

Office of Superintendent of Schools
Board Meeting of June 18, 2014

June 4, 2014

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: **FINAL READING: PROPOSED NEW POLICY BYLAW 0121.1, FINANCIAL EMERGENCIES, AND POLICY BYLAW AMENDMENTS 0155, SCHOOL BOARD COMMITTEES; 0166, NON-PUBLIC MEETINGS; 0165, PUBLIC MEETINGS; 0151 ORGANIZATIONAL MEETING; 0144, TERM; 0141.2, CONFLICT OF INTEREST; 0141.3, CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP; 0165.1, AGENDAS; 0169.1, PUBLIC PARTICIPATION AT BOARD MEETINGS**

COMMITTEE: **INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS**

LINK TO STRATEGIC FRAMEWORK: **SCHOOL/DISTRICT LEADERSHIP**

Pursuant to Revised Agenda Item H-10 ("Scheduling Board Meetings") presented by Dr. Martin Karp, Board Member, at the January 15, 2014, Board meeting, the Board authorized rulemaking to amend relevant Board policies to require that Wednesday be the preferred day for scheduling School Board meetings. At its regular Board meeting on May 7, 2014, the Board approved Agenda Item G-2 ("Various Governance Policies") to amend Board Policies 0150, *School Board Committees*; 0165, *Public Meetings*; and 0166, *Non-Public Meetings*, to require that Wednesday be the preferred date for Board meetings. These policy amendments recognize and provide that other factors may impede such consideration, including but not limited to advertisements and agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously calendared conflicts and travel, legislative session, Dade Days and graduations.

In the same G-2 agenda item, the Board also approved a new policy regarding reporting and resolving financial emergencies, and amendments to various other Board governance policies that are required to comply with state law and related to the Board's organizational meeting, Board members' term of office, publication of agenda items, public participation in Board meetings, conflicts of interest, prohibited gifts and honoraria, and conflicting employment.

G-2

The Notice of Intended Action was published in the *Miami Daily Business Review* on May 12, 2013, in various places for public information and mailed to various organizations representing persons affected by the new and amended policies and to individuals requesting notification. The time to request a hearing or protest the adoption of these new and amended policies has elapsed.

In accordance with the Administrative Procedures Act, these new and amended policies are presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the new and amended policies in the official records of The School Board of Miami-Dade County, Florida.

Attached is the Notice of Intended Action and the proposed new policy and policy amendments. Changes from the current policies are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt Board Policy 0121.1, *Financial Emergencies*, and amendments to Board Policy Bylaws 0155, *Board Committees*; 0166, *Non-Public Meetings*; 0165, *Public Meetings*; 0151, *Organizational Meeting*; 0144, *Term*; 0141.2, *Conflict of Interest*; 0141.3, *Conflicting Employment or Contractual Relationship*; 0165.1, *Agendas*; and 0169.1, *Public Participation at Board Meetings*, authorize the Superintendent to file the new and amended policies with The School Board of Miami-Dade County, Florida, to be effective June 18, 2014.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 7, 2014, its intention to promulgate new Board Policy 0121.1, *Financial Emergencies*, and amend Board Policy Bylaws 0150, *School Board Committees*; 0166, *Non-Public Meetings*; 0165, *Public Meetings*; 0151, *Organizational Meeting*; 0144, *Term*; 0141.2; *Conflict of Interest*, 0141.3; *Conflicting Employment or Contractual Relationship*; 0165.1, *Agendas*; and 0169.1, *Public Participation at Board Meetings*, at its meeting of June 18, 2014.

PURPOSE AND EFFECT: The purpose of the amendments to Board Policies 0150, *School Board Committees*; 0165, *Public Meetings*; and 0166, *Non-Public Meetings*, is to require that Wednesday be the preferred date for Board meetings. These policy amendments recognize and provide that other factors may impede such consideration, including but not limited to, advertisements and agenda publication deadlines, emergency meetings, annual organizational meeting, legislatively mandated periods for special meetings and budget public hearings, religious holidays, previously scheduled calendar conflicts and travel, legislative session, Dade Days and graduations. In addition, this item requests approval of policy amendments to various other Board Bylaws in order to comply with new statutory requirements and amendments related to the organizational meeting, term of office, public participation in Board meetings, publication of Board agenda items, conflict of interest, prohibited gifts and honoraria, and a new policy regarding reporting and resolving financial emergencies.

SUMMARY: The amendments require that Wednesdays be the first consideration for scheduling Board meetings. Other amendments are required to comply with new legislative requirements and statutory amendments related to the organizational meeting, term of office, public participation in Board meetings, publication of Board agenda items, conflicts of interest, prohibited gifts and honoraria, and a new policy regarding reporting and resolving financial emergencies.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41 (1), (2), 1001.42 (25), 1001.43 (10), F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 100.041, 112.313(7), (13), (14), 112.3125, 112.3143, 112.3148, 112.3149, 286.0114, 1001.371, 1001.41 (1), (2); 1001.42 (25); 1001.43 (10), F.S.,

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF June 18, 2014, 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 in Section 120.54(1), F.S., must do so in writing by June 3, 2014, to the Superintendent, 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)

COPIES OF THE PROPOSED NEW AND AMENDED POLICIES are 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.

NEW POLICY

0121.1 Financial Emergencies

When a financial emergency, as defined by F.S. 218.503(1), occurs, the School Board shall notify the Commissioner of Education and the Legislative Auditing Committee that such conditions have occurred, or will occur if action is not taken to assist the Board.

The Commissioner of Education shall contact the Board to determine what actions have been taken by the Board to resolve or prevent the condition. The Board shall provide the information requested within forty-five (45) days of the date of the request.

The Commissioner of Education shall determine whether the Board needs state assistance to resolve or prevent the condition. If State assistance is needed, the Board is considered to be in a state of financial emergency, and the Commissioner has the authority to implement measures as set forth in State law to assist the Board in resolving the financial emergency.

The failure of the members of the Board to resolve a state of financial emergency would constitute malfeasance, misfeasance, and neglect of duty, and the members of the Board may be subject to the penalties set in forth Article IV, Section 7 of the Constitution of the State of Florida.

F.S. 218.39, 218.50, 218.501, 218.503, 218.504

ORGANIZATION

1 0155 **School Board Committees**

2 The objective of the School Board committees is to provide the
3 opportunity for Board members to formulate, review, analyze, and
4 deliberate policy recommendations prior to consideration by the full
5 Board.

6 The Board is authorized to designate standing committees as
7 necessary for formulating, reviewing, analyzing, and deliberating
8 policy recommendations for particular organizational areas of the
9 school system prior to consideration by the full Board. Subject to
10 change or modification as deemed necessary by the Chair, four (4)
11 committees are established with respect to the organizational areas
12 listed below. In addition, specific strategies outlined in the District
13 Strategic Plan will be explicitly tied to each committee.

