



## **POLICY 5.012**

**4-D** I recommend that the Board adopt the proposed new Policy 5.012, entitled “Advisory Boundary Committee.”

[Contact: Kristin Garrison, PX 48935; Judith Brennan, PX 48019]

### **Adoption**

### **CONSENT ITEM**

- The Board approved development of this Policy at the special meeting on Policies on March 29, 2006.
- This proposed new Policy would codify procedures and standards for the ABC. Adoption of this Policy is consistent with amendments to Policy 5.01, “Student Assignment.”
- This Policy proposal generally reflects current practice.

1 **POLICY 5.012**

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3 **ADVISORY BOUNDARY COMMITTEE**

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- 5 1. **Purpose.--** The Board recognizes the importance of community input into the  
6 attendance boundary process and values the comments of communities potentially  
7 impacted by attendance boundary adjustments. The Advisory Boundary Committee  
8 ("ABC") is a citizens advisory committee established to assist District staff in  
9 working with the community to develop recommendations for establishment or  
10 adjustments to attendance boundaries that accommodate the opening of new  
11 schools, to ensure optimal facility utilization, and/or to accommodate space needs  
12 for program changes.
- 13 2. **Function.--** The ABC is an advisory committee reporting to the Superintendent,  
14 and its meetings are subject to Florida's Sunshine Law. The ABC utilizes the  
15 attendance-zone criteria in Policy 5.01(1) & (2), "Student Assignment," in making  
16 boundary recommendations to the Superintendent, who in turn makes final  
17 recommendations to the School Board under Policy 5.01(4). The Board has final  
18 authority in the establishment of boundaries.
- 19 3. **Membership Composition and Duration**
- 20 a. The ABC shall be comprised of nineteen (19) voting members appointed as  
21 follows:
- 22 i. seven (7) by the School Board (one (1) by each member of the Board);
- 23 ii. three (3) by the Superintendent;
- 24 iii. one (1) by the County Council of PTAs;
- 25 iv. two (2) by the NAACP;
- 26 v. one (1) by the Haitian Council;
- 27 vi. two (2) by the Hispanic Council;
- 28 vii. one (1) by the District's ESE Task Force; and
- 29 viii. two (2) by the Palm Beach County League of Cities.
- 30 b. Except as provided in subsections (6)(a) or (b) below, members are appointed  
31 to serve throughout a period of time in which attendance zone changes are  
32 considered, recommended, and adopted for the next or subsequent school  
33 year (boundary cycle). Appropriate staff shall maintain centralized records of

34           appointment and termination dates of voting members and their attendance.

35   4.   **Membership Criteria**

36       a.   Members must be residents of Palm Beach County.

37       b.   The membership should be representative of the entire community and  
38       geographic areas of the District.

39       c.   Members should be committed to serve throughout the boundary cycle for  
40       which they were appointed, until final adoption of attendance boundaries for  
41       the next school year.

42       d.   Members must have the ability to maintain a global view of the District, its  
43       students, and the issues and policies impacting and guiding the setting of  
44       school attendance boundaries.

45       e.   Members should have the flexibility in their personal and professional  
46       schedules to meet during work hours, evenings, or weekends, as necessary,  
47       to complete tasks within appropriate timelines.

48   5.   **Committee Leadership.--** At the first regular meeting of the ABC each boundary  
49   cycle, a chair and vice-chair shall be elected by a majority vote. If a vacancy occurs  
50   in one of those positions during the boundary cycle, the position shall be filled by  
51   majority vote in a new election.

52       a.   The chair's duties shall include presiding over meetings, assisting staff in  
53       developing the agenda for each meeting, keeping the ABC on task and within  
54       appropriate timelines, and speaking on behalf of the ABC at public functions  
55       including Board meetings.

56       b.   The vice-chair's duties shall include acting in the chair's capacity when the  
57       chair is absent, and such other duties as the chair or ABC may assign.

58   6.   **Service Criteria**

59       a.   Continuation of appointees as ABC members is subject to the discretion of  
60       their appointers or, if appropriate, their appointing position at any time during  
61       their appointed terms.

62       b.   ABC members shall not miss more than two (2) regular meetings in a row  
63       without justifiable cause. In the event an ABC member should miss two (2)  
64       consecutive regular ABC meetings without justifiable cause, appropriate staff  
65       shall diligently attempt to contact the member for an explanation and a  
66       reminder concerning this provision. Failure of the ABC member to attend the

67 next regular ABC meeting without justifiable cause shall result in the automatic  
68 removal of the individual from ABC membership. Appropriate staff shall then  
69 notify in a timely manner the appointer of the vacancy and the need for a  
70 replacement ABC member. This attendance policy will be strictly enforced.

71 c. New ABC members are appointed, trained, and provided information relevant  
72 to the ABC and its operations.

73 7. **ABC Meeting Procedures**

74 a. For meetings of the entire ABC, the quorum shall be five (5) physically-present  
75 currently-appointed members. (For meetings of smaller regional sub-  
76 committees of the ABC, to facilitate the development of attendance boundary  
77 recommendations, the quorum shall be two (2) physically-present ABC sub-  
78 committee members.)

79 b. All ABC members are eligible to vote if physically present at the meeting,  
80 except that a newly appointed voting member must have attended a training  
81 session before being eligible to vote.

82 c. Whenever a vote is taken at any ABC meeting, the minutes shall reflect the  
83 names of those voting for the motion, those against, and any abstentions due  
84 to potential or actual conflict of interest.

