency subject to the regulation of, or doing business with the Board. Nor may a Board member hold any employment or contractual relationship which will pose a recurring conflict between his/her private interests and his/her public duties or would impede the full and faithful discharge of his/her public duties.

A School Board member is prohibited from accepting public employment with the State or any of its political subdivisions if the Board member knows, or with the exercise of reasonable care should know, that the position is being offered by the employer for the purpose of gaining influence or other advantage based on the Board member's office or candidacy.

Public employment may only be accepted by a public officer if:

- A. the position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position;
- B. the position was publicly advertised;
- C. the public officer was subject to the same application and hiring process as other candidates for the position; and
- D. the public officer meets or exceeds the required qualifications for the position.

A person who was employed by the State or any of its political subdivisions before qualifying as a public officer for his/her current term of office or the next available term of office may continue the employment. The person may not, however, accept promotion, advancement, additional compensation, or anything of value that he/she knows, or with the exercise of reasonable care should know, is provided or given as a result of his/her election or position, or that is otherwise inconsistent with the promotion, advancement,

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additional compensation, or anything of value provided or given an
employee who is similarly situated.

Nothing in this policy may be interpreted as authorizing employment
that is otherwise prohibited by law.

F.S. 112.313(7), (14); 112.3125.

MEETINGS

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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. Holder agenda items will not be published.~~

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

~~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.~~

~~**A primary purpose of creating, approving, preparing and publishing agendas is to ultimately promote transparency and citizen engagement. Holders are Board Items that do not include all of the information required by the Administrative Procedures Act. Accordingly, with the exception of information items, resolutions, proclamations and endorsements, holder items may be submitted, but shall not be published with the regular Agenda. If a proposed Board item is not published pursuant to this Policy, the proposed item may still be published if good cause is found as required by the Administrative Procedure Act as provided in section C below.**~~

B. Items Board Member Wish to Include in the Agenda

Board members who 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

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subject heading specifying the topic that is being proposed for
discussion.

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C. Agenda Changes

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.

D. Co-Sponsorship of Board Member Agenda Items

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).

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 Robert's Rules of Order as a motion to amend the item to 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 two (2) item limit for these types of agenda items as described in Policy 0165.

E. Consent Agenda

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 items not selected by Board members to address constitute the consent agenda. The Chair shall call on speakers who have signed up to speak to those items pursuant to Board Policy 0160, Public Participation, and provide them the opportunity to speak. The chair will then call for a vote on the consent agenda. all other agenda items. These items constitute the consent agenda. Rule-making items on which a public hearing has been timely

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requested pursuant to Bylaw 0131 may not be approved on
consent.

F. 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.

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

10 b. A copy of the agenda also will be available at the
11 Citizen Information Center prior to and during
12 Board meetings.

13 c. The agenda may be accessed via the Board's
14 website.

15 G. Distribution of Agenda-related Supplemental Materials and
16 Documents

17 1. Board Members

18 Prior to each meeting of the Board, the Superintendent
19 will distribute to each Board member and the student
20 advisor supporting materials and documents prepared
21 to accompany the items which are included on the
22 agenda. The final versions of all items, along with all
23 relevant agenda related material and back-up
24 documentation must be presented to Board members
25 at least two (2) days before the Board committee
26 meetings. Copies of the supporting materials and
27 documents also will be made available to the
28 administrative assistants to the members of the Board.

29 2. Administrative Staff and Recognized Employee
30 Organizations

31 The document containing supplemental materials to
32 the agenda will be distributed to the administrative
33 staff of the school system as determined by the
34 Superintendent. The Superintendent shall distribute
35 this document to employee organizations as provided
36 for in the collective bargaining agreements with
37 approved bargaining units.

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

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

- H. 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.

- I. 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.

