



POLICY 3.22

5-E I recommend that the Board approve development of the proposed repeal of Policy 3.22, entitled “Standards of Conduct for Former School Board Members and Employees.”

[Contact: Gerald A. Williams, Esq. and Elizabeth T. McBride, Esq., PX 48500.]

Repeal-Development CONSENT ITEM

- This policy is being recommended for repeal as it has been included in Policy 3.02 “Code of Ethics”.

POLICY 3.22

**STANDARDS OF CONDUCT FOR FORMER SCHOOL BOARD MEMBERS AND
EMPLOYEES**

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4 ~~1. As stated in Fla. Stat. § 112.313(14) ("Lobbying by former local officers;~~
5 ~~prohibition"), a former School Board member "may not personally represent~~
6 ~~another person or entity for compensation before the governing body of which the~~
7 ~~person was an officer for a period of 2 years after vacating that office."~~

- 8 ~~2. Pursuant to Fla. Stat. § 112.313(13), a "school district employee may not~~
9 ~~personally represent another person or entity for compensation before the~~
10 ~~government body or agency of which the individual was an officer or employee for~~
11 ~~a period of 2 years following vacation of office or termination of employment,~~
12 ~~except for the purposes of collective bargaining."~~

- 13 ~~3. Consistent with Fla. Stat. § 112.312(20), the phrase "personally represent another~~
14 ~~person or entity for compensation" shall refer to "actual physical attendance on~~
15 ~~behalf of a client in an agency proceeding, the writing of letters or filing of~~
16 ~~documents on behalf of a client, and personal communications made with the~~
17 ~~officers or employees of any agency on behalf of a client" for compensation by that~~
18 ~~client.~~

- 19 ~~4. This Policy shall be construed consistent with relevant Opinions of the Florida~~
20 ~~Commission on Ethics, including CEO 01-5.~~

21 STATUTORY AUTHORITY: Fla. Stat. §§ 112.313(13); 230.22(2); 230.23(22)

22 LAWS IMPLEMENTED: Fla. Stat. §§ 112.313(13), (14)

23 ETHICS OPINION CITED: CEO 01-05 (2001)

24 HISTORY: 10/5/83; 6/16/93; 9/22/99; 8/05/02 To Be Repealed: ___/___2009

Legal Signoff:

The Legal Department has reviewed the proposed repeal of Policy 3.22 and finds it legally sufficient for repeal-development by the Board.

Attorney

Date