14
15 A. Instructional Excellence and Community Engagement

16 Develops policy and considers matters related to
17 pre-kindergarten through secondary curriculum and instruction,
18 educational planning and assessment, exceptional student
19 education, student services, schools of choice, Federal
20 programs, all grants administration, including Title I, adult,
21 vocational and alternative education, community schools and
22 services, increasing the graduation rate and decreasing the
23 dropout rate, education evaluation and research, parental
24 involvement, Parent Academy, community relations, media
25 communications, public relations, information and marketing,
26 and related procurement and rulemaking. The District-wide
27 Teacher of the Year may serve as a non-voting ex-officio
28 member.

29 B. School Support Accountability

30 Develops policy and considers matters related to supporting
31 the delivery of educational services at the school site including,
32 attendance services and boundaries, school security, police
33 and District safety, student discipline, uniforms, school
34 improvement zone, educational facilities compliance,

1 personnel, wage and salary, human resources, leave and
2 retirement, employee support programs, teacher education
3 certification, professional standards, professional
4 development, equal educational opportunity and diversity
5 compliance, labor relations and related school operations
6 procurement and rulemaking. The District-wide Principal of
7 the Year may serve as a non-voting ex-officio member.

8 **C. Innovation, Efficiency and Governmental Relations**

9 Develops policy and considers matters related to District-wide
10 accountability, systemic reform, strategic planning,
11 performance improvement, management and compliance
12 audits, budget, financial investments, risk and benefits
13 management, information technology, energy management,
14 transportation, food services, legislative and intergovernmental
15 policies and related procurement and rulemaking. A
16 representative of the Coalition of Unions may serve as a
17 nonvoting, ex-officio member.

18 **D. Facilities and Construction Reform**

19 Develops policy and considers matters related to real estate,
20 land acquisition and development, growth management,
21 facilities planning, construction, maintenance, plant operations,
22 and related construction and maintenance procurement and
23 rulemaking. A representative from the community may be
24 appointed by the Chair of the Board to serve as a non-voting
25 ex-officio member.

26 **Membership**

27 **A.** The Chair and Vice-Chair of the Board will serve as voting, ex-
28 officio members of each committee they do not directly serve
29 on. Each committee will be composed of four (4) voting Board
30 members, appointed by the Chair of the Board. The Chair of
31 the Board shall also appoint the chair, vice-chair and ex-officio
32 members to each committee. Each Board member other than
33 the Chair of the Board will serve on two (2) committees.

1 B. Committee appointees will serve for one (1) year, and the
2 appointments will be made following the November
3 organizational meeting.

4 C. Any Board member may attend any and all committee
5 meetings but only the Chair, Vice-Chair, and four (4) appointed
6 committee members may vote.
7

8 **Powers**

9 A. The chair of each committee will call meetings of the
10 committee and, in collaboration with the appropriate staff
11 liaison, will establish the agenda for each committee meeting.

12 B. The committee may consider agenda items or matters being
13 presented by staff to the full Board for consideration, unless
14 they are not appropriate for review. The committee may
15 consider other issues within the organizational area which the
16 committee chair believes should be addressed.

17 1. Matters not appropriate for committee review include
18 the names of candidates recommended by the
19 Superintendent for assignment, transfer, or appointment
20 to positions, employee disciplinary matters, matters to
21 be considered in executive session, matters involving
22 litigation, settlements, resignations, and attorney work
23 product from the Board Attorney, and any other matters
24 which the full Board deems inappropriate for committee
25 review.

26 2. Matters relating to personnel reorganizations shall be
27 governed by Policy 1120 and Policy 1130.

28 3. The annual budget may be considered by the
29 Innovation, Efficiency and Governmental Relations
30 Committee, at the discretion of the committee chair,
31 prior to consideration by the full Board. If the committee
32 chair calls a committee meeting to review the annual
33 budget, the meeting will be held in a budget workshop
34 format and all Board members will be invited to attend
35 and participate.

1 4. Board members may submit issues for discussion to the
2 appropriate committee staff liaison in sufficient time to
3 be included on the published committee meeting
4 agenda. The issue submitted shall include a brief
5 summary of the topic to be discussed.

6 This provision does not prohibit Board members from
7 raising unpublished discussion issues under the
8 committee's new business agenda section.

9 Discussion issues, whether published or not, shall not
10 be forwarded to the full Board and no action may be
11 taken on these issues by the committee.

12 C. Each committee is authorized to invite public officials, public
13 employees, or private individuals to appear before the
14 committee for the purpose of obtaining information.

15 D. For any matter which will be considered by the full Board, the
16 committee may forward it to the full Board as:

17 1. Recommended;

18 2. Not recommended;

19 3. Recommended with modification; or

20 4. No recommendation.

21 E. The presence of two (2) or more members of a committee shall
22 constitute a quorum for voting purposes. The Chair and Vice-
23 Chair, if present, may be counted in determining if a quorum is
24 present at any committee meeting. The Board Chair shall
25 appoint two (2) alternate members to serve on each Board
26 committee. In those instances where at least two (2) members
27 of a committee are not present, any Board member who has
28 been designated to serve as an alternate member of the
29 committee may be counted as a member of the committee for
30 purposes of establishing a quorum. In the event of an
31 anticipated absence, committee members shall notify the
32 committee chair, so that alternate members are advised that
33 their attendance at the meeting is requested. In the absence
34 of a quorum, all Board agenda items scheduled to be

1 considered by the committee will be forwarded to the full Board
2 with no recommendation.

3 F. In the event that a monthly meeting is not called by the
4 committee chair, the vice-chair or a member of the committee
5 who wishes to convene a meeting may request the meeting
6 through the chair of the committee, who shall then schedule
7 the meeting according to the Sunshine Law. No scheduled
8 committee meeting shall be canceled if any member of the
9 committee wishes to convene the meeting.

10 G. In the event that the chair of a committee is unavailable for a
11 scheduled committee meeting, the vice-chair will serve as
12 chair. In the event the chair and vice-chair are unavailable,
13 either remaining member by agreement of the membership
14 may serve as chair of the committee meeting.

15 H. Once considered by committee, agenda items and matters to
16 be considered by the full Board will be forwarded to the full
17 Board. The full Board will be advised of the committee's
18 recommendation in a manner to be determined by the
19 committee chair.

20 **Staff Liaison and Resource Persons**

21 The Superintendent shall designate at least one (1) staff liaison to
22 each committee who will be responsible for notification of meetings,
23 preparation of agendas, documentation of meetings by tape recording
24 and development of reports and data for use of the committee. The
25 staff liaison shall prepare minutes of committee meetings in a uniform
26 format and transmit them to the full Board prior to each regularly
27 scheduled Board meeting.

28 Committee requests for reports, data, and information requiring
29 monetary expenditures or excessive use of staff time and resources
30 must be authorized by the full Board.

