At its meeting of January 17, 2018, the School Board approved revised Agenda Item H-4 (Parliamentary Procedure), sponsored by Ms. Maria Teresa Rojas, Board Member, authorizing the Superintendent to initiate rulemaking to amend school Board Policy 9140, Citizen’s Advisory Committees, to include a requirement that Board Advisory Committees conduct their meetings in accordance with the parliamentary authority, Robert’s Rules of Order, Newly Revised, in order to ensure professional decorum and efficient meetings. In addition, the item requested that appropriate training on parliamentary procedure be provided to committees at least every two years or more often if needed or requested. The Board also approved a revision to the item to add that the School Board Attorneys’ Office assign a designee to serve as parliamentarian to the advisory committees that are governed by Policy 9140. This item requests approval to initiate rulemaking to amend School Board Policy 9140, Citizen’s Advisory Committees, to add these provisions and to amend Policy 6840, Audit and Budget Advisory Committee (ABAC): to add Robert’s Rules as the parliamentary authority requirement. In addition, the ABAC voted on January 31, 2018 to revise the scheduled ABAC meeting dates to be less restrictive and this item requests approval to add this amendment.

In addition, under “New Business” at the Board’s January 12, 2018, Personnel, Student, School, and Community Support Committee meeting, Ms. Perla Tabares Hantman, Board Chair, raised a concern that the Board’s Bylaw 0165.1, Agendas, prohibits revisions of Board items after publication and before Board Committee meetings even if the only revision is non-substantive, such as a typographical or grammatical error. This item requests approval to amend Bylaw 0165.1, Agendas, to allow for distribution of revised Board agenda items after publication and before the Board Committee meetings only when non-substantive errors such as typographical or grammatical errors require
changes. The provision in the Bylaw related to Board member co-sponsorship of agenda items is also proposed to be amended to conform to prior Bylaw amendments and current practice.

Attached are the Notice of Intended Action and Policy and Bylaw amendments. Changes are indicated by **underlining** words to be added and **strikethrough** words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Policies 9140, *Citizen's Advisory Committees*, 6840; *Audit and Budget Advisory Committee*; and Bylaw 0165.1, *Agendas*.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to initiate rulemaking proceedings to amend Board Policies 9140, *Citizen's Advisory Committees*, 6840; *Audit and Budget Advisory Committee*; and Bylaw 0165.1, *Agendas*. 
NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on February 21, 2018, its intention to amend Policies 9140, Citizen’s Advisory Committees, 6840, Audit and Budget Advisory Committee; and Bylaw 0165.1, Agendas, at its regular meeting on April 25, 2018.

PURPOSE AND EFFECT: Board Policy 9140, Citizen’s Advisory Committees, is proposed to be amended to (1) include a requirement that Board Advisory Committees conduct their meetings in accordance with the parliamentary authority, Robert’s Rules of Order, Newly Revised, in order to ensure professional decorum and efficient meetings, (2) to require that appropriate training on parliamentary procedure be provided to committees at least every two years or more often if needed or requested, and (3) that the School Board Attorneys’ Office assign a designee to serve as parliamentarian to the advisory committees that are governed by Policy 9140. Policy 6840, Audit and Budget Advisory Committee (ABAC) is proposed to be amended to add Robert’s Rules as the committee’s parliamentary authority and to revise the scheduled ABAC meeting dates to be less restrictive.

Bylaw 0165.1, Agendas, is also proposed to be amended to allow for distribution of revised Board agenda items after publication and before the Board Committee meetings only when non-substantive errors such as typographical or grammatical errors require changes. The provision in the Bylaw related to Board member co-sponsorship of agenda items is also proposed to be amended to conform to prior Bylaw amendments and current practice.

