

Alberto M. Carvalho, Superintendent of Schools

**SUBJECT:** INITIAL READING: PROPOSED PROMULGATION OF NEW BOARD POLICY 9143, *SECURE OUR FUTURE ADVISORY COMMITTEE*

**COMMITTEE:** FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

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

At its meeting of July 18, 2018, the School Board approved Agenda Item Revised A-2 approving Resolution 18-047 calling for a referendum to be held on November 6, 2018, seeking approval from the voters of Miami-Dade County for the School Board to levy an ad valorem assessment to improve compensation for teachers and instructional personnel, and to increase school safety and security personnel, with oversight by a citizen advisory committee (Referendum). This item requests that the Board approve proposed new Board Policy 9143, *Secure Our Future Advisory Committee*, establishing a citizen oversight committee for the purpose of monitoring the distribution of the proceeds from the Referendum, should it pass, which would provide advice to the Superintendent and the School Board, and providing for an annual report to the community.

This item requests that the Board authorize the Superintendent to initiate rulemaking proceedings to promulgate new Policy 9143, *Secure Our Future Advisory Committee*, establishing a citizen's oversight committee charged with monitoring the use and distribution of proceeds generated from the November 6, 2018 Referendum, should it pass.

Attached is the Notice of Intended Action and proposed New Policy.

**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 promulgate new Board Policy 9143, *Secure Our Future Advisory Committee*.



## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on October 10, 2018, its intention to promulgate new policy 9143, *Secure Our Future Advisory Committee*, on November 20, 2018.

**PURPOSE AND EFFECT:** The purpose of the new policy is to establish the Secure Our Future Advisory Committee (Committee) to review, monitor, make recommendations to the School Board and Superintendent, and inform the public regarding the distribution and use of proceeds generated as a result of the referendum approved by voters on November 6, 2018, if it passes. Committee members will be appointed for a term of four (4) years and may be reappointed. Voting members shall not be current employees. The Committee shall meet at least two (2) times per year and may hold other meetings as necessary. All meetings and Committee proceedings must comply with Florida's Sunshine and Public Records laws, F.S. Chapters 119 and 286.011. The Committee shall exist until all proceeds of the Referendum, if it passes, have been expended and accounted for or upon a vote or action of the School Board sunsetting the existence of the Committee.

**SUMMARY:** The proposed newly promulgated Board Policy would establish the purpose, membership, function and duration of a citizen's oversight committee as stipulated in Resolution 18-047 and identifies it as the Secure Our Future Advisory Committee. The Committee would review, monitor, and make recommendations regarding the proceeds of the November 6, 2018 referendum for teacher and instructional personnel compensation and school security personnel, if it passes.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 1001.41(1), (2) ; 1001.42 (12) (17); 1001.43(2)(6)(10); 1001.49(3), F.S.

**LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC:** 1001.42(12)(17); 1001.43(10) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING on November 20, 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 November 5, 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 NEW POLICY is 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.



NEW POLICY

1                                    SECURE OUR FUTURE ADVISORY COMMITTEE

2    The purpose of the Secure Our Future Advisory Committee (Committee) is to review,  
3    monitor, and make recommendations to the Superintendent and School Board, and  
4    inform the public regarding the use of proceeds generated from the assessment of a  
5    0.75 mill levy of ad valorem taxes (Referendum) approved by voters on November 6,  
6    2018, for the purpose of improving compensation for high quality teachers and  
7    instructional personnel, and increasing school safety and security personnel. The  
8    Committee is formed to provide transparency and instill confidence in Miami-Dade  
9    County taxpayers that these funds will be used for the purpose stated in the  
10   Referendum.

11   **Responsibilities**

12            A.    The Committee shall:

- 13                    1.    review and monitor the distribution of the proceeds from the  
14                    Referendum;
- 15                    2.    advise the Superintendent and the Board on the use of the  
16                    proceeds from the Referendum, excluding all matters related  
17                    to collective bargaining;
- 18                    3.    assist in informing the community of the use and distribution  
19                    of the proceeds from the Referendum and participate in  
20                    District community outreach efforts;

21            B.    The Committee's reviews and recommendations shall be reported on  
22            an annual basis to the Superintendent, the Board, and the  
23            community. The annual report shall assess the fidelity of  
24            distribution of proceeds in accordance with the ballot provisions to  
25            ensure that taxpayer funds generated by the Referendum are being  
26            used exclusively for operating expenses to improve compensation for  
27            high quality teachers, instructional personnel, and to increase  
28            school safety and security personnel.

