

Dr. Marta Perez, Board Member

SUBJECT: REQUEST APPROVAL OF RESOLUTION NO. 22-049 OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, RECOGNIZING FORMER FLORIDA SUPREME COURT CHIEF JUSTICE GERALD KOGAN IN MEMORIAM FOR HIS MANY YEARS OF SERVICE TO OUR DISTRICT AND OUR COMMUNITY

COMMITTEE: PERSONNEL, STUDENT, SCHOOL & COMMUNITY SUPPORT

LINK TO STRATEGIC

PLAN: INFORMED, ENGAGED, & EMPOWERED STAKEHOLDERS

Progressively, during the last two and a half decades, our school district has improved its nationwide reputation. However, there was a time in the past when it was ill regarded as ineffective in its management, outcomes, and corruption. Former Florida Supreme Court Justice Gerald Kogan helped take on the mammoth task of changing that negative perception and reality. Therefore, it is appropriate that we honor his memory with great thanksgiving today. The history of his assistance with the creation of an Ethics Advisory Committee and independent inspector general forever positively impacted our district and is important to be remember--even after the passing of this great man.

Creation of an Ethics Advisory Committee and Independent Inspector General

In the late 1990's, a series of scandals exposed the corruption at the highest levels of the school district's administration, with the tacit complicity of the board. These included, among others:

--Questionable land purchases and facilities practices which culminated in the appointment of a state oversight board.

--Peddling of post graduate degrees from online universities (diploma mills) of dubious credibility by employees to other employees across the district. Many of these employees acknowledged the fraudulent schemes but benefited from the higher credential pay and further opportunities for advancement.

--Hiring practices that deviated from established board policies and contributed to a top-heavy administration. The established practice of a selection committee vetting prospective candidates was largely ignored and direct appointments became the norm.

The Cost

The mismanagement and corruption within Miami-Dade County Public Schools cost taxpayers more than \$100 million, according to a forensic audit of the Miami-Dade County School Board conducted at the request of a state oversight board. Independent auditors from Lewis B. Freeman & Partners, who produced the report in April 2004, recommended the appointment of a special prosecutor and statewide grand jury to investigate the Miami-Dade school district's multibillion-dollar facilities construction department, alleging massive disorganization and waste as well as "probable malfeasance, misfeasance, and potential for fraud." The report also called for the state to take immediate control of the Miami-Dade facilities program.

The Urgency

With evidence of squandered dollars to sexual harassment to grade changing to cronyism to questionable credentials, the need to regain the public's trust and establish a checks and balances for the school board was needed. Chief Justice Gerald Kogan headed the Alliance for Ethical Governance, an organization brought about by the concerns of many stakeholders in our community who recognized the need to eradicate corruption in government.

The Alliance for Ethical Government helped make recommendations to a reluctant school board. After great controversy and hard work by many members of our community, the school board established several initiatives to pave the way to eradicate corruption at the district, and are responsible, in part for the good reputation we now enjoy. These items included (and are attached):

--B-2, November 15, 2000, establishing an Ethics Advisory Committee.

--B-11 May 16, 2001, beginning the process and subsequent creation of an Independent Inspector General's position.

--B-3 August 17, 2005, adopting recommendations from a July 18, 2005, Grand Jury Report regarding accreditations.

As a result of the establishment of the Ethics Advisory Committee and Independent Inspector General, our district won the greatest national prize in school district initiatives—the Magnum Award given by the National School Boards Association in 2005 (see attached).

These initiatives changed the negative trajectory of our district, and today, we are a national model.

Former Florida Supreme Court Chief Justice Gerald Kogan was one of the founding members of the Ethics Advisory Committee. Justice Kogan was committed to the work of the committee and until the time when the Covid-19 pandemic interrupted its operations, was a loyal and dedicated participant in all its meetings and deliberations.