SUMMARY: Board Policy 9140, Citizen’s Advisory Committees, and Policy 6840, Audit & Budget Advisory Committee (ABAC) are proposed to be amended to include Robert’s Rules of Order as the parliamentary authority for advisory committee meetings. Bylaw 0165.1, Agendas, is being amended to allow for distribution of revised Board agenda items after publication and before the Board Committee meetings only when non-substantive errors such as typographical or grammatical errors require changes and other technical corrections.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1), (2); 1001.42 (15), (27); 1001.43(10), F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 1001.43(10), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING on April 25, 2018, 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 March 19, 2018, 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, F.S.

COPIES OF THE PROPOSED AMENDED AND NEW POLICIES and BYLAW are available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.
policy

THE SCHOOL BOARD OF
MIAMI-DADE COUNTY

COMMUNITY RELATIONS
9140/page 1 of 5

1

CITIZENS' ADVISORY COMMITTEES

2 The School Board may establish citizen advisory committees when there is a definite
3 function to be performed.

4 A. The structure, organization, and appointment of an advisory
5 committee shall be appropriate to the assignment or as specified in
6 the policy creating the committee.

7 B. Advisory committees shall be encouraged to draw upon a wide
8 variety of resources both inside and outside the School District.

9 C. Each committee shall be encouraged to include other local residents
10 and to recommend to the Board the official appointment of any such
11 additional member(s) as the committee may desire.

12 D. The Miami-Dade Council of PTAs/PTSAs may appoint a member and
13 an alternate to each committee that is:

14 1. specifically created by Board policy and in which each Board
15 member and the Superintendent appoint a member; and,

16 2. any other committee as deemed appropriate by the Board.

17 E. As required by F.S. Chapter 112, a registered lobbyist, as defined in
18 Policy 8150, Lobbyists, serving on an advisory committee and who
19 holds any employment or contractual relationship that will create a
20 continuing or frequently recurring conflict between his/her private
21 interests and the performance of his/her public duties, must
22 immediately resign from the committee. In addition, a registered
23 lobbyist must abstain from voting or participating on committee
24 recommendations that directly impact a client's interest for which
25 the lobbyist was retained.
policy

THE SCHOOL BOARD OF
MIAMI-DADE COUNTY

F. Advisory committees shall not have term limits for Board member appointees.

G. Advisory committees shall allow for the appointment of alternates by Board members. Alternates must be notified of all advisory committee meetings, invited to attend the meetings, and provided with all materials in the same manner as appointed representatives. The alternate shall serve as a voting member of the committee only in the absence of the appointed representative.

H. Advisory committees shall conduct their meetings in accordance with the latest edition of Robert's Rules of Parliamentary Procedure, Newly Revised (Robert's Rules). Committee members shall be provided appropriate training on parliamentary procedure under Robert's Rules at least every two years, or as needed or requested. The School Board Attorney's Office shall assign an attorney to serve as parliamentarian for each School Board advisory committee governed by this policy.

Criteria for School Board Appointees

Advisory committee members appointed by the Board and individual Board members shall meet the following criteria:

A. Residency

All appointees shall be permanent Miami-Dade County residents and have reputations for integrity and community service. A member of an advisory committee who ceases to be a Miami-Dade County resident must resign from the committee.

B. Conflict of Interest

All advisory committee members must comply with the Code of Ethics of Public Officers and Employees in F.S. Chapter 112, as it applies to employees, and certify in writing that they will comply with applicable ethical guidelines. In addition, the following requirements shall apply.
1. No person shall be appointed if, at the time of appointment, the person has filed a lawsuit against the Board that is pending and/or a challenge to a Board policy.
2. Appointees shall not serve on a committee that regulates or monitors their livelihood.

3. If an appointee qualifies as a candidate for elective political office during the appointed term, the qualification shall be deemed a resignation from the committee.

4. No person shall be appointed in violation of State or Federal law, or Board policies.

C. Multiple Appointments

No person shall be appointed by the Board or an individual Board member to serve simultaneously on more than two (2) advisory committees. A person may be appointed to serve simultaneously on more than two (2) committees if appointed by different Board members.