Revised 4/17/13
Revised 10/16/13

MEETINGS

0169.1

Public Participation at Board Meetings

The Chair of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The Chair shall be guided by the following rules:

- A. Any citizen may address the Board directly concerning any subject that lies within the jurisdiction of the Board.
- B. Individuals who wish to be heard by the Board on a topic which is not on the agenda for the meeting shall be scheduled for an appearance only at the public hearing during the regularly scheduled Board meeting each month. However, citizens who wish to speak to a topic on the agenda may be scheduled to appear at any Board meeting for which the topic is listed as an item.
- C. Where a large number of individuals have signed up to speak according to this policy, the individuals may select a group spokesperson to address the Board on behalf of those individuals.
- ~~D.~~ Citizens scheduled to speak shall be called by the Chair at the appropriate time during the meeting. –Each individual shall state for the record their name, address, (the address may be given orally or in writing, at the speaker's option), organization or persons represented and whether s/he is being compensated for the appearance. Substitutions for scheduled speakers will not be allowed except in exceptional circumstances as determined by the Chair.
- ~~D~~E. Decorum:
 - 1. Citizen's remarks should be directed to the presiding officer or the Board as a whole and not to individual Board members. Speakers may not address Board members by name.
 - 2. Speakers commenting on agenda items shall confine their comments solely to the agenda item being

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discussed. During the public hearing, speakers must limit their remarks to matters related to the business of the District. Speakers are prohibited from discussing or addressing their own District personnel issues or cases. Speakers may not use any form of profanity or loud abusive comments.

1 3. No clapping, applauding, heckling, shouting comments
2 from the audience, or verbal outbursts in support or
3 opposition to a speaker or his/her remarks shall be
4 permitted. No signs or placards shall be allowed in the
5 Board meeting. Persons exiting the Board meeting
6 shall do so quietly.

7 4. The Chair may notify and warn speakers that their
8 comments have gone beyond the subject matter for
9 which they had signed up to address, address matters
10 that are not related to the business of the School
11 District, constitute personal attacks on individuals or
12 otherwise violate this policy.

13 5. The Chair may turn off the microphone or recess the
14 meeting if a speaker persists in addressing irrelevant
15 topics or engaging in personal attacks. The Chair has
16 the authority after one warning to order the removal of
17 the speaker from the meetings.

18 Following a warning, any person making impertinent
19 or slanderous remarks or who becomes boisterous
20 while addressing the Board shall be barred from
21 further appearance before the Board for the balance of
22 the meeting.

23 6. Personal cellular telephone conversations while in the
24 room when the Board meeting is being conducted is
25 not permitted. Such conversations are permitted only
26 during meeting breaks or recess. Ringers must be set
27 to silent mode to avoid disruption of proceedings.
28 Individuals, including those on the dais, must exit the
29 chambers to answer incoming cell phone calls.

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31 F. Citizens may be heard on consent agenda items before the
32 Board votes on those items. After the consent agenda is
33 determined by the Board pursuant to Board Policy 0165.1,
34 Agendas, the Board chair shall call on speakers who have
35 signed up to speak to those items and provide them the
36 opportunity to speak.

37 EG. ~~Citizens may be heard on matters on the consent agenda or~~
38 ~~not on the Board agenda at the regularly scheduled meeting~~
39 ~~of the Board each month at the public hearing which shall~~
40 ~~begin no later than approximately 6:30 p.m. The Chair may~~

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begin calling speakers who are present immediately following the conclusion of the regular agenda. The public hearing shall not conclude before 4:30 p.m. unless all of the speakers signed up to speak are present and have been given the opportunity to speak.

H. The Board may prohibit public participation on official acts that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if allowing public speakers would cause an unreasonable delay in the ability of the Board to act. The Board may also prohibit public participation on ministerial acts, including but not limited to, approval of Board minutes and bid-opening lists. The Board may allow public comment on ceremonial proclamations and resolutions.

FI. Scheduled Public Hearings

1. To appear under "Scheduled Public Hearings," citizens must present a written request to the Superintendent no later than 4:30 p.m. of the Monday preceding a regular Wednesday Board meeting. Forms to be used in submitting these requests are available at all Region Offices, the Office of Citizen Information at the Board Administration Building, and on the District website. The request shall contain the following information:
 - a. name, address and telephone number of person who is to appear;
 - b. organization or persons represented and whether the person to appear is being compensated; and
 - c. topic to be presented.
2. The Superintendent shall provide to each Board member a list of the persons scheduled to speak.
3. Any one speaker or spokesperson for a group shall be permitted to speak no more than three (3) minutes at the Scheduled Public Hearings no matter how many issues that individual addresses, nor more than a total of ten (10) minutes during the Board meeting, (including time on any agenda items and, later, on consent or non-agenda items), except in unusual circumstances determined and approved by unanimous vote of Board members present at the meeting. ~~If a speaker signs up to speak to an item passed on consent or a non-agenda item, then the speaker will be given additional time during the public hearing that the speaker would have been given had they addressed the item during the regular meeting, provided such additional time does not exceed a total of ten (10) minutes for the entire meeting.~~
4. Speakers may not refuse to yield the podium when the Chair has advised that their time is up.

