

Ms. Lubby Navarro, Board Member

**SUBJECT: PROPOSED REVISION OF SCHOOL BOARD POLICY 0165,
PUBLIC MEETINGS, (I) CANCELLATION AND RESCHEDULING
OF BOARD MEETINGS DUE TO EMERGENCIES**

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

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At its October 11, 2017 meeting, the Board approved Agenda Item H-13 ("School Board Meetings Following a Declaration of a State of Emergency"), requesting the initiation of rulemaking to allow the Board to cancel Board meetings that occur when schools are closed during a declared state of emergency. As a result, Board Policy 0165 was amended to include subsection I, *Cancellation and Rescheduling of Board Meetings Due to Emergencies*.

On Monday, August 28, 2019, Governor Ron DeSantis issued Executive Order 19-189, declaring a state of emergency for counties situated along the east coast of Florida and in the path of Hurricane Dorian. Subsequently on September 1, 2019, the Superintendent of Schools announced that all schools and administrative offices would be closed on Tuesday, September 3, 2019.

During the September 4, 2019, Board meeting, a point of order was raised as to whether the meeting should be cancelled because the Governor's declaration of a state of emergency was still in effect. In response, the Board's Parliamentarian explained that while the state of emergency had not been lifted, local governmental entities had determined that Hurricane Dorian no longer posed an imminent threat to Miami-Dade County and all public schools were already open and in session. As discussed at this meeting, the intent of policy 0165 (I) was to cancel Board meetings that are scheduled on a date when both the public schools are closed and a state of emergency is still in place. By the time of the September 4, 2019 Board meeting, Hurricane Dorian's trajectory was well away from Miami-Dade County, near the Georgia coastline and approaching the Carolinas.

Nonetheless, as exemplified by the discussion at the September 4, Board meeting, section (I) of Policy 0165 arguably can be interpreted to suggest that once a state of emergency is declared and public schools are cancelled, any subsequent Board meeting must be cancelled and rescheduled even if the emergency is no longer present and schools are open. For purposes of clarity, a revision of Policy 0165 that clearly specifies that before a Board meeting may be canceled pursuant to this Policy, both conditions must be present at the time of the meeting, is both necessary and appropriate.

This item is being presented for the Board's consideration to request that the Superintendent initiate rulemaking proceedings, with the assistance of the School Board Attorney, to revise Policy 0165 to clarify that a cancellation of the Board Meeting shall take place if a state of emergency exists and schools and/or district offices are closed by the Superintendent. The policy should also specify the process for cancellation of the meeting and the manner in which the cancellation is communicated to the Board and the public.

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 to initiate rulemaking proceedings, with the assistance of the School Board Attorney, to revise Policy 0165, *Public Meetings, (I) Cancellation and Rescheduling of Board Meetings Due to Emergencies*, to clarify that a cancellation of the Board Meeting shall take place if a state of emergency exists and schools and/or district offices are closed by the Superintendent. The policy should also specify the process for cancellation of the meeting and the manner in which the cancellation is communicated to the Board and the public.