

Ms. Perla Tabares Hantman, Chair

SUBJECT: THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA REQUEST THE SCHOOL BOARD ATTORNEY TO PROVIDE SPECIFIC GUIDELINES AND PROCEDURES ASSOCIATED WITH THE ROLE AND RESPONSIBILITIES OF IN-HOUSE COUNSEL FOR THE BOARD

Florida Statute 230.23005, Supplemental Powers and Duties of School Board provides the following:

(10) SCHOOL BOARD GOVERNANCE AND OPERATIONS. -
The school board may adopt policies and procedures necessary for the daily business operation of the school board, including, but not limited to, the provision of legal services for the school board;

Similarly, School Board Rule 6Gx13-8A-1.05 - Counsel for the Board, states the following:

The Board is authorized to employ an attorney to serve as its legal counsel.

The Board is also authorized to employ assistant School Board attorneys and special counsel to assist the Board's attorney when, in the judgment of the Board, such assistance is necessary.

Discussion at the School Board Master Board meetings have touched on the need to delineate more clearly the specific role and responsibilities of the Board Attorney. The above School Board rule provides the general framework for the retention of counsel for the School Board but does not provide more specific guidelines and procedures governing the role and responsibilities of in-house legal counsel to the Board. I believe that the Board Attorney is in the best position to draft such a working manual. This manual could then be approved by the Board for rulemaking and incorporated by reference in the above School Board rule.

ACTION PROPOSED BY

MS. PERLA TABARES HANTMAN:

That The School Board of Miami-Dade County, Florida request the School Board Attorney to provide at the School Board meeting of September 11, 2002 specific guidelines and procedures associated with the role and responsibilities of in-house counsel for the Board.