

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

**SUBJECT: INITIAL READING: PROPOSED AMENDMENTS TO BOARD
POLICIES 0169.1, *PUBLIC PARTICIPATION IN BOARD MEETINGS*;
0165, *PUBLIC MEETINGS*; AND 6325, *CONE OF SILENCE***

**COMMITTEE: INNOVATION, GOVERNMENTAL RELATIONS AND
COMMUNITY ENGAGEMENT**

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

Section 120.74, F.S., requires each School Board to review and revise its rules as often as necessary to ensure that its rules are correct, comply with statutory requirements, clarify and simplify them, and otherwise conform to the law. Pursuant to these requirements, this item is presented for the Board's consideration to amend Board policies related to public participation in Board meetings in order to clarify certain provisions, correct inconsistencies, protect the integrity of the procurement process, and conform to the law.

The law allows the School Board to adopt decorum provisions that are designed to promote the orderly and efficient conduct of public meetings and do not regulate speaker content beyond the limits allowed by law. See Section 286.0114, F.S. Board Policy 0169.1, *Public Participation in Board Meetings*, is proposed to be amended to (1) clarify that the purpose of the public portion of the Board meeting is to allow the public to provide general input on matters within the Board's jurisdiction and not to air or resolve personal grievances, (2) clarify that employees are prohibited from discussing any disciplinary matter that affects them individually unless it is an agenda item, (3) to allow clapping and applauding as long as it is not disruptive, (4) to require speakers to complete a speaker form and disclose more specifically the topic they wish to address, (5) to prohibit speakers from promoting candidates for elected office, political campaigns, and electioneering, (6) to prohibit any actions or noises during the meeting that cause or create an imminent threat of a disturbance or disruption in the meeting.

Revised

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Board Policy 0165, *Public Meetings*, is proposed to be amended to clarify the purpose of the public participation portion of the meeting in conformance with the amendments proposed above to Board Policy 0169.1.

Board Policy 6325, *Cone of Silence*, is proposed to be amended to (1) correct and clarify several inconsistencies, and (2) prohibit vendors and bidders from discussing matters that are under the cone of silence at the Board meeting.

Attached is the Notice of Intended Action and the proposed policy amendments. Changes 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 to amend Policies 0169.1, *Public Participation at Board Meetings*; 0165, *Public Meetings*; and 6325, *Cone of Silence*.

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 Policies 0169.1, *Public Participation at Board Meetings*; 0165, *Public Meetings*; and 6325, *Cone of Silence*.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on August 5, 2015, its intention to amend Board Policies 0169.1, *Public Participation at Board Meetings*; 0165, *Public Meetings*; and 6325, *Cone of Silence*, at its meeting of September 9, 2015.

PURPOSE AND EFFECT: These policy amendments related to public participation in Board meetings are being proposed to clarify certain provisions and correct inconsistencies. Board Policy 0169.1, *Public Participation in Board Meetings*, is proposed to be amended to (1) clarify that the purpose of the public portion of the Board meeting is to allow the public to provide general input on matters within the Board's jurisdiction and not to air or resolve personal grievances, (2) clarify that employees are prohibited from discussing any disciplinary matter that affects them individually unless it is an agenda item, (3) to allow clapping and applauding as long as it is not disruptive, (4) to require speakers to complete a speaker form and disclose more specifically the topic they wish to address, (5) to prohibit speakers from promoting candidates for elected office, political campaigns, and electioneering, (6) to prohibit any actions or noises during the meeting that cause or create an imminent threat of a disturbance or disruption in the meeting. Board Policy 0165, *Public Meetings*, is proposed to be amended to clarify the purpose of the public participation portion of the meeting in conformance with the amendments proposed above to Board Policy 0169.1.

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Board Policy 6325, *Cone of Silence*, is proposed to be amended to (1) correct and clarify several inconsistencies, and (2) prohibit vendors and bidders from discussing matters that are under the Cone of Silence at the Board meeting.

