

Dr. Steve Gallon III, Board Member

SUBJECT: AMENDMENT TO POLICY 6840

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

**LINK TO STRATEGIC
BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

The School Board of Miami-Dade County is vested with strict authority in the selection of the positions that report to the Board. In this matter, the position of Chief Auditor is one such position that reports directly to the Board and with whom the Board's selection authority is vested. Any deference, mitigation, or remote abdication of this authority runs counter to the leadership role, responsibility, and accountability placed in the hands of the duly elected School Board. However, as with any matters upon which the School Board or its individual members must decide, there are no restrictions pertaining to inquiry, research, and/or consultation with relevant stakeholders, as determined by the School Board or individual School Board Members in the performance of their duties.

Although consultation may be a good a practice, policy provisions that *require* consultation in any matter upon which the authority statutorily rests with the School Board should be carefully examined, especially in the selection for the position of Chief Auditor whose reporting, obligation, and loyalty must be, without question, to the School Board. In fact, no other position that reports directly to the Board and whose selection authority is vested therewith requires consultation with any individual or entity.

School Board Policy 6840, Audit and Budget Advisory Committee ("ABAC"), establishes the general purpose, goals, composition, operations, and practices of the ABAC. The recent deliberations of the ABAC regarding its recommendations with respect to filling the position of the Chief Auditor with an Interim Chief Auditor brought to light the requirement in Policy 6840 that such recommendations must be generated in consultation with the Superintendent.

School Board Policy 6840 provides, in relevant part, that: ". . . C. with regard to the Chief Auditor and the Office of Management and Compliance Audits. . . 5. serve as the committee, in consultation with the Superintendent, to make recommendations to the Board on the person to fill the position." However, School Board Policy 6835, Office of Management and Compliance Audits, provides that: "The Chief Auditor and the Office of Management and Compliance Audits shall report to the School Board."

Mandating in our policies that the ABAC consult with the Superintendent in making its recommendations regarding the Chief Auditor, who is selected and appointed by and reports directly to the School Board, is an inconsistency that should be rectified through the rulemaking process. In order to ensure consistency in our policies and related reporting structures, as well as to avoid the appearance of any undue influence on the process for a position that is selected by and reports directly to the Board, this item proposes to amend Policy 6840 by deleting the requirement that the ABAC consult with the Superintendent in making its recommendations to fill the position of Chief Auditor.

This item has been reviewed and approved by the School Board Attorney's office as to form and legal sufficiency.

**ACTION PROPOSED BY
DR. STEVE GALLON III:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings, in accordance with the Administrative Procedure Act, to amend School Board Policy 6840, Audit and Budget Advisory Committee, to delete the requirement that the Audit and Budget Advisory Committee consult the Superintendent when it makes its recommendations with respect to the filling of the position of Chief Auditor.