

Office of The Superintendent  
Jaime G. Torrens, Chief of Staff

**SUBJECT:**INITIAL **READING: PROPOSED AMENDMENT TO POLICY 9142, *DIVERSITY, EQUITY AND EXCELLENCE ADVISORY COMMITTEE***

**COMMITTEE:    PERSONNEL, STUDENT, SCHOOL & COMMUNITY SUPPORT**

**LINK TO STRATEGIC BLUEPRINT:    INFORMED, ENGAGED AND EMPOWERED STAKEHOLDERS**

In 1956, litigation seeking the desegregation of Miami-Dade County Public Schools (M-DCPS) was first filed two years after the U.S. Supreme Court decision in *Brown v. Board of Education* that “separate but equal” was unconstitutional. The verdict of *Brown v. Board* was a remarkable achievement in our country’s history. Since then, M-DCPS has maintained a unitary educational system. On June 21, 2001, and modified on August 16, 2001, the United States District Court issued an order ending the State of Florida’s oversight of M-DCPS. Following the decision, the Board created the Diversity, Equity and Excellence Advisory Committee (“DEEAC”), to ensure that M-DCPS maintains a fair and equitable educational system. Furthermore, after six decades with many accomplishments regarding public education, M-DCPS remains committed with the goal of eliminating disparities and educational barriers and continues progressing toward racial parity and diversity within M-DCPS.

The guiding principle and foundation of DEEAC is to ensure that all students, regardless of race, gender, sexual orientation, ethnic background, English proficiency, immigration status, socioeconomic status, or disability, are given an equal and equitable opportunity for learning and lifelong success in public education. Under the guidance of the Office of Educational Equity, Access and Diversity (OEEAD), DEEAC is at the forefront by ensuring that present and past inequities, disparaging inequalities and injustices are remedied within our education system. DEEAC is aware that continual revisions of Board policies must be made to provide an even greater opportunity to support students’ achievement toward learning and life goals, while recognizing that present disparities and educational barriers still exist in today’s society.

At the School Board meeting of June 15, 2017, the Board approved Agenda Item H-6, proffered by School Board Member Vice-Chair, Dr. Steve Gallon III and co-sponsored by School Board Members Dr. Martin Karp and Ms. Maria Teresa Rojas. This item directed the Superintendent to:

1) review the requisite elements of Policy 9142 to determine the status of School Board compliance regarding same; 2) review the organization and oversight of, and assistance and support provided to the Diversity, Equity, and Excellence Advisory Committee (DEEAC); 3) Engage the DEEAC members in a workshop to review policy provisions and expectations, discuss and clarify annual committee reporting deliverables, and solicit feedback and recommendations about ways to improve committee organization, assistance, support, engagement, and work; and 4) provide status update to the Board inclusive of recommendation for enhancement to policy, practice, and/or personnel that will improve the organization and oversight of, and assistance and support provided to the DEEAC that will ensure compliance with Policy 9142 and related annual reporting requirements by the School Board Meeting of October 11, 2017.

Authorization is requested for the Superintendent to initiate rulemaking proceedings to amend Board Policy 9142, *Diversity, Equity and Excellence Advisory Committee*. The proposed amendments have been developed after the review of current statutes and regulations, Board recommendations, DEEAC input, and M-DCPS practices.

The proposed amendments to Policy 9142, *Diversity, Equity and Excellence Advisory Committee*, reflect the addition of committee membership requirements, revisions to committee member responsibilities, revisions to the annual reporting compliance, and language referring to the requirements of meetings provisions of this policy. The amendments are consistent with the recommendations of the Board.

Attached are the Notice of Intended Action and the Policy amendments. Changes 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, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedures Act to amend School Board Policy 9142, *Diversity, Equity and Excellence Advisory Committee*.

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on June 17, 2020, its intention to amend Board Policy 9142, *Diversity, Equity and Excellence Advisory Committee*, at its regular meeting on August 12, 2020.