- 1 5. The total time allotted for the public hearing shall not
2 exceed one and one-half (1 1/2) hours. The time limit
3 on the public hearing portion of the regular Board
4 meeting may be extended by a majority vote of the
5 Board.
- 6 ~~6. Pursuant to the rules of parliamentary procedure, the~~
7 ~~Board may reconsider any item that passed on consent~~
8 ~~during the scheduled public hearing.~~
- 9 ~~76.~~ Speakers will be recognized in the order the requests
10 were received.
- 11 ~~87.~~ Any person who feels that the subject matter has not
12 been adequately covered in the time allotted may
13 present additional information in writing.
- 14 GJ. Procedures when not scheduled under Scheduled Public
15 Hearings
- 16 1. A person in this category seeking consent to speak
17 must submit, either before or during the meeting, a
18 written request to the Board Chair.
- 19 2. The request must state the person's name, address,
20 and subject.
- 21 3. Board members present at the meeting must vote by a
22 majority for the person to be heard.
- 23 4. If the request is approved, the Board Chair shall allot
24 the individual a maximum of three (3) minutes time.

HK. Appearances on Board Agenda Items

1. Procedures to be scheduled under "Requests to Speak to Agenda Items"

a. Any person who wishes to address the Board on an item or items on the agenda may be scheduled under "Requests to Speak to Agenda Items" by presenting a written request to the Superintendent. In the case of a special Board meeting, the deadline shall be noon on the last business day preceding the date of the meeting.

b. The total time allotted for all individuals who request to be heard on the same agenda item shall be determined by majority vote of the Board members present at the meeting. Any one speaker or spokesperson for a group shall be permitted to speak no more than two (2) minutes on any one agenda item, nor more than a total of ten (10) minutes during the Board meeting, including speaking time during a public hearing, regardless of the number of agenda items to be addressed, except in unusual circumstances determined and approved by unanimous vote of Board members present at the meeting. Additional comments may be presented in writing.

2. Procedures when not scheduled under "Requests to Speak to Agenda Items"

Persons not scheduled in advance to speak to agenda items may request approval of the Board to be heard, as follows:

a. Before or during the meeting, the person must write their name, address and number of agenda item in which interested on a slip of paper and hand to the presiding officer before the item is considered by the Board.

- b. Receive approval to be heard by a majority vote of Board members present at the meeting and voting.
- c. The presiding officer may designate a particular time prior to Board action on the agenda item for such persons to be heard.
- d. If Board approval is granted for the person to be heard, the Chair shall allow a maximum of two (2) minutes. Additional comments may be presented in writing.

IL. Public Hearings on Specific Topics

The Board may schedule a meeting designed solely as a public hearing on a specific document or proposal which is to be the subject of later Board action, either to comply with State statutes or to hear citizens on an issue of great public interest. Persons desiring to address the Board at public hearings shall follow and be governed by the procedures for a special Board meeting.

JM. Conference Sessions/Workshops of the Board

Citizens may be heard at any conference session or workshop for a specified amount of time that the Board determines in advance of the session or at the beginning of the session.

KN. ~~Quasi-Judicial Proceedings~~~~Suspension, Dismissal or other Discipline of Personnel and/or Expulsion or Assignment of Students~~

Board actions at every stage of proceedings for the suspension, dismissal or other discipline of staff members, charter school terminations/nonrenewals and for the expulsion or assignment of specific students, are quasi-judicial proceedings conducted pursuant to Board Policy 0133, in nature, and the Board's decisions in these cases should be free of improper and extraneous comment. Citizens ~~will~~shall not be heard in ~~such~~these cases, ~~except in unusual circumstances determined and approved by majority vote of Board members present at the meeting.~~ All aspects of student expulsion proceedings shall be closed to the public

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pursuant to F.S. 1006.07(1)(a), unless the parents elect to
have the hearing held in compliance with the Sunshine Law.

LO. Tape or video recordings are permitted under the following conditions:

1. No obstructions are created between the Board and the audience.
2. No interviews are conducted in the meeting room while the Board is in session.
3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.