SUMMARY: Pursuant to Section 120.74, F.S., the School Board is required to review and update its rules as often as necessary. Proposed changes to Policy 0169.1, *Public Participation in Board Meetings*, 0165, *Public Meetings*, and 6325, *Cone of Silence*, are designed to promote the orderly and efficient conduct of public meetings and to maintain the integrity of the Board's procurement processes.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 120.74, 1001.41 (1) (2),(5); 1001.42 (6), 1001.43 (10),(11), F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 286.0114, 1001.41 (1), (2),(5); 1001.42 (6), 1001.43 (10),(11), F.S.

Revised

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF September 9, 2015, 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 August 31, 2015, 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, F. S.

COPIES OF THE PROPOSED 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.

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MEETINGS

0169.1 **Public Participation at Board Meetings**

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

The Chair shall be guided by the following rules:

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

B. Individuals who wish to be heard by the Board on a topic which is not on the agenda for the meeting shall be scheduled for an appearance only at the public hearing during the regularly scheduled Board meeting each month. The purpose of the public hearing portion of the Board meeting, however, is to allow the public to address general matters within the Board's jurisdiction and not for resolving individual grievances or disputes.

~~C.~~ Citizens who wish to speak to a topic on the agenda may be scheduled to appear at any Board meeting for which the topic is listed as an item.

~~D.~~ D Any person who wishes to address the Board, prior to addressing the Board, must complete a District authorized speaker form and must disclose whether the speaker has pending litigation against or involving the school district or School Board, has filed a notice of claim against the School Board, or has a pending employee grievance, administrative appeal, or any other litigation against or involving the School Board. The disclosure is only required if the speaker intends to address these matters during the meeting. Speakers must also disclose on the speaker form whether they are a lobbyist as defined by Policy 8150.

~~E~~. E Where a large number of individuals have signed up to speak according to this policy, the individuals may select a group spokesperson to address the Board on behalf of those individuals.

~~F~~. F Citizens scheduled to speak shall be called by the Chair at the appropriate time during the meeting. Each individual

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shall state for the record their name, address, (the address may be given orally or in writing, at the speaker's option), organization or persons represented and whether s/he is being compensated for the appearance. Substitutions for scheduled speakers will not be allowed except in exceptional circumstances as determined by the Chair.

G. During any Board meeting, speakers are prohibited from (1) promoting any candidacy for public office or political campaign, and (2) engaging in electioneering.

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EFH. Decorum:

The following provisions are designed to promote the orderly and efficient conduct of public meetings and not to regulate speaker content beyond the limits allowed by law.

1. Citizen's remarks should be directed to the presiding officer or the Board as a whole and not to individual Board members. Speakers may not address Board members by name and personal attacks against individual Board members, the Board as a whole, the Superintendent or District staff, are prohibited.

2. Speakers commenting on agenda items shall confine their comments solely to the agenda item being discussed. During the public hearing, speakers must limit their remarks to matters related to the business of the District. Unless it is an agenda item, Speakers are prohibited from discussing their own pending court cases and filed claims or complaints against the District or District personnel. Similarly, employees are prohibited from discussing any disciplinary matter that affects them individually unless it is an agenda item.

3. Speakers may not use any form of profanity or loud abusive comments.

34. Any action or noise that causes or creates an imminent threat of a disturbance or disruption, including but not limited to, No clapping, applauding, heckling, shouting comments from the audience, or verbal outbursts in support or opposition to a speaker or his/her remarks, shall be permitted is prohibited. No signs or placards shall be allowed in the Board meeting. Persons exiting the Board meeting shall do so quietly.

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1 | 45. The Chair may notify and warn speakers that their
2 | comments have gone beyond the subject matter for
3 | which they had signed up to address, address matters
4 | that are not related to the business of the School
5 | District, constitute personal attacks on individuals or
6 | otherwise violate this policy.

