

Dr. Steve Gallon III, Board Member

SUBJECT: POLICY 0165

COMMITTEE: PERSONNEL, STUDENT, SCHOOL & COMMUNITY SUPPORT

LINK TO STRATEGIC

PLAN: INFORMED, ENGAGED, & EMPOWERED STAKEHOLDERS

The School Board of Miami-Dade County is committed to policies and practices that promote and support professional, transparent, and efficient access to public information, pursuant to the provisions outlined in Chapters 119 and 286 of the Florida Statutes, as well as relevant School Board Policies; specifically, those that cite practices and provisions that promote professional, transparent, and efficient access to public records, as well as laws and policies that support the public's "right of access to public meetings and records."

Consistent with Florida's history of Open Government, the School Board has consistently supported the public's right of access to School Board Meetings, workshops and committee meetings, as well as related school and district-related events. It has similarly supported the public's right to public records, as allowed under Chapter 119. In so doing, along with its legal and statutory obligation, the School Board has a duty to continue to review, define, and revise its practices, policies, and procedures to ensure suitable access to public meetings and records, and to promote transparency, meaningful access, and public participation in District governance.

School Board Policy 0165-*Public Meetings*, states that "All meetings at which official acts are to be taken are open public meetings, and no resolution, rule, policy, regulation, or formal action shall be considered binding except as taken or made at such a meeting." It further stipulates that "All meetings of the School Board shall be open to the public, except as provided by Florida law, and the order of business of any regular meeting shall include an opportunity for the public to address the Board. The purpose of the public portion of the Board meeting, however, is to allow the public to address specific agenda items and general matters within the Board's jurisdiction."

Within Policy 0165 is, notwithstanding other areas, a provision that provides for "Member Conferences." This provision, referenced in Section H, states that "Individual Board members may sponsor conference-type discussions, inviting Board members, staff, and members of the public to engage in a voluntary and informal discussion of topics of vital concern to the member in an effort to foster a free flowing exchange of information and ideas..." and states that such conferences must be open to the public and otherwise satisfy Florida law governing public meetings. Although these Meeting Conferences are voluntary and no action may be taken, they are still subjected to the provisions of Florida Sunshine Laws and related statutes and school board polices.

Recently, a Member Conference was held in which several issues arose. Some of the issues of concern involved public notice, meeting-room access, School Board Member attendance and/or participation, inaudible discussions, and post-meeting access to a recording or to the information discussed.

As a result, this item seeks to direct the Superintendent, in consultation with the Office of the General Counsel, to review Policy 0165, including but not limited to Section H, Member Conferences, to initiate rulemaking to provide clarity and ensure that Member Conferences are properly noticed. The notice should be published on the "School Board" tab of the District website under "Board Meeting Schedule," said notice to include: the School Board Member who initiated the Member Conference; the location and time of the meeting; the subject or topic to be discussed; invitees and School Board Members whose attendance has been confirmed, where available; and ensure that the School Board Recording Secretary is available to facilitate the recoding of the meeting and take required minutes, pursuant to statutory requirements and relevant School Board Policies, that School Board Members shall have the right to attend and may participate in any Member Conference, as stated in Policy 9145.

This item has been reviewed by the Office of the General Counsel for legal sufficiency.

**ACTION PROPOSED BY
DR. STEVE GALLON III:**

That The School Board of Miami-Dade County, Florida, direct the Superintendent to:

1. To review Policy 0165, including but not limited to Section H, Member Conferences,
2. initiate rulemaking to provide clarity and ensure that:
 - a. Member Conferences are properly noticed on the "School Board" tab of the District website under Board Meeting Schedule," said notice to include: the School Board Member who initiated the Member Conference; the location and time of the meeting; the subject or topic to be discussed; invitees and School Board Members whose attendance has been confirmed, where available;
 - b. the School Board Recording Secretary is available for Member Conferences to facilitate the recording of of the meeting and take required minutes, pursuant to statutory requirements and relevant School Board Policies; and
 - c. that School Board Members shall have the right to attend and may participate in any Member Conference, as stated in Policy 9140.