31 **Miscellaneous**

32 A. Scheduling

33 The committee meetings addressing the monthly Board
34 agenda shall occur after the publication of the official agenda

1 and prior to the regularly scheduled monthly Board meeting.
2 The chair of each committee is responsible for scheduling the
3 committee meeting. The Board shall first consider
4 Wednesdays to schedule all committee meetings in which
5 Board members are requested to attend, recognizing that
6 certain factors may impede consideration for Wednesdays
7 including, but not limited to, advertisements, agenda
8 publication deadlines, emergency meetings, annual
9 organizational meeting, legislatively mandated periods for
10 special meetings and budget public hearings, religious
11 holidays, previously scheduled calendared conflicts and travel,
12 legislative session, Dade Days and graduations.

13 B. Agenda items from the Superintendent or staff and the Board
14 Attorney shall include the name of the appropriate committee
15 where the item will be discussed. Board members' agenda
16 items shall include the name of the committee where the item
17 will be discussed. For convenience, Board members may take
18 an agenda item to a committee to which they belong.

19 C. Sunshine Law

20 All committee meetings shall be conducted under the
21 Sunshine Law. (F.S. Chapter 286)
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23 D. Rules of Order

24 Robert's Rules of Order will govern committee meetings.

25 Revised 1/18/12
26 Revised 10/10/12

27 © NEOLA 2008

MEETINGS

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2 0166

Non-Public Meetings

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A. Attorney-Client Sessions

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The School Board and its attorneys may meet in private to discuss pending litigation to which the Board is presently a party under the following conditions:

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1. The Board Attorney shall advise the Board at a public meeting that s/he desires advice concerning the litigation. Alternatively, the Board Attorney may submit a written request for an attorney-client session to the Board Chair.

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2. The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

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3. The Board shall give reasonable public notice on the Board's website and a local newspaper of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending.

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4. The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the Clerk of the Board within a reasonable time after the meeting.

- 1 5. At the conclusion of the attorney-client session, the
- 2 meeting shall be reopened, and the person chairing the
- 3 meeting shall announce the termination of the session.

- 4 6. The transcript shall be made part of the public record
- 5 upon conclusion of the litigation.

- 6 7. Any discussions held during the attorney-client session
- 7 and any materials presented at the session are
- 8 confidential and may not be publicly disclosed, except as
- 9 provided under F.S. 286.011(8).

10 B. Risk Management Sessions

11 The Board and its attorneys may meet in private to discuss the

12 evaluation of claims filed with the risk management program or

13 which relate solely to offers of compromise of claims filed with

14 the risk management program. Until termination of all litigation

15 and settlement of all claims arising out of the same incident,

16 persons involved in discussions pertinent to the evaluation of a

17 filed claim shall not be subject to subpoena in any administrative

18 or civil proceeding with regard to the content of those

19 discussions.

20 All risk management sessions held between the Board, its

21 attorneys and members of the School District's Risk

22 Management department shall abide by the recording

23 requirements. The Board Attorney shall communicate the need

24 for a Risk Management session to the Chair of the Board who

25 shall determine the date the meeting will be held.

26 Risk management sessions do not require public notice. Any

27 discussions held during a risk management session and any

28 materials presented at the session are confidential and may not

29 be publicly disclosed until termination of all litigation and

30 settlement of all claims arising out of the same incident, although

31 portions of the claim files may remain exempt from disclosure.

32 C. Executive Sessions

1 The Board may meet privately in confidential executive session
2 to discuss issues related to collective bargaining.

3 All work product developed by the Superintendent or the Board
4 in preparation for negotiations, and during negotiations are
5 confidential and exempt from Public Records laws.

6 The Superintendent shall notify the Board of the need for an
7 executive session at the earliest practical date before the
8 session is scheduled.

9 Executive sessions of the Board do not require public notice, but
10 the memorandum setting the date, time and purpose of the
11 session may be publicly disseminated. Any discussions held
12 during an executive session and any materials presented at the
13 session are confidential, and may not be publicly disclosed.

14 D. Penalties for Violation of Confidentiality of Closed Sessions

15 All participants attending these non-public meetings must
16 maintain the confidentiality of the information provided and may
17 not disclose this information to the public. Disclosure of
18 confidential information may place the Board in a
19 disadvantageous position in either litigation or in collective
20 bargaining. In addition, disclosure of such confidential
21 information could be a violation of the Code of Ethics for Public
22 Officers and Employees as outlined under F.S. Chapter 112. A
23 complaint shall be filed, if deemed appropriate, by the Ethics
24 Advisory Committee with the Florida Commission on Ethics
25 against any individual who is determined to have disclosed
26 confidential information that was provided solely at an attorney-
27 client, risk management, or executive session. The Florida
28 Commission on Ethics has the authority to make final
29 determinations with regard to such complaints. Participants at
30 these sessions are not precluded from using the information
31 provided in these sessions to fulfill the duties and responsibilities
32 of their assigned administrative positions.

33 E. Settlement Authority

34 Any settlements of civil cases that are reached as a result of an
35 attorney-client session and that are beyond the monetary

1 threshold afforded to the Board Attorney shall be presented to
2 the Board for approval. Settlements of tort cases that are
3 reached as a result of direction given at a risk management
4 session do not require Board authorization if they do not go
5 beyond the previously established monetary thresholds.

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7 F. Scheduling

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9 The Board shall first consider Wednesdays to schedule all
10 meetings in which Board members are requested to attend,
11 recognizing that certain factors may impede consideration for
12 Wednesdays including, but not limited to, advertisements,
13 agenda publication deadlines, emergency meetings, annual
14 organizational meeting, legislatively mandated periods for
15 special meetings and budget public hearings, religious holidays,
16 previously scheduled calendared conflicts and travel, legislative
17 session, Dade Days and graduations.

1 MEETINGS

2 0165

Public Meetings

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4 All meetings at which official acts are to be taken are open public
5 meetings, and no resolution, rule, policy, regulation, or formal
6 action shall be considered binding except as taken or made at
7 such a meeting. All meetings of the Board shall be open to the
8 public, except as provided by Florida law, and the order of
9 business of any regular meeting shall include an opportunity for
10 the public to address the Board.

11
12 The Board shall first consider Wednesdays to schedule all
13 meetings in which Board members are requested to attend,
14 recognizing that certain factors may impede consideration for
15 Wednesdays including, but not limited to, advertisements,
16 agenda publication deadlines, emergency meetings, annual
17 organizational meeting, legislatively mandated periods for special
18 meetings and budget public hearings, religious holidays,
19 previously scheduled calendared conflicts and travel, legislative
20 session, Dade Days and graduations.

21 A. Regular Meeting

22 The School Board shall hold at least one (1) regular
23 meeting each month according to a schedule approved by
24 the Board at its organization meeting.