85 d. Written minutes shall be taken of all ABC meetings. Minutes of each regular  
86 ABC meeting shall be promptly typed and delivered by District staff to each  
87 ABC member in sufficient time for a review before the next regular ABC  
88 meeting. At the next regular meeting, ABC members may propose revisions or  
89 changes to more accurately reflect the events of the meeting. The ABC may  
90 vote to accept or reject those proposed changes upon a vote on a motion.  
91 The ABC shall vote at that meeting whether to approve the minutes, as  
92 amended. Prior to approval, the ABC may decide which, if any, of its previous  
93 meetings' minutes it wishes to revise and/or approve.

94 e. All actions of the ABC which are related to boundary change proposals and  
95 are recorded in the minutes, shall be indexed by staff, if possible, by subject  
96 matter and meeting date for easy access.

97 f. The entire length of the meetings shall be tape-recorded; and the tapes, which  
98 are public records, shall be provided promptly, upon a request, to a member of  
99 the public (pursuant to Policy 2.041) or to any ABC member.

100 g. Consistent with District needs, the agenda will be set by the ABC and District  
101 staff at the current regular meeting for the next regular meeting, although staff

- 102           will prepare the agenda for the first meeting of the boundary cycle.
- 103           h.   Notices of any ABC meeting shall be submitted by the appropriate District staff  
104           person to the District's Office of Public Affairs in a timely manner. If at the time  
105           the notice is submitted, the major subject matter(s) are known, or the agenda  
106           is available, these shall be included within the notice. The Office of Public  
107           Affairs, upon receipt of the notice, posts it on the District's Public Affairs Web  
108           site, which is available to the public and news media. If the subject matter or  
109           agenda is not included in the initial notice of the meeting at the time the  
110           agenda is prepared, the agenda should similarly be submitted to the Office of  
111           Public Affairs when it becomes available, and this agenda is then available for  
112           public inspection and copying upon request.
- 113           i.   All meetings of ABC will be conducted in compliance with the current edition of  
114           Robert's Rules of Order, Newly Revised, unless otherwise stated in this Policy  
115           or other Board policies.
- 116           j.   Agendas for each ABC meeting, in addition to available proposals, growth  
117           projections and other backup data and information to be discussed at the  
118           upcoming meeting, should be delivered to each ABC member at least two (2)  
119           days prior to the meeting.
- 120           i.   Each agenda shall contain a statement informing the public that the ABC  
121           is an advisory committee which makes recommendations to the  
122           Superintendent.
- 123           ii. Absent consent from the ABC, no more than a total of thirty (30) minutes  
124           of each regular ABC meeting shall be set aside for public comments  
125           speaking to the meeting's agenda items. The person chairing the  
126           meeting may exercise discretion to set the time allotted for each speaker,  
127           considering the total number of speakers signed up (although the time  
128           shall in no case exceed three (3) minutes per person, absent special  
129           consent of the ABC).
- 130           k.   Communications, prepared by District staff on behalf of the ABC, shall be  
131           reviewed and approved by the ABC before such communications are  
132           distributed. If time does not allow for such a review by the ABC at a meeting,  
133           the Chair may review the communication to ensure that it accurately reflects  
134           the ABC's action.
- 135           l.   An ABC member requesting any information to be included in the member's  
136           information packet for the next meeting must make this request within five (5)  
137           business days after the previous meeting.

- 138 m. If an ABC member is absent for any portion of an ABC meeting at which  
139 handouts are presented and has not received the handouts, after the meeting  
140 any and all handout materials shall be delivered to the absent members by  
141 mail.
- 142 n. If an ABC member is unable to attend a regular ABC meeting, it is that  
143 member's responsibility to notify the relevant staff of that individual's inability  
144 to attend. Under normal circumstances, this notice should be given forty-eight  
145 (48) hours prior to the scheduled meeting.
- 146 o. When addressing a public forum (other than ABC, regional subcommittee, or  
147 community informational meetings) or the School Board regarding ABC  
148 issues, such ABC members must first state whether they are speaking as an  
149 individual or as a representative of the ABC. Unless authorized by the ABC by  
150 a vote, no ABC member shall purport to speak on behalf of the ABC. Knowing  
151 violation of this subsection shall subject the ABC member to removal from the  
152 ABC by vote of the ABC.
- 153 p. If, during a School Board meeting or workshop on boundary changes that the  
154 ABC has recommended to the Superintendent, an ABC member is asked to  
155 state the rationale for the ABC's recommendation, the ABC member may  
156 briefly explain the rationale but may not present any materials that were not  
157 included in the ABC's deliberation process (unless this member has been  
158 designated by the ABC to present such additional materials).
- 159 q. District staff shall be reasonably available to assist during, or outside of, ABC  
160 meetings in the training of new ABC members.
- 161 r. If an ABC member feels that any of these internal ABC procedures have not  
162 been followed, the member should notify appropriate District staff in a timely  
163 manner to assert any objection and allow for correction.
- 164 8. **Evaluation of the ABC Committee Process.--** After completion of the boundary  
165 process, appropriate District staff and the ABC shall evaluate the ABC's operation  
166 to determine if it should be recommended that the structure and process be  
167 modified.

168 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(1), (2); 1001.42(22); 1001.43(5), (10)

169 LAWS IMPLEMENTED: Fla. Stat. §§ 120.54; 1001.41(1) & (6); 1001.42(4)(a)

170 HISTORY: New: / /2006

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Legal Signoff:

The Legal Department has reviewed proposed Policy 5.012 and finds it legally sufficient for development by the Board.

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Attorney

\_\_\_\_\_  
Date