7 | 56. The Chair may turn off the microphone or recess the
8 | meeting if a speaker persists in addressing irrelevant
9 | topics or engaging in personal attacks. The Chair has
10 | the authority after one warning to order the removal of
11 | the speaker from the meetings.

12 | Following a warning, any person making impertinent
13 | or slanderous remarks or engages in boisterous
14 | behavior which the Chair or the Board determines
15 | constitutes an actual or an imminent threat of a
16 | disturbance or disruption, ~~who becomes boisterous~~
17 | ~~while addressing the Board~~ shall be barred from
18 | further appearance before the Board for the balance of
19 | the meeting.

20 | 67. Personal cellular telephone conversations while in the
21 | room when the Board meeting is being conducted is
22 | not permitted. Such conversations are permitted only
23 | during meeting breaks or recess. Ringers must be set
24 | to silent mode to avoid disruption of proceedings.
25 | Individuals, including those on the dais, must exit the
26 | chambers to answer incoming cell phone calls.

27 | FI. Citizens may be heard on consent agenda items before the
28 | Board votes on those items. After the consent agenda is
29 | determined by the Board pursuant to Board Bylaw 0165.1,
30 | *Agendas*, the Board chair shall call on speakers who have
31 | signed up to speak to those items and provide them the
32 | opportunity to speak.

33 | GJ. Citizens may be heard on matters on the consent agenda or
34 | not on the Board agenda at the regularly scheduled meeting
35 | of the Board each month at the public hearing which shall
36 | begin no later than approximately 6:30 p.m. The Chair may
37 | begin calling speakers who are present immediately following
38 | the conclusion of the regular agenda. The public hearing
39 | shall not conclude before 4:30 p.m. unless all of the speakers
40 | signed up to speak are present and have been given the
41 | opportunity to speak.

42 | HK. The Board may prohibit public participation on official acts
43 | that must be taken to deal with an emergency situation

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1 affecting the public health, welfare, or safety, if allowing
2 public speakers would cause an unreasonable delay in the
3 ability of the Board to act. The Board may also prohibit
4 public participation on ministerial acts, including but not
5 limited to, approval of Board minutes and bid-opening lists.
6 The Board may allow public comment on ceremonial
7 proclamations and resolutions.

8 | HL. Scheduled Public Hearings

9 1. To appear under "Scheduled Public Hearings," citizens
10 must present a written request to the Superintendent
11 no later than 4:30 p.m. of the Monday preceding a
12 regular Wednesday Board meeting. Forms to be used
13 in submitting these requests are available at all Region
14 Offices, the Office of Citizen Information at the Board
15 Administration Building, and on the District website.
16 The request shall contain the following information:

17 a. name, address and telephone number of person
18 who is to appear;

19 b. organization or persons represented and
20 whether the person to appear is being
21 compensated; and

22 c. topic to be presented.

23 2. The Superintendent shall provide to each Board
24 member a list of the persons scheduled to speak.

25 3. Any one speaker or spokesperson for a group shall be
26 permitted to speak no more than three (3) minutes at
27 the Scheduled Public Hearings no matter how many
28 issues that individual addresses, nor more than a total
29 of ten (10) minutes during the Board meeting,
30 (including time on agenda items and, later, on consent
31 or non-agenda items), except in unusual
32 circumstances determined and approved by
33 unanimous vote of Board members present at the
34 meeting. If a speaker signs up to speak to an item
35 passed on consent or a non-agenda item, then the
36 speaker will be given additional time during the public
37 hearing that the speaker would have been given had
38 they addressed the item during the regular meeting,
39 provided such additional time does not exceed a total
40 of ten (10) minutes for the entire meeting.