**PURPOSE AND EFFECT:** Amendments are proposed to Policy 9142, *Diversity, Equity and Excellence Advisory Committee*, to reflect the addition of committee membership requirements, revisions to committee member responsibilities, revisions to the annual reporting compliance, and language referring to the requirements of meeting provisions of the policy.

**SUMMARY:** Policy 9142, *Diversity, Equity and Excellence Advisory Committee*, is proposed to be amended to allow for the establishment of committee membership requirements to include composition, term, and vacancies when serving on the DEAAC; enhancing the responsibilities of the DEEAC members; provide for additional guidelines for annual reporting, provide language for meeting requirements, and provide for additional District staff support.

### SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:

1001.41 (1), (2); 1001.42 (8); 1001.43(5), (10) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 1000.05 F.S., 1001.43(10) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING of, August 12, 2020, which begins at 1:00 p.m., in the School Board Administration Building, School Board Auditorium, 1450 N. E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by July 14, 2020, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON-WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action, will need to ensure the preparation of a verbatim record of the proceedings including the testimony and evidence upon which the appeal is to be based. Section 286.0105, F.S.

A COPY OF THE PROPOSED AMENDED POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 Northeast Second Avenue, Miami, Florida 33132.



Book	Policy Manual
Section	June 17, 2020 - <u>Initial</u> Reading
Title	DIVERSITY EQUITY AND EXCELLENCE ADVISORY COMMITTEE
Code	9142
Adopted	May 11, 2011
Last Revised	April 13, 2016

#### 9142 - DIVERSITY EQUITY AND EXCELLENCE ADVISORY COMMITTEE

Pursuant to the United States District Court order, issued by Judge William Dimitrouleas issued on June 21, 2001, and modified on August 16, 2001, which declared the District unitary, the Diversity Equity and Excellence Advisory Committee was established. The purpose of the Diversity, Equity and Excellence Advisory Committee ("DEEAC") is to review issues and make recommendations to the School Board (Board) and Superintendent with the goal of eliminating disparities and educational barriers and continue progressing toward racial parity and diversity. The core purpose and objective of the DEEAC is to serve as an advisory body to the Board to assist the District with creating and maintaining a multicultural school system.

~~Pursuant to the United States District Court order, issued by Judge William Dimitrouleas issued on June 21, 2001, and modified on August 16, 2001, which declared the District unitary, the Diversity Equity and Excellence Advisory Committee was established.~~

Nationally known experts consulted by the Board during the legal desegregation process that established Miami-Dade Public Schools as a unitary school system in 2001 concluded that disparities remained in Black, White, and Hispanic student participation in the areas of special education, advanced academics, and in the frequency these students encountered educational barriers such as suspension, expulsion, and retention.

#### Definitions

For purposes of this policy, the following definitions apply.

Diversity Factors shall be defined as individual differences among students and employees on the basis of sex, race, ethnicity, and economic status.

Equity shall be defined as cultivating an environment through policies, practices, and programs to provide equal access in student and employment programs, activities, resources, services and operations, with the goal of (a) eliminating educational barriers based on sex, race, ethnicity, and

economic status; (b) providing equal educational opportunities; (c) ensuring student opportunities meet the same rigorous standards for student performance; and (d) ensuring parity of resources for students.

School Year begins on July 1 and ends the following June 30.