These requirements apply to Board appointments to all advisory committees unless there are alternate criteria provided in Board policies that establish a specific advisory committee. These requirements, however, do not apply to Board appointments of Board members to District advisory committees.

Expenditures

Expenditure of District funds by an advisory committee shall be made only upon the prior approval of the Superintendent. Supplies, equipment, and personnel from within the School District may be obtained through the appointed staff resource person.

Communication

Correspondence between the Board and its committees shall ordinarily be conducted by the Superintendent.

The Superintendent should transmit the contents of any communication or report from a committee to the Board, as appropriate.
policy

THE SCHOOL BOARD OF MIAMI-DADE COUNTY

1 Board Authority

2 The Board shall have the sole power to dissolve any of its advisory committees and shall reserve the right to exercise this power at any time during the life of any committee.

5 Board members shall have the right to attend and may participate in any District or Board advisory committee.

7 F.S. 1001.41(1), (2), (5)
8 F.S. 1001.42(25)
9 F.S. 1001.43(10)

10 Revised 10/19/11
11 Revised 4/18/12
12 Revised 11/15/17

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AUDIT AND BUDGET ADVISORY COMMITTEE

The general purpose of the Audit and Budget Advisory Committee is to review and make recommendations to the School Board and Superintendent on fiscal management matters presented to the committee by either the Board or the Superintendent. The Audit and Budget Advisory Committee shall serve as the principal advisory committee to assist the Board in fulfilling its fiduciary responsibilities on budgeting, financial reporting and accounting and business policies and practices and is the Board's principal agent in ensuring the independence of the District's external and internal auditors.

The Audit and Budget Advisory Committee's goals are to assist in:

A. strengthening accountability for the stewardship and efficient and effective use of School District funds;

B. maintaining transparency of the District's financial and business operations; and

C. promoting an adequate system of internal control.

Membership

Members of the Audit and Budget Advisory Committee should reflect the Board's commitment to diversity, have a basic understanding of finance and accounting and be able to understand and interpret financial statements and audit reports. Members should have a background in auditing, accounting, finance, business, management consulting, or law.

The members of the Audit and Budget Advisory Committee are:

A. eleven (11) members and alternates from the community not employed by the School District or having any direct or indirect business dealings with the School District;

The nine (9) Board members will each select one (1) appointee and alternate.

One (1) voting member and alternate appointed by the Superintendent.

One (1) voting member and alternate appointed by the Miami-Dade County Council of PTAs/PTSAs.
B. one (1) voting Board member and alternate appointed by the Chair of the Board;

The Board member or alternate appointed to the Audit and Budget Advisory Committee shall vote on all matters that come before the Audit and Budget Advisory Committee.

C. one (1) non-voting member from the District to be appointed by the Superintendent;

D. the Chief Auditor shall serve as the District’s liaison and provide administrative and logistical support to the Audit and Budget Advisory Committee.

Alternates may only vote in the absence of the member.

The Audit and Budget Advisory Committee shall elect a chair and vice-chair from its community members. An Audit and Budget Advisory Committee member may not serve more than four (4) consecutive years as either chair or vice-chair.

**Term of Service**

The term of service is two (2) fiscal years. The terms of community members nominated by Board members shall be consistent with the terms of their respective nominating Board members. Newly appointed Board members shall have the discretion to retain the former Board member’s appointee or to nominate a new committee member. A member’s term may be extended beyond the two (2) year term by nomination by any Board member. Community members may be removed should they miss three (3) consecutive regular meetings without good cause upon a majority vote of the audit committee.

**Meetings**

The Audit and Budget Advisory Committee will meet on a regular basis throughout the fiscal year with the first meeting to be scheduled in early Septemberfall and the last meeting in late-Juneearly summer. The committee will meet at least six (6) times during the fiscal year, subject to any unforeseen circumstances such as natural disasters, emergencies, etc.

