

Rudolph F. Crew, Ed.D., Superintendent of Schools

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: INITIAL READING
6Gx13- 1C-1.15, FUNDS—SOLICITING FROM STUDENTS AND
SCHOOL BOARD AUTHORIZATION**

COMMITTEE: INSTRUCTIONAL EXCELLENCE & COMMUNITY ENGAGEMENT

At the School Board meeting of February 16, 2005, an action presented by Mr. Agustin J. Barrera, School Board Member, and approved by the School Board directed the Superintendent to establish an ad-hoc committee to review and recommend any changes to School Board rules pertaining to student fund-raising and present any changes for initial reading to the School Board.

The Fund Raising Ad Hoc Committee was comprised of elementary and secondary principals, two senior high school activities directors, one teacher, one PTA/PTSA representative, one United Way representative, one representative from a community-based organization, and District staff representing Athletics and Student Activities, Community Services, Internal Funds, Management Audits, and Region Operations. The Committee met on March 30, 2005, and May 5, 2005, to review and revise Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization.

Attached are the Notice of Intended Action and the rule proposed for amendment. Changes from the current rule are indicated by underscoring words to be added and ~~striking-through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization.

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 amend Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization.

RFC/FCS:pra

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 15, 2005, its intention to amend Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization, at its meeting of August 17, 2005.

PURPOSE AND EFFECT: To provide students an opportunity to participate in national/state fund-raising drives for the 501(c)(3) public charity supported by the student clubs' national/state sponsoring organization provided the fund-raising activity follows all Miami-Dade County Public Schools guidelines for fund-raising and is not conducted concurrently with the United Way of Miami-Dade County student campaign.

SUMMARY: Board Rule 6Gx13- 1C-1.15, Funds—Soliciting From Students and School Board Authorization, establishes guidelines and procedures for student fund-raising for humanitarian causes and charitable organizations.

SPECIFIC LEGAL AUTHORITY UNDER RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1001.41(3) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 17, 2005, 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 for a lower cost regulatory alternative as provided by Section 120.541(1) F.S. must do so in writing by July 12, 2005, to the Superintendent of Schools, 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, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available to the public for inspection and copying at cost in the Citizen Information Center, Room 158, 1450 N. E. Second Avenue, Miami, Florida 33132.

Originator: Mr. F. Craig Sturgeon
Supervisory: Ms. Willa S. Young
Date: May 31, 2005

Public Activities Involving Staff or Students**FUNDS—SOLICITING FROM STUDENTS AND SCHOOL BOARD AUTHORIZATION****I. Authorization for United Way of Miami-Dade County Solicitation**

The School Board authorizes the United Way of Miami-Dade County solicitation among elementary and secondary school students for the following purposes:

- A. to create a habit on the part of future citizens of participating in community-wide activities;
- B. to create an awareness of the purpose of the United Way of Miami-Dade County by the active participation of students;
- C. to develop active leadership on the part of students in carrying on community activities which will be limited to the school community of which they are a part.
- D. The Board authorizes the Superintendent of Schools to determine the period of time the United Way of Miami-Dade County student campaign will be conducted in Miami-Dade County Public Schools, in concurrency with the United Way of Miami-Dade County community-wide campaign.

II. Authorization for Student Participation in Fund-raising Activities

The School Board authorizes schools to participate, at the discretion of the principal, in fund-raising activities of voluntary health agencies.

- A. Participation of the school is to be limited to publicizing the activity, e.g., through posters, club activities, making available materials for distribution at a central location, and permitting school organizations and clubs to cooperate with the agencies. All such participation is to be approved, in advance, by the principal or the principal's designated representative.
- B. The school name may not be used in connection with fund-raising activities nor may funds be solicited during school hours on school property.
- C. Staff members will not be responsible for organizing drives or handling funds.

III. Authorization for Scholarship Saturday Events

The Superintendent may authorize students to participate in fund-raising activities for Scholarship Saturday.

IV. Authorization for Limited Senior High School Club Participation in Fund-raising Activities for Charitable Purposes

The School Board authorizes senior high school clubs to participate, at the discretion of the principal, in fund-raising activities for charitable purposes.

A. A senior high school club may fund-raise or donate to the national/state 501(c)(3) public charity supported by the club's national/state sponsoring organization provided that the fund-raising involved follows all Miami-Dade County Public Schools guidelines as stated in the *Manual of Internal Fund Accounting* for fund-raising.

B. Such fund-raising may not be conducted concurrently with the United Way of Miami-Dade County student campaign in the Miami-Dade County Public Schools except when the 501(c)(3) public charity fund-raising drive supported by the club's national/state sponsoring organization occurs during the United Way student campaign.

~~IV.~~ V. Authorization for Exceptions

The School Board recognizes that it is not possible to incorporate every situation or event into the guidelines and, therefore, allows for exceptions to be made on an individual basis, as determined by specific merits of each occurrence. Requests for such exceptions must be approved by the Superintendent of Schools and shall be transmitted to the School Board.

Specific Authority: ~~230.22(2) F.S.~~ 1001.41(2) F.S.

Law Implemented, Interpreted, or Made Specific: ~~230.22(1) F.S.~~ 1001.41(1) F.S.

History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 8-25-77; 7-25-79; 4-22-92; 6-24-92; 7-22-98