

Office of Superintendent of Schools
Board Meeting of July 20, 2022

July 6, 2022

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

SUBJECT: **INITIAL READING: PROPOSED AMENDMENT TO SCHOOL BOARD POLICY 0165.01, AGENDAS**

COMMITTEE: **FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS**

LINK TO STRATEGIC PLAN: **EFFECTIVE AND SUSTAINABLE OPERATIONAL PRACTICES**

At its regular Board Meeting of June 22, 2022, the School Board approved Agenda Item H-8 (Rev.), *School Board Policy 0165.1, Agendas*, sponsored by Chair, Ms. Perla Tabares Hantman, which authorized the Superintendent to initiate rulemaking proceedings to amend Board Policy 0165.1. The revisions to Policy 0165.1 are recommended to strengthen the Board's role in public engagement by affording School Board members the opportunity to officially endorse, at School Board meetings, the Superintendent's action items that directly appeal to public engagement and participation in support of community-centered initiatives, such as relief efforts and other altruistic undertakings in benefit of the community, as indicated in the Superintendent item.

The policy amendments were drafted in collaboration with, and reviewed by, the Superintendent, Cabinet, and District staff.

The Notice of Intended Action and proposed policies with strikethroughs and underlines are attached.

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 Board Policy 0165.1, *Agendas*.

G-1

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 20, 2022, its intention to amend Board Policy 0165.1, *Agendas*, at its meeting of September 7, 2022.

PURPOSE AND EFFECT: Board Policy 0165.1, *Agendas*, is recommended for revision to afford School Board members the opportunity to officially endorse, at School Board meetings, the Superintendent's action items that directly appeal to public engagement and participation in support of community-centered initiatives, such as relief efforts and other altruistic undertakings in benefit of the community, as indicated in the Superintendent item.

SUMMARY: Board Policy 0165.1, *Agendas*, is recommended for revision to strengthen the Board's role in public engagement by affording School Board members the opportunity to officially endorse, at School Board meetings, the Superintendent's action items that directly appeal to public engagement and participation in support of community-centered initiatives, such as relief efforts and other altruistic undertakings in benefit of the community, as indicated in the Superintendent item.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Fla. Stat. ss. 1001.41 (1); 1001.43(5).

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: Fla. Stat. ss. 120.525; 120.81

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF September 7, 2022, 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 16, 2022, 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 AMENDED POLICY 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.



Book	Policy Manual
Section	July 20, 2022 - <u>Initial</u> Reading
Title	AGENDAS
Code	0165.1
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	January 13, 2021

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.

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 (1) 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 (2) days before the Board committee meetings and no later than seven (7) days before the Board meeting shall not be published and the Board may not take action on the item.

The Superintendent shall submit all agenda items recommending that a Board policy be amended or a new policy be adopted, for both initial and final reading, to the Board Attorney's Office for review and approval as to form and legal sufficiency prior to agenda publication.

B. Items Board Member Wish to Include in the Agenda

Board members who sponsor items, including recognition, resolution, endorsement, and proclamation items, 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. Board members shall submit Board member

agenda action items and resolutions seeking a call to action to the Board Attorney's Office for review and approval as to form and legal sufficiency prior to agenda publication.

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 and Endorsement of Public Engagement and Participation Initiatives

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, or to officially endorse Superintendent action items that directly appeal to public engagement and participation in support of community-centered initiatives, such as relief efforts and other altruistic undertakings in benefit of the community, as indicated in the Superintendent item. If co-sponsorship or endorsement of a Superintendent item 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) or endorsement(s).

Board members may only co-sponsor other Board members' regular Board meeting agenda items. Co-sponsorship of another Board member's recognition, resolution, endorsement, or proclamation will not be counted towards the co-sponsoring member's one (1) item limit for these types of agenda items as described in Policy 0165.

E. Consent Agenda

At the beginning of regular Board meetings, the Chair will call for items which the Board members would like to address and announce those items. The items not selected by Board members to address constitute the consent agenda. The Chair shall call on speakers who have signed up to speak to those items pursuant to Board Bylaw 0169.1, Public Participation, and provide them the opportunity to speak. The Chair will then call for a vote on the consent agenda. Rule-making items on which a public hearing has been timely requested pursuant to Bylaw 0131 may not be approved on consent.

F. Distribution of the Agenda

1. Board Members

The agenda of regular meetings shall be distributed to members of the Board and the student advisor and posted on the Board's website at least seven (7) days in advance of the meeting date. Copies also will be made available to the Board members' administrative assistants. The final versions of all items and all relevant agenda related material and back-up documentation, must be provided to Board members and posted on the Board's website at least two (2) days before the Board committee meetings. Agenda items requiring non-substantive revisions only, such as typos and grammatical errors, may be distributed within the two (2) day distribution period. This requirement shall not apply to items dealing with personnel appointments and assignments, matters that are not appropriate for review by Board committees, and items presented at special or emergency meetings of the Board. However, the final version of these agenda items, including all relevant and supporting material and/or supplemental information, shall be provided to Board members and the student advisor at least forty-eight (48) hours prior to any meeting of the Board.

The agenda for special meetings called by the Superintendent, or by the Superintendent on request of the Board Chair, or on the request of a majority of the Board members, shall be prepared upon the calling of the meeting, distributed to each Board member and the student advisor and posted to the Board's

website not less than forty-eight (48) hours prior to the meeting.

2. Administrative Staff and Recognized Employee Organizations

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

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 and accompanying materials, reports and presentations, shall be accessible via the Board's website.

G. Distribution of Agenda-related Supplemental Materials and Documents, Presentations, and Reports

1. Board Members

At least two (2) days prior to each regular meeting of the Board, the Superintendent shall distribute to each Board member and the student advisor supporting materials and documents, including but not limited to, all relevant memoranda and/or supplemental information or documentation prepared to accompany the items which are included on the agenda, and post them on the Board's website. 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. Agenda items requiring non-substantive revisions only, such as typos and grammatical errors, may be distributed within the two (2) day distribution period. Copies of the supporting materials and documents also will be made available to the administrative assistants to the members of the Board.

For all public Board meetings as identified in Policy 0165, *Public Meetings*, including regular, committee, special, and emergency meetings and workshops, all reports and PowerPoint presentations and any other materials used in any presentation at a public meeting of the Board, shall be distributed to all Board members and the student advisor and posted to the Board's website no less than forty-eight (48) hours prior to the meeting or workshop, even if the materials are for information only and no formal action will be taken at the meeting.

2. Administrative Staff and Recognized Employee Organizations

The document containing supplemental materials to the agenda will be distributed to the administrative staff of the school system as determined by the Superintendent. The Superintendent shall distribute this document to employee organizations as provided for in the collective bargaining agreements with approved bargaining units.

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

3. For news media representatives, the County Council PTA/PTSA Executive Board, the Miami-Dade County Association of Student Government Presidents, and other governmental and education-related community agencies, copies of the supplemental materials will be available on the Board's website and at no cost

through the Citizen Information Center. The distribution of these materials shall be kept to an absolute minimum because of the expense involved in preparing copies of all documents and materials. A copy of these materials will be available at the Citizen Information Center prior to and during Board meetings.

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

Effective 7/1/11
Revised 4/17/13
Revised 10/16/13
Revised 6/18/14
Revised 9/6/17
Revised 4/25/18
Revised 4/17/19
Revised 8/12/20
Revised 1/13/21

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Legal F.S. 120.525
 F.S. 120.81