When deemed necessary and appropriate, special meetings of the Audit and Budget Advisory Committee may be called by the Chief Auditor or by the chair of the Audit and Budget Advisory Committee. Such special meetings shall require at least two (2) days prior public notice.
A majority of the voting members shall constitute a quorum for the committee in order to conduct business. The committee shall conduct its meetings according to the most recent edition of Robert's Rules of Order, Newly Revised.

All committee and subcommittee meetings are governed by the Florida’s Government in the Sunshine and Public Records Laws, F.S. Chapter 119 and 286.011. Meetings will be held in open public sessions and all materials made or received by the Audit and Budget Advisory Committee in connection with official business are available for public inspection.

The Office of Management and Compliance Audits is responsible for providing administrative support to the committee, including publishing meeting notices, keeping its minutes, establishing the agenda in collaboration with the chair of the Audit and Budget Advisory Committee, and gathering the supporting documentation for distribution, and ensuring the smooth operation of the committee affairs.

Authority

The Audit and Budget Advisory Committee is advisory in nature. Its recommendations regarding audit findings and exceptions, and other items will be provided in writing to the Board and Superintendent. In its advisory role, the Audit and Budget Advisory Committee is subject to the control and direction of the Board.

Duties and Responsibilities

The duties and responsibilities of the Audit and Budget Advisory Committee are:

A. with regard to the external auditor:

1. serve as the committee to select and recommend the hiring of the external auditing firm to conduct the District's annual audit according to Florida statutes and assist in the development of the external audit contract;

2. oversee the work and evaluate the qualifications, performance, and independence of the external auditor and recommend the termination or replacement of the external auditor;

3. review with the external auditor their annual audit plan;

4. review the Consolidated Annual Financial Report (CAFR), Management Letter, and Single Audit Report with the external auditor and District staff and make recommendations as appropriate;

5. the Chief Auditor will provide administrative support to the committee for all external audit contracts.
B. with regard to the District's budgeting and financial management:

1. with the Chief Financial Officer, review proposed annual budgets, revenues, and expense forecasts and forecast assumptions, and budget amendments;

2. receive periodic progress reports from the Chief Financial Officer regarding the District administration's collection and disbursement of financial resources pursuant to the District's budget;

3. receive periodic reports from and consult with the Chief Financial Officer on the adequacy of the District's budget and tracking system;

4. make recommendations to the Superintendent and Board to improve the quality and reliability of budgeting and accounting for the results of financial operations and not opine on the policy and programmatic implications of budget proposals and amendments.

C. with regard to the Chief Auditor and the Office of Management and Compliance Audits:

1. review the annual budget of the Office of Management and Compliance Audits and make recommendations to the Board and the Superintendent as to the sufficiency of the budget;

   The budget shall make adequate provisions for external auditing fees, staffing of the office, required continued professional education/staff development, equipment, and supplies. The committee should review the costs of the use of outside professional services deemed necessary by the Chief Auditor and make recommendations to the Board.

2. review, provide feedback and approve the annual Audit Plan presented by the Chief Auditor;

   Receive periodic updates on the progress in completing the Audit Plan and confer with the Chief Auditor on any significant changes in the required planned scope of the annual Audit Plan.
3. review the operations and projects against the Audit Plan to determine the progress made in the execution of the Audit Plan;

4. review internal audit reports with the Chief Auditor and District administration and make recommendations regarding audit findings, recommendations, and management responses;

5. serve as the committee, in consultation with the Superintendent, to make recommendations to the Board on the person to fill the position;

At the request of the Board, the committee will provide recommendations on the contractual provisions for the position of Chief Auditor. Prior to negotiation of the employment contract, the Board shall conduct a workshop to provide guidance to the Board’s designated negotiator.

6. any recommendation for the removal or transfer of the Chief Auditor not made by the Audit Committee and the reasons for such removal or transfer shall be brought before the committee to obtain its recommendation to the Board;

7. in conjunction with Board members and at each Board member’s sole discretion, review the Chief Auditor’s performance. Written evaluations will be kept on file.