1 **Membership**

2 The Committee shall be comprised of the following seventeen (17) voting and four (4)  
3 non-voting members. Appointing persons and entities may also appoint an alternate  
4 for voting members. No voting members may be School Board employees.

5 A. Voting Members

- 6 1. One (1) member and alternate appointed by each Board  
7 member.
- 8 2. Two (2) members appointed by the Superintendent.
- 9 3. Dade County Council PTA President or designee.
- 10 4. Chair of the Board's Audit and Budget Advisory Committee or  
11 designee.
- 12 5. One (1) member appointed by the National Association for the  
13 Advancement of Colored People (NAACP).
- 14 6. One (1) member appointed by the Spanish American League  
15 Against Discrimination (SALAD).
- 16 7. One (1) member appointed by the Business Advisory Council.
- 17 8. One (1) member appointed by the Foundation for New  
18 Education Initiatives.

19 B. Ex-Officio Non-Voting Members

- 20 1. Inspector General of the District.
- 21 2. One (1) member appointed by the United Teachers of Dade.
- 22 3. One (1) member appointed by the Fraternal Order of Police.
- 23 4. One (1) member appointed by the District Student  
24 Government Association.
- 25  
26  
27

1 C. Ex-Officio Committee Staff

- 2
- 3 1. Chief Financial Officer
- 4
- 5 2. Chief Human Capital Officer of the District.
- 6
- 7 3. Chief of Police and District Security of the District.
- 8
- 9 4. Chief Auditor of the District.
- 10
- 11 5. Chief of Staff of the District or Designee

12 D. Membership Qualifications

- 13 1. Each voting member shall have an outstanding reputation for
- 14 civic involvement, integrity, responsibility, and business or
- 15 professional ability.
- 16 2. Members are also subject to the residency and conflict of
- 17 interest provisions of Policy 9140 - *Citizen's Advisory*
- 18 *Committees*. In addition, Board member appointments are
- 19 subject to the multiple appointment restriction in Policy
- 20 9140.
- 21 3. Members should generally reflect the geographic, ethnic,
- 22 racial and gender diversity of Miami-Dade County.

23 Terms

- 24 1. The term of service for all members is four (4) years and
- 25 members may be reappointed for unlimited terms.
- 26 2. Newly elected Board members and appointed superintendents
- 27 may reappoint current Committee members or appoint a new
- 28 member regardless of the time remaining on the current
- 29 member's term. Appointments and reappointments should
- 30 be made within forty five (45) days of taking office.
- 31 3. A member should be automatically removed if the member is
- 32 absent from three (3) consecutive meetings during the
- 33 calendar year, except in the event of extenuating
- 34 circumstances and subject to a vote of the Committee. In
- 35 extraordinary circumstances and subject to a vote of the
- 36 Committee, a member may participate telephonically provided
- 37 the member is present for the entire meeting. The appearance
- 38 by phone of any member of the Committee may not be relied
- 39 upon for the purposes of establishing a quorum.

1                   4.     Vacancies due to resignation, disqualification, or removal  
2                   should be filled within forty-five (45) days.

3                   F.     Conflict of Interest

4                   1.     Members are subject to the conflict of interest provisions of  
5                   Policy 9140, *Citizen's Advisory Committees*.

6     **Meetings**

7                   A.     The Committee shall elect a chair and vice-chair and may elect other  
8                   officers as necessary. The term of office shall be two (2) years.

9                   B.     The Committee shall meet at least two (2) times per year and may  
10                  hold other meetings as necessary. All meetings and Committee  
11                  proceedings must comply with Florida's Sunshine and Public  
12                  Records laws, F.S. Chapters 119 and 286.011.

13                  C.     A majority of the voting members shall constitute a quorum.

14                  D.     Meetings shall be conducted according to the latest version of *Robert*  
15                  *Rules of Order*.

16                  E.     The offices of the Superintendent and Board Attorney shall provide  
17                  staff support to the Committee as necessary to accomplish its  
18                  purpose.

19     **Duration**

20     The Committee shall exist until all proceeds of the Referendum have been expended  
21     and accounted for or upon a vote or action of the School Board sunsetting the  
22     existence of the Committee.