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4. Speakers may not refuse to yield the podium when the Chair has advised that their time is up.
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5. The total time allotted for the public hearing shall not exceed one and one-half (1 1/2) hours. The time limit on the public hearing portion of the regular Board meeting may be extended by a majority vote of the Board.
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6. Pursuant to the rules of parliamentary procedure, the Board may reconsider any item that passed on consent during the scheduled public hearing.
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7. Speakers will be recognized in the order the requests were received.
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8. Any person who feels that the subject matter has not been adequately covered in the time allotted may present additional information in writing.
- 16 | JM. Procedures when not scheduled under Scheduled Public
17 Hearings
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1. A person in this category seeking consent to speak must submit, either before or during the meeting, a written request to the Board Chair.
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2. The request must state the person's name, address, and subject.
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3. Board members present at the meeting must vote by a majority for the person to be heard.
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4. If the request is approved, the Board Chair shall allot the individual a maximum of three (3) minutes time.
- 27 | KN. Appearances on Board Agenda Items
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1. Procedures to be scheduled under "Requests to Speak to Agenda Items"
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- a. Any person who wishes to address the Board on an item or items on the agenda may be scheduled under "Requests to Speak to Agenda Items" by presenting a written request to the Superintendent. In the case of a special Board meeting, the deadline shall be noon on the last business day preceding the date of the meeting.

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- b. The total time allotted for all individuals who request to be heard on the same agenda item shall be determined by majority vote of the Board members present at the meeting. Any one speaker or spokesperson for a group shall be permitted to speak no more than two (2) minutes on any one agenda item, nor more than a total of ten (10) minutes during the Board meeting, including speaking time during a public hearing, regardless of the number of agenda items to be addressed, except in unusual circumstances determined and approved by unanimous vote of Board members present at the meeting. Additional comments may be presented in writing.

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

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

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- a. Before or during the meeting, the person must write their name, address and number of agenda item in which interested on a slip of paper and hand to the presiding officer before the item is considered by the Board.

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- b. Receive approval to be heard by a majority vote of Board members present at the meeting and voting.

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- c. The presiding officer may designate a particular time prior to Board action on the agenda item for such persons to be heard.

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- d. If Board approval is granted for the person to be heard, the Chair shall allow a maximum of two (2) minutes. Additional comments may be presented in writing.

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EQ. Public Hearings on Specific Topics

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The Board may schedule a meeting designed solely as a public hearing on a specific document or proposal which is to be the subject of later Board action, either to comply with State statutes or to hear citizens on an issue of great public interest. Persons desiring to address the Board at public

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1 hearings shall follow and be governed by the procedures for a
2 special Board meeting.

3 | MP. Conference Sessions/Workshops of the Board

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

7 | NQ. Quasi-Judicial Proceedings

8 Board actions at every stage of proceedings for the
9 suspension, dismissal or other discipline of staff members,
10 charter school terminations/nonrenewals, and for the
11 expulsion or assignment of specific students, are
12 quasi-judicial proceedings conducted pursuant to Board
13 Bylaw 0133. Citizens shall not be heard in these cases. All
14 aspects of student expulsion proceedings shall be closed to
15 the public pursuant to F.S. 1006.07(1)(a), unless the parents
16 elect to have the hearing held in compliance with the
17 Sunshine Law.

18 | OR. Tape or video recordings are permitted under the following
19 conditions:

20 1. No obstructions are created between the Board and the
21 audience.

22 2. No interviews are conducted in the meeting room while
23 the Board is in session.

24 3. No commentary, adjustment of equipment, or
25 positioning of operators is made that would distract
26 either the Board or members of the audience while the
27 Board is in session.

28 Revised 6/18/14

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MEETINGS

2 0165

Public Meetings

3 All meetings at which official acts are to be taken are open public
4 meetings, and no resolution, rule, policy, regulation, or formal
5 action shall be considered binding except as taken or made at such
6 a meeting. All meetings of the School Board shall be open to the
7 public, except as provided by Florida law, and the order of business
8 of any regular meeting shall include an opportunity for the public to
9 address the Board. The purpose of the public portion of the
10 Board meeting, however, is to allow the public to address specific
11 agenda items and general matters within the Board's jurisdiction
12 and not for airing or resolving personal grievances.