A Hero Among Us--Former Florida Supreme Court Justice Gerald Kogan

Former Florida Supreme Court Chief Justice Gerald Kogan died in Miami on Thursday, March 4, 2021. He was 87 and was Florida's 73rd Justice since statehood was granted in 1845.

He was an exceptional man with deep rooted convictions about ethics and what is good and right. He exemplified the best of the human spirit and kindness towards others.

"I'm a realist. I know I won't be able to completely eliminate corruption. You can't reach into people's hearts and change them, but you can cut down on unethical behavior by stopping people doing things overtly which are wrong and letting them know they are being watched," he said of his work as president of the Alliance for Ethical Government.

His accomplishments were innumerable and praiseworthy. From his appointment on January 30, 1987, until his retirement on December 31, 1998, Kogan was a key figure in a series of reforms that made the Florida Supreme Court one of the most respected and accessible in the nation. He served as its Chief Justice from 1996 to 1998.

Born in New York City, Kogan moved with his parents and brother to Miami Beach in 1947 and remained a Florida resident for the rest of his life. He graduated from Miami Beach Senior High School and attended the University of Miami, where he received the bachelor's degree in business administration and his law degree.

Our Gratitude

The Miami-Dade County Public Schools and its public perception were forever changed thanks, in great part, to the work and advocacy of this extraordinary and dignified man. His name was the gold seal of excellence in ethical government.



**ACTION PROPOSED BY
DR. MARTA PEREZ:**

That The School Board of Miami-Dade County, Florida, approve Resolution No. 22-049 of The School Board of Miami-Dade County, Florida, recognizing Former Florida Supreme Court Chief Justice Gerald Kogan in memoriam for his outstanding contributions to our district and our community.

**RESOLUTION NO. 22-049
OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA,
RECOGNIZING FORMER FLORIDA SUPREME COURT CHIEF JUSTICE GERALD KOGAN IN
MEMORIAM FOR HIS OUTSTANDING CONTRIBUTIONS TO OUR DISTRICT AND OUR
COMMUNITY**

WHEREAS, some communities are sometimes blessed with outstanding leaders that change the negative trajectory of a people into a positive road; and

WHEREAS, we, at Miami-Dade County Public Schools were fortunate to have encountered one such leader in Former Florida Supreme Court Chief Justice Gerald Kogan; and

WHEREAS, In the late 1990's, a series of scandals exposed the corruption at the highest levels of the school district, including among others: questionable land purchases and facilities practices, peddling of post graduate degrees from online universities (diploma mills), hiring practices that deviated from established board policies and contributed to a top-heavy administration, costing taxpayers (by some estimates) more than \$100 million, eroding public confidence in the district's leaders; and

WHEREAS, Chief Justice Gerald Kogan led the Alliance for Ethical Government in helping our district create a blueprint to establish an Ethics Advisory Committee and Office of Inspector General, measures that emphasized the ethos of ethics at our district; and

WHEREAS, Former Florida Supreme Court Chief Justice Gerald Kogan was also one of the founding members of the Ethics Advisory Committee. Justice Kogan was committed to the work of the committee and until the time when the Covid-19 pandemic interrupted its operations, was a strong, loyal, and dedicated participant in all its meetings and deliberations; and

WHEREAS, He was an exceptional man with deep rooted convictions about ethics and what is good and right. He exemplified the best of the human spirit and kindness towards others; and

WHEREAS, The Miami-Dade County School Board and its public perception was forever changed thanks, in great part, to the work and advocacy of Chief Justice Kogan. His name was the gold seal of excellence in ethical government.

NOW, THEREFORE, BE IT RESOLVED THAT:

The School Board of Miami-Dade County, Florida, approve Resolution No. 22-049 of The School Board of Miami-Dade County, Florida, recognizing former Florida Supreme Court Chief Justice Gerald Kogan in Memoriam for his many years of service to our district and our community.

A copy of this resolution is placed in the permanent records of this Board.

Presented this sixteenth day of November, A. D. 2022

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

SCHOOL BOARD CHAIR

ATTEST:

Secretary