Agustin J. Barrera, Chairman

SUBJECT:

PROPOSED PROMULGATION OF NEW SCHOOL BOARD RULE: INITIAL READING 6Gx13- 8A-1.08, ALTERNATIVE METHOD FOR

SECURING THE SERVICES OF AN INSPECTOR GENERAL

LINK TO DISTRICT STRATEGIC PLAN: ENSURE ADEQUATE AND EFFECTIVE INTERNAL CONTROLS AND OPERATIONAL EFFICIENCY

On June 7, 2007, the School Board held a workshop to consider possible future options with respect to the operations of the District's Inspector General. At the conclusion of the workshop, it was consensus of the Board, that the District, as an alternative to hiring its own Inspector General, explore the possibility of entering into an Interlocal Agreement with Miami-Dade County to secure the services of the County's previously established Office of the Inspector General.

It was also the consensus of the Board, that a new Board Rule be presented at the June 13, 2007 School Board meeting, which would allow the Board the flexibility of contracting with another governmental entity to provide the services of an Inspector General. Accordingly, this item is submitted for consideration by the Board to promulgate this new Board Rule that would provide an alternative means of obtaining the services of an Inspector General for the District.

The proposed new rule permits the Board to enter into an interlocal agreement with another governmental entity for the purpose of procuring the services of that entity's Inspector General, rather than by hiring its own Inspector General as contemplated under School Board Rule 6Gx13-8A-1.07, Office of Inspector General.

Attached are the Notice of Intended Action and the proposed new rule.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the promulgation of a new School Board Rule 6Gx13- 8A-1.08, Alternative Method for Securing the Services of an Inspector General.

This item does not appear in the published Agenda. There exists good cause to vary from the published Agenda to begin the rulemaking process in order to afford sufficient time for the School Board and the Board of County Commissioner's to review and consider the feasibility of an Interlocal Agreement.

The proposed rule has been modified to include minor changes suggested by the Office of the Inspector General for Miami-Dade County.

Adde

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 a new School Board Rule 6Gx13- 8A-1.08, Alternative Method for Securing the Services of an Inspector General.

REVISED GOOD CAUSE H-12

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 13, 2007, its intention to promulgate new School Board Rule 6Gx13- <u>8A-1.08</u>, Alternative Method for Securing the Services of an Inspector General, at its meeting of August 1, 2007.

PURPOSE AND EFFECT: The proposed new rule would provide the District with an alternative means of securing the services of an Inspector General, instead of the method contemplated under School Board Rule 6Gx13- <u>8A-1.07</u>, Office of Inspector General.

SUMMARY: The proposed new rule permits the Board to enter into an interlocal agreement with another governmental entity for the purpose of procuring the services of an Inspector General, rather than by hiring its own Inspector General. The rule also provides that any rules that are in conflict with the interlocal agreement are superseded by the terms of the interlocal.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(23); 1001.43(10) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: §§ 112.24; 163.01; 1001.32(2); 1001.41(1), (3); 1001.42(10); 1001.43(2), (10), Fla. Stat.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 1, 2007, 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 by Section 120.541(1), F.S., must do so in writing by July 10, 2007, 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 NEW RULE is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator:

Agustin J. Barrera

Date:

June 8, 2007