25 All regular meetings will begin at 11:00 a.m. in the Board
26 Administration Building Auditorium, 1450 Northeast
27 Second Avenue, Miami, Florida. At 11:00 a.m., the Board
28 will address Board member agenda items designated by
29 the Board Chair and seeking approval of recognitions,
30 resolutions, endorsements or proclamations. Board
31 members are limited to two (2) presentations of these
32 types of items per Board meeting. A quorum must be
33 present to vote on these items. Following the vote, the
34 meeting will recess and the presentation of approved

1 items may then be made. A quorum is not necessary for
2 these presentations. All persons signed up to speak to
3 these items may do so at this time. The Superintendent's
4 Special Orders shall follow the Board member
5 presentations. The Board may then recess for lunch if
6 time permits. The Board meeting will reconvene at 1:00
7 p.m., at which time a quorum must be present, to
8 complete the remainder of the regular Board meeting
9 agenda.

10 Upon public notice, regular meetings of the Board may be
11 held at any appropriate public place in the county. Public
12 notice shall consist of publication in a newspaper of
13 general circulation in the county.

14 Any change in the date or time for these meetings shall be
15 by an action of the Board.

16 **B. Board Committee Meetings**

17 Board committee meetings addressing the monthly Board
18 agenda shall occur after the publication of the official
19 agenda and prior to the regularly scheduled monthly
20 Board meetings. Unless otherwise noticed, these
21 meetings shall be held in Room 726, Board Administration
22 Building, 1450 NE 2 Ave., Miami, Florida.

23 **C. Special Meeting**

24 Special meetings may be called for official action on
25 topics specified in the call and agenda for the meeting by
26 the Superintendent, the Chair of the Board through the
27 Superintendent, or by request of a majority of the
28 members of the Board. A majority of the members of the
29 Board may only request the convening of a special
30 meeting of the full Board by seeking the approval of a
31 majority of the members present at a regular or special
32 Board meeting.

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34 Unless otherwise noticed, all special meetings will be held in the
35 Board Administration Building Auditorium, 1450 NE 2
36 Ave., Miami, Florida. The date and time shall be specified
37 in the call and agenda for each meeting.

1 D. Emergency Meeting

2 If the Board finds that an immediate danger to the public
3 health, safety, or welfare requires immediate action, it
4 may hold an emergency public meeting in accordance
5 with State law.

6 E. Public Hearings

7 Public hearings may be scheduled on a specific topic,
8 document, or proposal which is to be the subject of Board
9 action that will be taken at the public hearing or at an
10 upcoming regular Board meeting, either to comply with
11 State law or to hear citizens on an issue of great public
12 interest.

13 F. Conference Session

14 Conference sessions may be conducted to receive
15 information and confer with the Superintendent on issues
16 requiring in-depth consideration and discussion with a
17 possible proposed recommended action to be taken by
18 the Board at an upcoming regular meeting. Citizens will
19 not be heard at conference sessions unless the Board
20 determines otherwise in advance of the session. A
21 conference session shall be scheduled in the same
22 manner as a regular Board meeting.

Added at Initial
Reading May 7,
2014

23
24 G. Workshop

25 Workshops may be scheduled to receive information and
26 confer with the Superintendent on issues requiring in-
27 depth consideration and discussion, with a possible
28 proposed recommended action to be taken by the Board
29 at an upcoming regular meeting. Only after a minimum of
30 six (6) Board members, upon being polled by the Chair
31 through his/her designee, have advised of their intent to
32 attend a workshop on a given date, shall the workshop be
33 scheduled, noticed, and advertised. Once the workshop
34 is advertised, noticed, and the meeting is conducted in
35 accordance with the requirements of this rule and with any

1 applicable provisions of the Sunshine Law, the workshop
2 may be held even if a quorum is not present.

3 Workshops will be conducted in Conference Room 726B
4 of the Board Administration Building, 1450 Northeast
5 Second Avenue, Miami, Florida, unless otherwise noticed.
6 If a greater than normal attendance by the public is
7 anticipated for any specific Board workshop, the workshop
8 may be held at the Board auditorium. The date and time
9 shall be specified in the call and agenda for the meeting.

10 H. Member Conferences

11 Individual Board members may sponsor conference-type
12 discussions, inviting Board members, staff and members
13 of the public to engage in a voluntary and informal
14 discussion of topics of vital concern to the member in an
15 effort to foster a free flowing exchange of information and
16 ideas. These conferences must be open to the public and
17 otherwise satisfy Florida law governing public meetings
18 and applicable Board policies.

19 These are voluntary forums for discussion purposes only,
20 are not official Board meetings, and no action may be
21 taken on the topics discussed. Agendas for these
22 meetings will be proposed by the Board member calling
23 the meeting and may be changed or amended as
24 provided by the Sunshine Law, Board policies, and the
25 Administrative Procedure Act.

26 ~~All meetings at which official acts are to be taken are open public~~
27 ~~meetings, and no resolution, rule, policy, regulation, or formal~~
28 ~~action shall be considered binding except as taken or made at~~
29 ~~such a meeting. All meetings of the Board shall be open to the~~
30 ~~public, except as provided by Florida law, and the order of~~
31 ~~business of any regular meeting shall include an opportunity for~~
32 ~~the public to address the Board.~~

33 F.S. 447286.011, 286.0114, F.S.

34 Revised 9/7/11
35 Revised 10/16/13

1 **ORGANIZATION**

2 0151 **Organizational Meeting**

3 The School Board shall organize in November of each year by electing
4 a Chair and Vice-Chair. In an election year, the organizational meeting
5 must be held on the second Tuesday following the general election. The
6 School Board shall organize annually on the third Tuesday after the first
7 Monday in November of each year.

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9 The Chair and Superintendent shall sign a copy of the proceedings of
10 organization as provided in state law and these bylaws, including the
11 schedule of regular meetings and the names and addresses of all
12 District officers. The Superintendent shall file the document within two
13 (2) weeks with the Florida Department of Education.

14 F.S. 100.041, 1001.371

MEMBERSHIP

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Term

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School Board members shall be elected at the general election in November for staggered terms of four (4) years arranged so that the five (5) members from odd-numbered districts shall be elected at one general election and the four (4) members from even-numbers districts shall be elected at the next general election.

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The term of office shall begin on the ~~third~~second Tuesday following the general election ~~after the first Monday in November of the year in which the member is elected.~~

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F.S. 100.41, 1001.35, 1001.371

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MEMBERSHIP

2 0141.2

Conflict of Interest

3 School Board members are governed by the Code of Ethics for Public
4 Officers and Employees, Part III of F.S. Chapter 112 and by other
5 statutes in the school code. Board members and the Superintendent
6 shall annually participate in four (4) hours of ethics training as specified
7 by law (F.S. 112.3145, C.O.E. 34-7.0251)

8 The following is a summary of the statutory mandates. They are not
9 definitive rules and the statute must be consulted for applicable
10 definitions and for exemptions.

