

July 14, 2008

Mr. Renier Diaz de la Portilla, Board Member

SUBJECT: ETHICS REVIEW ON NEPOTISM

COMMITTEE: INNOVATION, EFFICIENCY, AND GOV'T AFFAIRS

**LINK TO DISTRICT STRATEGIC PLAN: IMPROVE TRANSPARENCY OF
DECISION-MAKING THROUGHOUT THE DISTRICT**

Various governmental entities including school districts throughout the State of Florida have adopted stringent ethical guidelines in regards to the employment of individuals that have close relationships with elected officials, senior officials, and staff. The adopted ethical code by the various governmental entities and school districts prohibit the influence of the School Board, Superintendent, Cabinet, and public employee of the school district in the employment, promotion, advancement, transfer, advancement of relatives as defined as related by blood or affinity.

The State of Florida is a prime example; Fl. Statutes 112.3135 implements this ethical standard into state government. Inexplicably, the State of Florida excluded school districts from state law.

In order to assure the public that the decisions being made are in good faith and transparent, the school district has reviewed adopting new rules on nepotism to the highest ethical guidelines consistent to state statutes through The Ethics Advisory Committee, which was charged with the task of reviewing the district's policies and procedures in assuring the highest ethical practices. Therefore, The Ethics Advisory Committee reviewed the issue and issued the following recommendations:

1. The Board shall continue to follow the current rule as it comports with state statute and appears to be the common practice in other Florida school districts.
2. Irrespective of work locations there shall be complete disclosure of all relatives employed at the District, from the Board level down.

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3. A relative shall be defined as an individual who is related by blood, marriage or adoption as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandfather, grandmother, grandchild, or any person who resides in the same residence.
4. All indirect reporting relationships shall be disclosed and shall require Board approval.
5. Failure to disclose the aforementioned relationships shall be grounds for disciplinary action, up to, and including termination.

ACTION PROPOSED BY

MR. RENIER DIAZ DE LA PORTILLA: That The School Board of Miami-Dade County, Florida, directs the Superintendent to implement the Ethics Advisory Committee's recommendations concerning nepotism issued to the board on May 2, 2008, which are the following:

1. The Board shall continue to follow the current rule as it comports with state statute and appears to be the common practice in other Florida school districts.
2. Irrespective of work locations there shall be complete disclosure of all relatives employed at the District, from the Board level down.
3. A relative shall be defined as an individual who is related by blood, marriage or adoption as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandfather, grandmother, grandchild, or any person who resides in the same residence.
4. All indirect reporting relationships of MEP employees shall be disclosed
5. Failure to knowingly disclose the aforementioned relationships shall be grounds for disciplinary action, up to, and including termination.

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