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

21 A. Regular Meeting

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

25 All regular meetings will begin at 11:00 a.m. in the Board
26 Administration Building Auditorium, 1450 Northeast Second
27 Avenue, Miami, Florida. At 11:00 a.m., the Board will
28 address Board member agenda items designated by the Board
29 Chair and seeking approval of recognitions, resolutions,
30 endorsements or proclamations. Board members are limited
31 to two (2) presentations of these types of items per Board
32 meeting. A quorum must be present to vote on these items.
33 Following the vote, the meeting will recess and the
34 presentation of approved items may then be made. A quorum
35 is not necessary for these presentations. All persons signed
36 up to speak to these items may do so at this time. The
37 Superintendent's Special Orders shall follow the Board
38 member presentations. The Board may then recess for lunch

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1 if time permits. The Board meeting will reconvene at 1:00
2 p.m., at which time a quorum must be present, to complete
3 the remainder of the regular Board meeting agenda.

4 Upon public notice, regular meetings of the Board may be
5 held at any appropriate public place in the county. Public
6 notice shall consist of publication in a newspaper of general
7 circulation in the county.

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

10 B. Board Committee Meetings

11 Board committee meetings addressing the monthly Board
12 agenda shall occur after the publication of the official agenda
13 and prior to the regularly scheduled monthly Board meetings.
14 Unless otherwise noticed, these meetings shall be held in
15 Room 726, Board Administration Building, 1450 NE 2 Ave.,
16 Miami, Florida.

17 C. Special Meeting

18 Special meetings may be called for official action on topics
19 specified in the call and agenda for the meeting by the
20 Superintendent, the Chair of the Board through the
21 Superintendent, or by request of a majority of the members of
22 the Board. A majority of the members of the Board may only
23 request the convening of a special meeting of the full Board
24 by seeking the approval of a majority of the members present
25 at a regular or special Board meeting.

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

30 D. Emergency Meeting

31 If the Board finds that an immediate danger to the public
32 health, safety, or welfare requires immediate action, it may
33 hold an emergency public meeting in accordance with State
34 law.

1 E. Public Hearings

2 Public hearings may be scheduled on a specific topic,
3 document, or proposal which is to be the subject of Board
4 action that will be taken at the public hearing or at an
5 upcoming regular Board meeting, either to comply with State
6 law or to hear citizens on an issue of great public interest.

7 F. Conference Session

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

16 G. Workshop

17 Workshops may be scheduled to receive information and
18 confer with the Superintendent on issues requiring in-depth
19 consideration and discussion, with a possible proposed
20 recommended action to be taken by the Board at an
21 upcoming regular meeting. Only after a minimum of six (6)
22 Board members, upon being polled by the Chair through
23 his/her designee, have advised of their intent to attend a
24 workshop on a given date, shall the workshop be scheduled,
25 noticed, and advertised. Once the workshop is advertised,
26 noticed, and the meeting is conducted in accordance with the
27 requirements of this rule and with any applicable provisions
28 of the Sunshine Law, the workshop may be held even if a
29 quorum is not present.

30 Workshops will be conducted in Conference Room 726B of
31 the Board Administration Building, 1450 Northeast Second
32 Avenue, Miami, Florida, unless otherwise noticed. If a greater
33 than normal attendance by the public is anticipated for any
34 specific Board workshop, the workshop may be held at the
35 Board auditorium. The date and time shall be specified in the
36 call and agenda for the meeting.

1 H. Member Conferences

2 Individual Board members may sponsor conference-type
3 discussions, inviting Board members, staff and members of
4 the public to engage in a voluntary and informal discussion of
5 topics of vital concern to the member in an effort to foster a
6 free flowing exchange of information and ideas. These
7 conferences must be open to the public and otherwise satisfy
8 Florida law governing public meetings and applicable Board
9 policies.