11 A. Standards of Conduct

12 1. Gifts

13 No Board member may either solicit or accept anything of
14 value - including a gift, loan, reward, promise of future
15 employment, favor, or service - that is based on any
16 understanding that the vote, official action, or judgment of
17 the Board member would be influenced by such gift.

18 F.S. 112.313(2)

19 2. Other Prohibited Gifts

20 No Board member may solicit any gift, food, or beverage
21 from a person, vendor, potential vendor, any other entity
22 doing business with the Board, political committee or
23 committee of continuous existence, or from a lobbyist who
24 lobbies the Board (or the partner, firm, employer, or
25 principal of the lobbyist), where the gift or food or
26 beverage is for the benefit of the Board member, another
27 Board member, or any member of the immediate family of
28 a Board member. No Board member or any person on
29 behalf of the Board member may knowingly accept,
30 directly or indirectly, a gift from a person, vendor, potential

1 | vendor, any other entity doing business with the Board,
2 | political committee or committee of continuous existence,
3 | or from a lobbyist who lobbies the Board (and related
4 | individuals and entities, including, but not limited to, or the
5 | partner, firm, employer, or principal of the lobbyist), if the
6 | Board member knows or reasonably believes the gift has
7 | a value in excess of \$100 - unless the gift is accepted on
8 | behalf of and transferred promptly to a governmental
9 | entity or a charitable organization, or is given to the Board
10 | member by a governmental entity for a public purpose.
11 | Gifts from relatives and gifts associated primarily with the
12 | recipient's employment or business are not prohibited.
13 | Food or beverage consumed at a single sitting or event
14 | may be accepted.

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16 | "Vendor" is defined as a business entity doing business
17 | directly with the Board, such as renting, leasing, or selling
18 | realty, goods, or services.

19 | F.S. 112.3148

20 | 3. Honoraria

21 | No Board member may solicit an honorarium related to
22 | the member's public office or duties. No Board member
23 | may knowingly accept, directly or indirectly, an
24 | honorarium from a person, vendor, potential vendor, any
25 | other entity doing business with the Board a political
26 | committee or committee of continuous existence, or from
27 | a lobbyist who lobbies the Board (and related individuals
28 | and entities, including, but not limited to, or from the
29 | employer, principal, partner, or firm of the lobbyist).
30 | Actual and reasonable transportation, lodging, and food
31 | and beverage expenses related to the honorarium event
32 | for a Board member and spouse may be accepted.

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34 | "Vendor" is defined as a business entity doing business
35 | directly with the Board, such as renting, leasing, or selling
36 | realty, goods, or services.

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38 | F.S. 112.3149

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4. Unauthorized Compensation

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No Board member or his/her spouse or minor child may accept any compensation, payment, or thing of value which, with the exercise of reasonable care, is known or should be known to influence the vote or official action of such Board member.

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F.S. 112.313(4)

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5. Doing Business with One's Agency

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No Board member acting in his/her official capacity may, directly or indirectly, purchase, rent, or lease any realty, goods, or services from a business entity in which the Board member, his/her spouse, or child is an officer, partner, director, or proprietor, or in which the Board member, his/her spouse, or child (or any combination of them) owns a material interest. Nor may a Board member, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the Board or any of its agencies.

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F.S. 112.313(3)

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6. Misuse of Public Position

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No Board member may corruptly use or attempt to use his/her official position or any property or resource within his/her trust, or perform his/her official duties, to obtain a special privilege, benefit, or exemption for the Board member or others.

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F.S. 112.313(6)

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7. Disclosure or Use of Certain Information

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No Board member may disclose or use information not available to the general public and gained by reason of his/her public position for his/her personal benefit or the benefit of others.

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F.S. 112.313(8)

8. Employees Holding Office

No Board employee may be a member of the Board while simultaneously continuing as an employee.

F.S. 112.313(10)

B. Voting Conflicts

A Board member is prohibited from voting in an official capacity on any matter which would inure to his/her special private gain or loss, or to the special gain or loss of a principal by whom s/he is retained, or to ~~the special gain of~~ the parent organization or subsidiary of a corporate principal by which s/he is retained, or to the special gain or loss of a relative or business associate. Prior to the vote, the Board member must shall publicly state to the assembly the nature of his/her the Board member's interest in the matter from which the member must abstain from voting. The board member shall make every reasonable effort to disclose the nature of the board member's interest as a public record in a memorandum filed with the Board's recording secretary. If it is not possible for the Board member to file a memorandum before the vote, the memorandum must be filed within and within fifteen (15) days file a written disclosure of the interest with the Board's recording secretary of the Board.

F.S. 112.3143

C. Instructional Materials

No Board member shall accept anything of value or any inducement to introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material.

F.S. 1006.32

D. Textbooks

No Board member shall receive any gift or compensation for promoting the sale or exchange of any schoolbook, map, or chart

1 in any public school, or be an agent for the sale, or the publisher
2 of any school textbook or reference work, or be pecuniarily
3 interested in the introduction of any such textbook.

4 F.S. 1006.32(8)

- 5 E. No contract for supplying materials, supplies, and services
6 needed for the District school system shall be made with any
7 member of the Board, with the Superintendent, or with any
8 business organization in which any Board member or the
9 Superintendent has any financial interest whatsoever.

10 F.S. 1001.42

11 **Additional Provisions**

- 12 A. Board members shall accept no gifts from any individual, firm, or
13 business entity which the Board member has reason to believe is
14 doing business with or seeking to do business with the District.
15 Meals and admissions to events which relate directly to the
16 school system may be accepted.
- 17 B. Board members shall not participate in trips paid by a vendor or
18 potential vendor for the purpose of inspecting products or
19 programs useful to the District. Such trips, if deemed necessary,
20 shall always be made at District expense and approved by the
21 Board at a public meeting.
- 22 C. Board members, their spouses, or campaign committees shall
23 not solicit any vendor or any employee of this District to make
24 contributions to any political campaign or testimonial.
- 25 D. Board members shall not solicit nor accept personal discounts
26 on merchandise or services from individuals, firms, or business
27 entities which the Board member has reason to believe are doing
28 business with or seeking to do business with this District unless
29 those discounts are available to the general public.

1 E. No Board member may recommend the services of any lawyer
2 or law firm, architect or architectural firm, public relations firm, or
3 any other person or firm, professional or otherwise, to assist in
4 any transaction involving the District unless the recommendation
5 is made at a public meeting of the Board.

6 F. Board members are prohibited from acting as an agent or
7 attorney for compensation for anyone in connection with any
8 matter in which the District is interested for two (2) years after
9 his/her Board service terminates.