### Membership

- A. Membership shall be comprised of eleven members, one to be appointed by each Board member and two (2) to be appointed by the Superintendent, consistent with the requirements of Policy 9140, Citizens' Advisory Committees. Each Board member and the Superintendent shall also appoint alternate members.
- B. A member shall be automatically removed if the member is absent from three (3) consecutive regular meetings during the school year or is absent from more than half of all committee meetings held during the school year. However, if an alternate member is present in a member's absence, the absence will not be counted against the member.
- C. The term of service for each member shall be four (4) years and/or shall run concurrently with the term of service of the respective Board member or Superintendent. A member may be reappointed when their term is concluded.
- D. If a vacancy occurs, the alternate shall serve unless and until the respective Board member or Superintendent appoints a new member to the committee which may be the alternate.
- E. Newly elected or appointed Board members and/or Superintendent shall have the discretion to reappoint the former Board member's or Superintendent's appointee or to appoint a new member. An incumbent member may remain on the DEEAC until a new member is appointed.
- F. The Miami-Dade County Council of PTAs/PTSAs (PTA) may appoint a member and an alternate. If the PTA appoints a member, that member is counted for purposes of a quorum and the member is subject to the automatic removal provision for absences in Paragraph-B above in this section.
- G. The DEEAC shall elect a chair and vice-chair at the first meeting of the school year in which the term of the chair or vice-chair is ended. The term of office for each is two (2) school years. By majority vote of the DEEAC, a member may serve more than two consecutive terms as either chair or vice-chair.
- H. Individual members, including officers, have no authority to commit the DEEAC to any action other than that specifically approved by the DEEAC in a publicly noticed meeting.
- I. Each newly appointed member and alternate shall receive training on the DEEAC's history, mission, purpose, this policy, and related Board policies, from appropriate District staff.

### Scope of Responsibilities

- A. The DEEAC's ~~shall responsibilities include~~ reviewing and making recommendations regarding the:
  - 1. implementation of Board policies and district-wide programs based on rules which relate to achieving the District's unitary commitments, status and diversity and equity for all students;

2. Board policies relating to student enrollment, recruitment, school assignment and reassignment;
3. attendance boundary zones, including but not limited to, all proposals to open, close and/or repurpose schools; and allocation/placement of programs;
4. recruitment, assignment and composition of personnel at schools, regional administrative centers, and district administrative offices;
5. ~~recruitment and diversity of personnel;~~
6. transportation options for students to districtwide magnet schools, other schools/programs of choice;
7. student disciplinary actions;
8. District's selection of school sites;
9. advanced, honors, advanced placement courses, gifted/talented programs, and access to post-secondary programs;
10. children with exceptionalities programs and differentiated schools/programs and access to programs that meet individual needs and maximize potential;
11. Board policies, programs, and District practices regarding retention and graduation rates;
12. schools and programs of choice, selection and placement of schools and programs of choice;
13. DEEAC's visitations to school sites and District/regional administrative centers;
14. equitable distribution of educational funding, resources and services;
15. annual District diversity compliance reports; and
16. other matters as may be assigned by the Board and/or the Superintendent.

## Annual Report

DEEAC reviews and recommendations shall be reported on an annual basis to the Board by ~~November~~ June 30th of each school year. (Annual Report). The DEEAC shall be responsible for determining the content of this report. This annual report shall assess the implementation of Board policies practices and District-wide programs to ensure that the District maintains its commitment to provide a high-quality education to all students --a commitment that was made to the Court and the community upon receiving unitary status. The Annual Report may also include a summary of the DEEAC's activities during the year.

1. In August of each school year, or as soon thereafter as possible, the DEEAC shall select one or more topics within the scope of this policy for the next Annual Report.
2. The DEEAC shall develop a workplan that includes action steps, deliverables, and timelines to support the development and completion of the Annual Report and that addresses the selected topic(s). The workplan should include data requirements and research requests to be provided by District staff.
3. District staff shall transmit requested information to the DEEAC within a reasonable time and provide regular updates regarding development of the report.

4. District staff shall provide the DEEAC a draft of the Annual Report based on the District data analysis and findings, input, and recommendations provided by DEEAC.

## **Meetings**

- A. The DEEAC shall hold at least six (6) regular meetings throughout the school year and shall meet all of the requirements of the Sunshine and Public Records laws, F.S. Chapter 119 and 286.011. Other meetings, including workshops, task force meetings, and subcommittee meetings may be scheduled as determined by the DEEAC.
- B. Meeting dates and times shall be determined by the DEEAC prior to the first meeting of every school year.
- C. If a member is appointed by the PTA, seven (7) members shall constitute a quorum for the DEEAC to conduct business. If no member is appointed by the PTA, a quorum shall be six (6) members. Members must be physically present at the meeting to vote.
- D. The DEEAC shall conduct its meetings in accordance with the latest edition of *Robert's Rules of Parliamentary Procedure, Newly Revised* (Robert's Rules). Committee members shall be provided appropriate training on parliamentary procedures under Robert's Rules at least every two years, or as needed or requested. The Board Attorney's Office shall assign an attorney to serve as parliamentarian and legal advisor.
- E. The Chair shall preside at all meetings. The Vice-Chair shall serve as the Chair when the Chair is unavailable and perform such other duties from time to time as may be assigned by the Chair.
- F. The Chair shall prepare the regular meeting agenda in collaboration with District staff. District staff shall distribute the agenda and meeting materials in accordance with Board policy.
- G. Each member shall have one vote. A voting member must be present to vote.
- H. The DEEAC may adopt bylaws as it deems necessary. Any bylaws must be consistent with this policy and approved by the Board.

