

Ms. Lubby Navarro, Board Member

Co-Sponsors: Ms. Susie V. Castillo, Board Member
Dr. Steve Gallon III, Board Member
Ms. Maria Teresa Rojas, Board Member } Added

SUBJECT: SCHOOL BOARD MEETINGS FOLLOWING A DECLARATION OF A STATE OF EMERGENCY

COMMITTEE: INNOVATION, GOVERNMENTAL RELATIONS & COMMUNITY ENGAGEMENT

LINK TO STRATEGIC BLUEPRINT: INFORMED, ENGAGED & EMPOWERED STAKEHOLDERS

On Monday, September 4, 2017, Governor Rick Scott issued Executive Order 17-235 declaring a state of emergency for the entire State of Florida in response to the extreme threat posed by Hurricane Irma. Prior to its approach to Florida, on September 5, 2017, Hurricane Irma attained Category 5 status with winds over 185 miles per hour and became one of the strongest Atlantic hurricanes on record.

As Governor Scott stated with regard to his declaration: "Hurricane Irma is a major and life-threatening storm and Florida must be prepared. . . forecast models have Florida in Irma's path, potentially impacting millions of Floridians. . . given these forecasts and the intensity of this storm, I have declared a state of emergency for every county in Florida. . ."

On Tuesday, September 5, 2017, the day following the Governor's declaration, the Superintendent of Schools cancelled all school activities beginning on Wednesday evening September 6, 2017, and closed all schools and administrative offices as of Thursday, September 7, 2017. In spite of the declaration of a state of emergency by the Governor, the closure of schools by the Superintendent, and the threat of a major Category 5 hurricane, our School Board meeting was held as scheduled on September 6, 2017.

The scheduling of Board meetings is prescribed by Board policy and by state statute. In accordance with § 1001.372, of the Florida Statutes, School Board Policy 0165, *Public Board Meetings*, provides, under subsection A. *Regular Meeting*, that: "The Board shall hold at least one (1) regular meeting each month according to a schedule approved by the Board at its organization meeting. . . Any change in the date or time for these meetings shall be by an action of the Board."

In the past, Board meetings have been rescheduled by the action of the Board in order to resolve scheduling conflicts that were unforeseen at the time that the Board meeting schedule was adopted. The declaration of a state of emergency and the closing of schools and of district administrative offices due to an approaching hurricane presents an unforeseen event that may necessitate the rescheduling of our regular Board meeting. Even though the Board is required to hold one regular Board meeting each month, when practicable and after a declaration of emergency, if the holding of a Board meeting presents a potential negative impact on the health, safety, and welfare of our employees and of the general public, a mechanism should be in place to cancel the Board meeting and to expeditiously reschedule it to a date and time after the state of emergency has passed.

This item is being presented for the Board's consideration to request that the Superintendent, with the assistance of the School Board Attorney, review our Board policy and recommend an appropriate legal process and any necessary amendment of Board policy, to include a provision, upon the Superintendent's recommendation, to cancel a Board meeting that has been scheduled to take place during a state of emergency. The cancellation should take place when holding such a meeting may be deemed harmful to the health, safety, and welfare of our employees and of the public, particularly when the meeting is to take place during a declared state of emergency. This item has been revised pursuant to the discussion by Board Members at the October 4, 2017 Innovation, Governmental Relations and Community Engagement committee meeting.

} Revised

This Item has been reviewed and approved by the School Board Attorneys' Office as to form and legal sufficiency.

**ACTION PROPOSED BY
LUBBY NAVARRO:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent, with the assistance of the School Board Attorney, to review School Board Policy 0165(D), *Regular Meeting*, and recommend a process, and any necessary amendment of said policy or policies, to include a provision requiring that whenever the Governor declares a state of emergency, and consistent with such a declaration, the Superintendent subsequently initiates the closing of schools; any School Board meeting scheduled to take place during the state of emergency must be cancelled; and rescheduled for a date after the state of emergency has passed, or on a date that will not adversely affect the health, safety, and welfare of our employees and of the general public.

} Revised