10 **Guidelines for Avoidance of Conflict of Interest**

11 The following guidelines are intended to avoid conflicts of interests or
12 the appearance of conflict as it relates to personal purchases or private
13 contracting. These guidelines do not apply to purchases made in a
14 private capacity of goods or services at a price and upon terms
15 available to similarly situated members of the general public.

16 A. When entering into a transaction or contractual relationship as
17 described above, Board members will make the following
18 inquiries to the entity with whom they are contracting:

19 1. Does the business entity have a contractual relationship
20 with the Board for more than \$500?

21 2. Is the contracting individual a principal or employee of an
22 entity with a contractual relationship with the Board for
23 more than \$500?

24 B. If an affirmative answer is given to either inquiry above, the
25 Board member will request from the Board Attorney a written
26 opinion indicating whether contracting with the individual or entity
27 would constitute a conflict of interest pursuant to Code of Ethics
28 for Public Officers and Employees, or other State statute or
29 Board rule. The Board Attorney will issue a written opinion or will
30 refer the Board member to the Florida Commission on Ethics.

31 C. Clarification and opinions regarding the application of the Code
32 of Ethics for Public Officers and Employees can be obtained at
33 any time from the Florida Commission on Ethics.

34 Revised 9/3/13
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MEMBERSHIP

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2 0141.3

Conflicting Employment or Contractual Relationship

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No School Board member may hold any employment or contract with any business entity or agency subject to the regulation of, or doing business with the Board. Nor may a Board member hold any employment or contractual relationship which will pose a recurring conflict between his/her private interests and his/her public duties or would impede the full and faithful discharge of his/her public duties.

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A School Board member is prohibited from accepting public employment with the State or any of its political subdivisions if the Board member knows, or with the exercise of reasonable care should know, that the position is being offered by the employer for the purpose of gaining influence or other advantage based on the Board member's office or candidacy.

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Public employment may only be accepted by a public officer if:

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A. the position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position;

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B. the position was publicly advertised;

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C. the public officer was subject to the same application and hiring process as other candidates for the position; and

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D. the public officer meets or exceeds the required qualifications for the position.

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A person who was employed by the State or any of its political subdivisions before qualifying as a public officer for his/her current term of office or the next available term of office may continue the employment. The person may not, however, accept promotion, advancement, additional compensation, or anything of value that he/she

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1 | knows, or with the exercise of reasonable care should know, is provided
2 | or given as a result of his/her election or position, or that is otherwise
3 | inconsistent with the promotion, advancement, additional
4 | compensation, or anything of value provided or given an employee who
5 | is similarly situated.

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7 | Nothing in this policy may be interpreted as authorizing employment
8 | that is otherwise prohibited by law.

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11 | F.S. 112.313(7), (14); 112.3125.

MEETINGS

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0165.1 Agendas

A. Preparation and Distribution

The Superintendent shall be responsible for the preparation and distribution of the agenda for regular and special meetings of the School Board. The agenda shall contain, in order of presentation, a listing of each subject and, if appropriate, the recommendation(s) for each item to be considered by the Board.

~~On occasion, holder agenda items may need to be developed in preparation of the agenda when there is insufficient information to provide a full description of the action being proposed. Holder agenda items shall describe the purpose and intent of the item in as much detail as possible.~~

The agenda for each Board meeting shall be prepared and distributed in accordance with the requirements of the State of Florida Administrative Procedure Act. Complete agenda items must include at least one named sponsor, heading, Board Committee designation, link to strategic plan, subject, explanation, recommended action, and any required attachments.

On occasion, a proposed agenda item may be submitted as a "holder" when there is insufficient information to provide a full description of the action being proposed. Holder agenda items shall, at a minimum, describe the purpose and intent of the item in as much detail as possible. However, except for information items, resolutions, endorsements and proclamations, these proposed holder agenda items cannot be published unless they are complete. Any holder agenda item, except those for information, resolutions, endorsements and proclamations, that is not completed and submitted at least two days before the Board Committee meetings and no later than seven days before the Board meeting, shall not be published and the Board may not take action on the item.

Revised
at Initial
Reading
May 7,
2014

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B. Items Board Member Wish to Include in the Agenda

Board members who sponsor items, including resolutions, which they wish to have considered at regular Board meetings should submit them to the Superintendent for inclusion in the agenda at least nine (9) calendar days prior to a regular Board meeting. Proposed Board member items are to be submitted for each subsequent meeting no earlier than the next regular business day after the conclusion of the prior regular Board meeting. In order to ensure that items proposed by Board members are numbered in the order in which they are received by the Board Office Manager or anyone designated by the Superintendent for this purpose, all proposed items by Board members will be date-stamped and numbered in the sequence in which they are received. All proposed items submitted must contain, at a minimum, a subject heading specifying the topic that is being proposed for discussion.

C. Agenda Changes

The agenda shall contain the items to be considered in the order of presentation. After the agenda has been made available, a change shall be made only for good cause, as determined by the Chair, and stated in the record. Notification of such change shall be at the earliest practicable time.

D. Co-Sponsorship of Board Member Agenda Items

Board members may co-sponsor another Board member's agenda item after it has been published by publicly expressing their desire to co-sponsor the item at the Board committee meeting prior to the Board meeting in which the item will be considered. If the prime sponsor accepts the co-sponsor(s), the prime sponsor will revise and resubmit the item with the addition of the co-sponsor(s).

Board members may also express their desire to co-sponsor an item at the regular meeting in which the item is presented for Board approval. If co-sponsorship is requested at a Board meeting, the Board shall treat the request pursuant to Robert's Rules of Order as a motion to amend the item to indicate the co-sponsorship(s).

Board members may only co-sponsor other Board members' regular Board meeting agenda items. Co-sponsorship of

1 another Board member's recognition, resolution, endorsement
2 or proclamation will be counted towards the co-sponsoring
3 member's two (2) item limit for these types of agenda items as
4 described in Policy 0165.

5 E. Consent Agenda

6 At the beginning of regular Board meetings, the Chair will call
7 for items which the Board members would like to address and
8 announce those items. The items not selected by Board
9 members to address constitute the consent agenda. The
10 Chair shall call on speakers who have signed up to speak to
11 those items pursuant to Board Policy 0160, *Public Participation*,
12 and provide them the opportunity to speak. The chair will then
13 call for a vote on the consent agenda. all other agenda items.
14 ~~These items constitute the consent agenda.~~ Rule-making
15 items on which a public hearing has been timely requested
16 pursuant to Bylaw 0131 may not be approved on consent.

17
18 F. Distribution of the Agenda

19 1. School Board Members

20 The agenda of regular meetings shall be distributed to
21 members of the Board and the student advisor at least
22 seven (7) days in advance of the meeting date. Copies
23 also will be made available to the Board members'
24 administrative assistants. The final versions of all items
25 and all relevant agenda related material and back-up
26 documentation must be presented to Board members at
27 least two (2) days before the Board committee
28 meetings. This requirement shall not apply to items
29 dealing with personnel appointments and assignments,
30 matters that are not appropriate for review by Board
31 committees, and items presented at special or
32 emergency meetings of the Board.