10 These are voluntary forums for discussion purposes only, are
11 not official Board meetings, and no action may be taken on
12 the topics discussed. Agendas for these meetings will be
13 proposed by the Board member calling the meeting and may
14 be changed or amended as provided by the Sunshine Law,
15 Board policies, and the Administrative Procedure Act.

16 F.S. 286.011, 286.0114

17 Revised 9/7/11
18 Revised 10/16/13
19 Revised 6/18/14

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CONE OF SILENCE

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A. "Cone of Silence" means a prohibition on any communication regarding a particular Request for Proposals (RFP), bid, invitation to bid, or other competitive solicitation between:

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1. any person who seeks an award, including a potential vendor or vendor's representative, an employee, partner, director, or officer of a potential vendor, or consultant, lobbyist, or actual or potential subcontractor or sub-consultant of a vendor, or any other individual acting through or on behalf of any person seeking an award; and

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2. any School Board member or the member's staff, the Superintendent, Deputy Superintendent and their respective support staff, or any person appointed by the Board to evaluate or recommend selection in the competitive procurement process.

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B. A Cone of Silence shall be applicable to each RFP, bid, invitation to bid, or other competitive solicitation during the solicitation, review and Board action of bid proposals ~~through final Board action~~ as appropriate. At the time of issuance of the solicitation, the Superintendent shall provide public notice of the Cone of Silence and written notice, including electronic communication, to the Board, District staff and any other person involved in the review, evaluation, recommendation, approval, rejection or award of the responses as appropriate. The Superintendent shall include in any advertisement and public solicitation for goods and services a statement disclosing the requirements of this section.

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C. The Cone of Silence shall terminate at the time the item is presented by the Superintendent to the appropriate Board committee immediately prior to the Board meeting at which the Board will award or approve a contract, reject all bids or responses, or take any other action that ends the solicitation and review process.

1 D. This rule shall not prohibit any potential vendor or vendor's
2 representative:

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- 4 1. from making public representations at duly noticed pre-bid
5 conferences or before duly noticed selection and negotiation
6 committee meetings;
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- 8 2. from engaging in contract negotiations during any duly
9 noticed selection and negotiation committee meetings ~~public~~
10 ~~meeting~~;
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- 12 3. from making a public presentation to the Board during any
13 duly noticed public meeting on any topic that is not under the
14 Cone of Silence and is otherwise permitted under Policy
15 0169.1; or
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- 17 4. from communicating in writing with any school district
18 employee who is not serving on the applicable evaluation
19 Committee, or the Board Attorney's office to seek clarification
20 or additional information, subject to the provisions of the
21 applicable RFP, or bid documents.
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23 The potential vendor or vendor's representative shall file a copy of
24 any written communication with the Board Clerk who shall make
25 copies available to the public upon request.

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27 E. The designated Procurement official ~~Division~~ representative is not
28 prohibited by this rule from initiating contact with a potential
29 vendor or vendor's representative and engaging in subsequent
30 communication related thereto for the purposes of obtaining further
31 clarification regarding a response to an RFP, or competitive
32 solicitation. Such contact shall be in writing and shall be provided
33 to the Board Clerk and the members of the applicable selection and
34 negotiation committee. ~~Procurement Division~~, including any
35 response.

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37 F. Any violation of this rule shall be investigated by the Board's
38 Inspector General and shall result in the disqualification of the
39 potential vendor from the competitive solicitation process, rejection
40 of any recommendation for award to the vendor, or the revocation of
41 an award to the vendor as being void, rendering void any previous or
42 prior awards. The potential vendor or vendor's representative
43 determined to have violated this rule, shall be subject to debarment.
44 In addition to any other penalty provided by law, violation of this
45 rule by a school district employee shall subject the employee to
46 disciplinary action up to and including dismissal.

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FINANCES
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1 F.S. 1001.41(1)(2), 1001.42(15)(25), 1001.43(10), 1001.51(14)

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