

Office of Superintendent of Schools
Board Meeting of February 3, 2016

January 20, 2016

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

**SUBJECT: INITIAL READING: PROPOSED AMENDMENTS TO BOARD
POLICIES 1129, 3129, AND 4129, *CONFLICT OF INTEREST*; 1210,
3210, AND 4210, *STANDARDS OF ETHICAL CONDUCT*; AND
1362.02, 3362.02, AND 4362.02, *ANTI-
DISCRIMINATION/HARRASSMENT COMPLAINT PROCEDURE***

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

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In accordance with the Board's statutory responsibility to update, correct and revise its policies, these policy amendments are presented to clarify and include statutory requirements and current Board practices.

Amendments to Board Policies 1129, 3129, and 4129, *Standards of Ethical Conduct*, are proposed to clarify the statutory ethics requirement that employees are expressly prohibited from soliciting or accepting anything of value, including a gift, loan, reward, promise of future employment, favor or service based upon an understanding that the vote, official action or judgment of the employee would be influenced. Policies 1210, 3210 and 4210, *Conflict of Interest*, are proposed to be amended to prohibit employees from participating in the selection, award, or administration of a contract if the employee, a member of the employee's immediate family, the employee's partner or an organization which employs or is about to employ any of these parties, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. In addition, Policy 4210 adds a requirement that support staff self-report within forty-eight (48) hours to appropriate authorities any arrest and final disposition of the arrest other than minor traffic violations in order to provide consistency among all employees since administrators and instructional staff are already subject to this requirement.

Board Policies 1362.02, 4362.02, and 3362.02, *Anti-Discrimination/Harassment Complaint Procedures*, are proposed to be amended to adjust the timelines involved in

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the investigation of discrimination and harassment by the Civil Rights Compliance (CRC) Office and to include the complainant's right to request review of the CRC's final report by the Superintendent, which reflects the Board's current practice.

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 1129, 3129, and 4129, *Standards of Ethical Conduct*; 1210, 3210 and 4210, *Conflict of Interest*; and 1362.02, 4362.02, and 3362.02, *Anti-Discrimination/Harassment Complaint Procedures*.

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 1129, 3129, and 4129, *Standards of Ethical Conduct*; 1210, 3210 and 4210, *Conflict of Interest*; and 1362.02, 4362.02, and 3362.02, *Anti-Discrimination/Harassment Complaint Procedures*.