33 2. Administrative Staff and Recognized Employee
34 Organizations

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36 The Superintendent shall determine the administrative
37 staff of the school system to whom the agenda for
38 regular and special meetings of the Board will be
39 distributed in advance of the meetings and shall
40 distribute the agenda to employee organizations as
41 provided for in the collective bargaining agreements
42 with approved bargaining units.

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3. Individuals and Community Organizations

a. A copy of the agenda may be examined and/or obtained by an interested person at the Citizen Information Center after the agenda is published.

For news media representatives, the County Council PTA/PTSA Executive Board, the Miami-Dade County Association of Student Government Presidents, and other governmental education-related community organizations, copies of the agenda will be made available at no cost through the Citizen Information Center. Requests for other distribution may be made by the Superintendent or any Board member.

b. A copy of the agenda also will be available at the Citizen Information Center prior to and during Board meetings.

c. The agenda may be accessed via the Board's website.

G. Distribution of Agenda-related Supplemental Materials and Documents

1. Board Members

Prior to each meeting of the Board, the Superintendent will distribute to each Board member and the student advisor supporting materials and documents prepared to accompany the items which are included on the agenda. The final versions of all items, along with all relevant agenda related material and back-up documentation must be presented to Board members at least two (2) days before the Board committee meetings. Copies of the supporting materials and documents also will be made available to the administrative assistants to the members of the Board.

2. Administrative Staff and Recognized Employee Organizations

The document containing supplemental materials to the agenda will be distributed to the administrative staff of

1 the school system as determined by the
2 Superintendent. The Superintendent shall distribute
3 this document to employee organizations as provided
4 for in the collective bargaining agreements with
5 approved bargaining units.

6 The distribution of this document, though, shall be kept
7 to an absolute minimum because of the expense
8 involved in preparing copies of all documents and
9 materials.

- 10 3. For news media representatives, the County Council
11 PTA/PTSA Executive Board, the Miami-Dade County
12 Association of Student Government Presidents, and
13 other governmental and education-related community
14 agencies, copies of the supplemental materials will be
15 made available to them at no cost through the Citizen
16 Information Center. The distribution of these materials
17 shall be kept to an absolute minimum because of the
18 expense involved in preparing copies of all documents
19 and materials.

20 A copy of these materials will be available at the Citizen
21 Information Center prior to and during Board meetings.

- 22 H. The Board shall transact business according to the agenda
23 prepared by the Superintendent and submitted to all Board
24 members in advance of the meeting. The order of business
25 may be altered by a majority vote of the members present and
26 items added for good cause as determined by the Chair.

- 27 I. The agenda for special meetings called by the Superintendent,
28 or by the Superintendent on request of the Board Chair, or on
29 the request of a majority of the Board members, shall be
30 prepared upon the calling of the meeting but not less than forty-
31 eight (48) hours prior to such a meeting.

32 Revised 4/17/13
33 Revised 10/16/13

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MEETINGS

2 0169.1

Public Participation at Board Meetings

3 The Chair of each Board meeting at which public participation is
4 permitted shall administer the rules of the Board for its conduct.

5 The Chair shall be guided by the following rules:

6 A. Any citizen may address the Board directly concerning any
7 subject that lies within the jurisdiction of the Board.

8 B. Individuals who wish to be heard by the Board on a topic which
9 is not on the agenda for the meeting shall be scheduled for an
10 appearance only at the public hearing during the regularly
11 scheduled Board meeting each month. However, citizens who
12 wish to speak to a topic on the agenda may be scheduled to
13 appear at any Board meeting for which the topic is listed as an
14 item.

15
16 C. Where a large number of individuals have signed up to speak
17 according to this policy, the individuals may select a group
18 spokesperson to address the Board on behalf of those
19 individuals.

20 D. Citizens scheduled to speak shall be called by the Chair at the
21 appropriate time during the meeting. -Each individual shall state
22 for the record their name, address, (the address may be given
23 orally or in writing, at the speaker's option), organization or
24 persons represented and whether s/he is being compensated for
25 the appearance. Substitutions for scheduled speakers will not
26 be allowed except in exceptional circumstances as determined
27 by the Chair.

28 E. Decorum:

29 1. Citizen's remarks should be directed to the presiding
30 officer or the Board as a whole and not to individual Board

1 members. Speakers may not address Board members by
2 name.

3 2. Speakers commenting on agenda items shall confine their
4 comments solely to the agenda item being discussed.
5 During the public hearing, speakers must limit their
6 remarks to matters related to the business of the District.
7 Speakers are prohibited from discussing their own
8 pending court cases and filed claims or complaints
9 against the District or District personnel. Speakers may
10 not use any form of profanity or loud abusive comments.

11
12 3. No clapping, applauding, heckling, shouting comments
13 from the audience, or verbal outbursts in support or
14 opposition to a speaker or his/her remarks shall be
15 permitted. No signs or placards shall be allowed in the
16 Board meeting. Persons exiting the Board meeting shall
17 do so quietly.

18
19 4. The Chair may notify and warn speakers that their
20 comments have gone beyond the subject matter for which
21 they had signed up to address, address matters that are
22 not related to the business of the School District,
23 constitute personal attacks on individuals or otherwise
24 violate this policy.

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26 5. The Chair may turn off the microphone or recess the
27 meeting if a speaker persists in addressing irrelevant
28 topics or engaging in personal attacks. The Chair has the
29 authority after one warning to order the removal of the
30 speaker from the meetings.

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32 6. Following a warning, any person making impertinent or
33 slanderous remarks or who becomes boisterous while
34 addressing the Board shall be barred from further
35 appearance before the Board for the balance of the
36 meeting.

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38 7. Personal cellular telephone conversations while in the
39 room when the Board meeting is being conducted is not
40 permitted. Such conversations are permitted only during
41 meeting breaks or recess. Ringers must be set to silent

1 mode to avoid disruption of proceedings. Individuals,
2 including those on the dais, must exit the chambers to
3 answer incoming cell phone calls.
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5 F. Citizens may be heard on consent agenda items before the
6 Board votes on those items. After the consent agenda is
7 determined by the Board pursuant to Board Policy 0165.1,
8 Agendas, the Board chair shall call on speakers who have
9 signed up to speak to those items and provide them the
10 opportunity to speak.