D. review and make recommendations on the audited financial statements of the District’s charter schools, community-based organizations, direct support organizations and audits of impact fees, and any other relevant external audits brought before the committee;

E. review and make recommendations on District-related audit reports prepared by Federal and State auditors;

F. provide an effective communication link between the external and internal auditors, the Board, and the Superintendent to accomplish the following objectives:

1. completeness of audit coverage;
2. reduction of redundant efforts; and

3. effective use of audit resources.

G. receive and comment on periodic updates of selected audit follow-up regarding corrective action(s) being taken by the administration to implement audit recommendations;

H. submit periodic reports, at least annually, on the work of the Audit and Budget Advisory Committee, to the Board and the Superintendent;

I. review and make recommendations on any amendments to Policy 6835, Policy 6840, and Policy 0157;

At the request of the Board, provide input to the Board with respect to the selection of the Inspector General, and with regard to the operation of the Inspector General as more specifically outlined in Policy 0157.

J. receive and review reports from the Inspector General and receive, review, and monitor corrective action plans and responses submitted pursuant to Inspector General reports or recommendations.

F.S. 119.07(3)(y), 286.011, 1001.32, 1001.41(1)(2), 1012.31

Revised 10/19/11
Revised 4/18/12
Revised 6/19/13
Revised 9/3/14

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MEETINGS

Agendas

A. Preparation and Distribution

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.

The agenda for each Board meeting shall be prepared and distributed in accordance with the requirements of the State of Florida Administrative Procedure Act. Complete agenda items must include at least one (1) named sponsor, heading, Board committee designation, link to strategic plan, subject, explanation, recommended action, and any required attachments.

On occasion, a proposed agenda item may be submitted as a "holder" when there is insufficient information to provide a full description of the action being proposed. Holder agenda items shall, at a minimum, describe the purpose and intent of the item in as much detail as possible. However, except for information items, resolutions, endorsements and proclamations, these proposed holder agenda items cannot be published unless they are complete. Any holder agenda item, except those for information, resolutions, endorsements, and proclamations, that is not completed and submitted at least two (2) days before the Board committee meetings and no later than seven (7) days before the Board meeting shall not be published and the Board may not take action on the item.
B. Items Board Member Wish to Include in the Agenda

Board members who sponsor items, including recognition, resolution, endorsement, and proclamation items, 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. Board members shall submit Board member agenda action items and resolutions seeking a call to action to the Board Attorney's Office for review as to form and legal sufficiency prior to presentation of these items at the appropriate Board committee meeting.

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-sponsored other Board members' regular Board meeting agenda items. Co-sponsorship of another Board member's recognition, resolution, endorsement or proclamation will not be counted towards the co-sponsoring member's two one (21) 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 Bylaw 0169.1, Public Participation, and provide them the opportunity to speak. The Chair will then call for a vote on 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.
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. Agenda items requiring non-substantive revisions only, such as typos and grammatical errors, may be distributed within the two day distribution period. This requirement shall not apply to items dealing with personnel appointments and assignments, matters that are not appropriate for review by Board committees, and items presented at special or emergency meetings of the Board.

2. Administrative Staff and Recognized Employee Organizations

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

3. Individuals and Community Organizations

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

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

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

G. Distribution of Agenda-related Supplemental Materials and Documents

1. Board Members

Prior to each meeting of the Board, the Superintendent will distribute to each Board member and the student advisor supporting materials and documents prepared to accompany the items which are included on the agenda. The final versions of all items, along with 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. Agenda items requiring non-substantive revisions only, such as typos and grammatical errors, may be distributed within the two day distribution period. Copies of the supporting materials and documents also will be made available to the administrative assistants to the members of the Board.
2. Administrative Staff and Recognized Employee Organizations

The document containing supplemental materials to the agenda will be distributed to the administrative staff of the school system as determined by the Superintendent. The Superintendent shall distribute this document to employee organizations as provided for in the collective bargaining agreements with 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
Revised 6/18/14
Revised 9/6/17

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