## **Public and Other Advisory Committees**

1. In August of each school year, or as required or requested by other Board and/or District advisory committees, DEEAC shall elect representatives to serve on other District advisory committees.
2. DEEAC members shall also facilitate and/or attend public meetings and Board conference sessions and meetings related to DEEAC's purpose. ~~and;serve on other District advisory committees to represent DEEAC's purpose.~~
3. DEEAC representatives on other District advisory committees and DEEAC members who attend public meetings related to DEEAC's purpose should provide a brief written summary of the meeting to be submitted no later than the next regularly scheduled DEEAC meeting.

## **Membership**

- A. ~~Membership shall be comprised of eleven members, one to be appointed by each Board member and two (2) to be appointed by the Superintendent, consistent with the~~

~~requirements of Policy 9140, Citizens' Advisory Committees. Each Board member and the Superintendent shall also appoint alternate members. A member shall be automatically removed if the member is absent from three (3) consecutive meetings during the calendar year or is absent from more than half of all committee meetings held during the year.~~

- ~~B. The term of service for each member shall be four (4) years and/or shall run concurrently with the term of service of the respective Board member or Superintendent. Member may be reappointed when their term is concluded.~~
- ~~C. If a vacancy occurs, the alternate shall serve unless and until the respective Board member or Superintendent appoints a new member to the committee which may be the alternate.~~
- ~~D. Newly elected or appointed Board members and/or Superintendent shall have the discretion to reappoint the former Board member's or Superintendent's appointee or to appoint a new member. An incumbent member may remain on the DEEAC until a new member is appointed.~~
- ~~E. The Miami-Dade County Council of PTAs/PTSAs may appoint a member and an alternate.~~
- ~~F. The DEEAC shall elect a chair and vice chair. The term of office is two (2) years.~~

### **Meetings**

- ~~A. The DEEAC shall meet at least six (6) times throughout the school year and shall meet all of the requirements of the Sunshine and Public Records laws, F.S. Chapter 119 and 286.011.~~
- ~~B. Meeting dates and times shall be determined by the DEEAC at the first meeting of every school year.~~
- ~~C. Six (6) members shall constitute a quorum for the DEEAC to conduct business.~~
- ~~D. The DEEAC shall conduct its meetings pursuant to Robert's Rules of Parliamentary Procedure.~~

### **District Staff Support and Organizational Structure**

- A. District staff, as assigned by the Superintendent, shall serve as the District liaison, provide administrative support to the DEEAC, including arranging and scheduling meetings per DEEAC direction, publishing and distributing meeting notices and agendas in accordance with Board policies, establishing the agenda in collaboration with the Chair, keeping the meeting minutes, and gathering relevant documentation for distribution to members, and assisting with drafting and submitting the Annual Report.
- B. In accordance with the Board's goal of eliminating disparities, educational barriers and the continuation towards racial parity and diversity, the structure of support for DEEAC within the District's organizational plan, is to facilitate the performance of the scope of responsibilities of the DEEAC in an autonomous environment, and shall have priority consideration.

Effective 7/1/11  
Revised 4/18/12

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Legal F.S. 1001.41(1)(2), 1001.42(26), 1001.43(10)

Pate v. The School Board of Miami-Dade County, Florida, Case No. 69-1020-CIV-Dimitrouleas, Order of June 21, 2001 as modified by order of August 16, 2001.