11 E.G. Citizens may be heard on matters on the consent agenda or not
12 on the Board agenda at the regularly scheduled meeting of the
13 Board each month at the public hearing which shall begin no
14 later than approximately 6:30 p.m. The Chair may begin calling
15 speakers who are present immediately following the conclusion
16 of the regular agenda. The public hearing shall not conclude
17 before 4:30 p.m. unless all of the speakers signed up to speak
18 are present and have been given the opportunity to speak.
19

20 H. The Board may prohibit public participation on official acts that
21 must be taken to deal with an emergency situation affecting the
22 public health, welfare, or safety, if allowing public speakers
23 would cause an unreasonable delay in the ability of the Board to
24 act. The Board may also prohibit public participation on
25 ministerial acts, including but not limited to, approval of Board
26 minutes and bid-opening lists. The Board may allow public
27 comment on ceremonial proclamations and resolutions.

F.I. Scheduled Public Hearings

- 28 1. To appear under "Scheduled Public Hearings," citizens
29 must present a written request to the Superintendent no
30 later than 4:30 p.m. of the Monday preceding a regular
31 Wednesday Board meeting. Forms to be used in
32 submitting these requests are available at all Region
33 Offices, the Office of Citizen Information at the Board
34 Administration Building, and on the District website. The
35 request shall contain the following information:

- 1 a. name, address and telephone number of person
2 who is to appear;
- 3 b. organization or persons represented and whether
4 the person to appear is being compensated; and
- 5 c. topic to be presented.
- 6 2. The Superintendent shall provide to each Board member
7 a list of the persons scheduled to speak.
- 8 3. Any one speaker or spokesperson for a group shall be
9 permitted to speak no more than three (3) minutes at the
10 Scheduled Public Hearings no matter how many issues
11 that individual addresses, nor more than a total of ten (10)
12 minutes during the Board meeting, (including time on
13 agenda items and, later, on consent or non-agenda
14 items), except in unusual circumstances determined and
15 approved by unanimous vote of Board members present
16 at the meeting. If a speaker signs up to speak to an item
17 passed on consent or a non-agenda item, then the
18 speaker will be given additional time during the public
19 hearing that the speaker would have been given had they
20 addressed the item during the regular meeting, provided
21 such additional time does not exceed a total of ten (10)
22 minutes for the entire meeting.
- 23 4. Speakers may not refuse to yield the podium when the
24 Chair has advised that their time is up.
- 25 5. The total time allotted for the public hearing shall not
26 exceed one and one-half (1 1/2) hours. The time limit on
27 the public hearing portion of the regular Board meeting
28 may be extended by a majority vote of the Board.
- 29 6. Pursuant to the rules of parliamentary procedure, the
30 Board may reconsider any item that passed on consent
31 during the scheduled public hearing.
- 32 7. Speakers will be recognized in the order the requests
33 were received.

1 8. Any person who feels that the subject matter has not been
2 adequately covered in the time allotted may present
3 additional information in writing.

4 | GJ. Procedures when not scheduled under Scheduled Public
5 Hearings

6 1. A person in this category seeking consent to speak must
7 submit, either before or during the meeting, a written
8 request to the Board Chair.

9 2. The request must state the person's name, address, and
10 subject.

11 3. Board members present at the meeting must vote by a
12 majority for the person to be heard.

13 4. If the request is approved, the Board Chair shall allot the
14 individual a maximum of three (3) minutes time.

15 | HK. Appearances on Board Agenda Items

16 1. Procedures to be scheduled under "Requests to Speak to
17 Agenda Items"

18 a. Any person who wishes to address the Board on
19 an item or items on the agenda may be scheduled
20 under "Requests to Speak to Agenda Items" by
21 presenting a written request to the Superintendent.
22 In the case of a special Board meeting, the
23 deadline shall be noon on the last business day
24 preceding the date of the meeting.

25 b. The total time allotted for all individuals who
26 request to be heard on the same agenda item shall
27 be determined by majority vote of the Board
28 members present at the meeting. Any one speaker
29 or spokesperson for a group shall be permitted to
30 speak no more than two (2) minutes on any one
31 agenda item, nor more than a total of ten (10)
32 minutes during the Board meeting, including

1 speaking time during a public hearing, regardless
2 of the number of agenda items to be addressed,
3 except in unusual circumstances determined and
4 approved by unanimous vote of Board members
5 present at the meeting. Additional comments may
6 be presented in writing.

7 2. Procedures when not scheduled under "Requests to
8 Speak to Agenda Items"

9 Persons not scheduled in advance to speak to agenda
10 items may request approval of the Board to be heard, as
11 follows:

- 12 a. Before or during the meeting, the person must write
13 their name, address and number of agenda item in
14 which interested on a slip of paper and hand to the
15 presiding officer before the item is considered by
16 the Board.
- 17 b. Receive approval to be heard by a majority vote of
18 Board members present at the meeting and voting.
- 19 c. The presiding officer may designate a particular
20 time prior to Board action on the agenda item for
21 such persons to be heard.
- 22 d. If Board approval is granted for the person to be
23 heard, the Chair shall allow a maximum of two (2)
24 minutes. Additional comments may be presented
25 in writing.

26 1. Public Hearings on Specific Topics

27 The Board may schedule a meeting designed solely as a public
28 hearing on a specific document or proposal which is to be the
29 subject of later Board action, either to comply with State statutes
30 or to hear citizens on an issue of great public interest. Persons
31 desiring to address the Board at public hearings shall follow and
32 be governed by the procedures for a special Board meeting.

1 | JM. Conference Sessions/Workshops of the Board

2 | Citizens may be heard at any conference session or workshop
3 | for a specified amount of time that the Board determines in
4 | advance of the session or at the beginning of the session.

5 | KN. ~~Quasi-Judicial Proceedings Suspension, Dismissal or other~~
6 | ~~Discipline of Personnel and/or Expulsion or Assignment of~~
7 | ~~Students~~

8 | Board actions at every stage of proceedings for the suspension,
9 | dismissal or other discipline of staff members, charter school
10 | terminations/nonrenewals and for the expulsion or assignment of
11 | specific students, are quasi-judicial proceedings conducted
12 | pursuant to Board Policy 0133. ~~in nature, and the Board's~~
13 | ~~decisions in these cases should be free of improper and~~
14 | ~~extraneous comment. Citizens will~~shall ~~not be heard in~~
15 | ~~such~~these ~~cases, except in unusual circumstances determined~~
16 | ~~and approved by majority vote of Board members present at the~~
17 | ~~meeting. All aspects of student expulsion proceedings shall be~~
18 | ~~closed to the public pursuant to F.S. 1006.07(1)(a), unless the~~
19 | ~~parents elect to have the hearing held in compliance with the~~
20 | ~~Sunshine Law.~~

21 | LO. Tape or video recordings are permitted under the following
22 | conditions:

- 23 | 1. No obstructions are created between the Board and the
24 | audience.
- 25 | 2. No interviews are conducted in the meeting room while
26 | the Board is in session.
- 27 | 3. No commentary, adjustment of equipment, or positioning
28 | of operators is made that would distract either the Board
29 | or members of the audience while the Board is in session.