



## **POLICY 5.012**

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

[Contact: Kristin Garrison and Art Wittman, PX 48301.]

### **Adoption**

### **CONSENT ITEM**

- The Board approved development of this revised Policy at the development reading on May 15, 2013. This item passed on the Consent Agenda.
- This policy was reviewed by the ABC Committee and the members provided input for minor changes.
- The quorum requirements have been increased from five (5) members to seven (7) members in response to public concern that, on rare occasions, too few members were present for boundary decisions.
- Other minor ministerial changes have been made.

**POLICY 5.012**

**ADVISORY BOUNDARY COMMITTEE**

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

- 34 4. **Membership Criteria.**
- 35 a. Members must be residents of Palm Beach County.
- 36 b. The membership should be representative of the entire community and  
37 geographic areas of the District.
- 38 c. Members should be committed to serve throughout the boundary cycle for  
39 which they were appointed, until final adoption of attendance boundaries for  
40 the next school year.
- 41 d. Members must have the ability to maintain a global view of the District, its  
42 students, and the issues and policies impacting and guiding the setting of  
43 school attendance boundaries.
- 44 e. Members should have the flexibility in their personal and professional  
45 schedules to meet during work hours, evenings, or weekends, as necessary,  
46 to complete tasks within appropriate timelines.
- 47 5. **Committee Leadership.** At the first regular meeting of the ABC each  
48 boundary cycle, a chair and vice-chair shall be elected by a majority vote. If a  
49 vacancy occurs in one of those positions during the boundary cycle, the position  
50 shall be filled by majority vote in a new election.
- 51 a. The chair's duties shall include presiding over meetings, assisting staff in  
52 developing the agenda for each meeting, keeping the ABC on task and within  
53 appropriate timelines, and speaking on behalf of the ABC at public functions  
54 including Board meetings.
- 55 b. The vice-chair's duties shall include acting in the chair's capacity when the  
56 chair is absent, and such other duties as the chair or ABC may assign.
- 57 6. **Service Criteria.**
- 58 a. Continuation of appointees as ABC members is subject to the discretion of  
59 their appointers or, if appropriate, their appointing position at any time during  
60 their appointed terms.
- 61 b. ABC members shall not miss more than two (2) regular meetings in a row  
62 without justifiable cause. In the event an ABC member should miss two (2)  
63 consecutive regular ABC meetings without justifiable cause, appropriate staff  
64 shall diligently attempt to contact the member for an explanation and a  
65 reminder concerning this provision. Failure of the ABC member to attend the  
66 next regular ABC meeting without justifiable cause shall result in the automatic  
67 removal of the individual from ABC membership. Appropriate staff shall then  
68 notify in a timely manner the appointer of the vacancy and the need for a  
69 replacement ABC member. This attendance policy will be strictly enforced.

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

72 7. **ABC Meeting Procedures.**

73 a. For meetings of the entire ABC, the quorum shall be seven (7) ~~five (5)~~  
74 physically-present currently-appointed members. (For meetings of smaller  
75 regional sub-committees of the ABC, to facilitate the development of  
76 attendance boundary recommendations, the quorum shall be two (2)  
77 physically-present ABC sub-committee members.)

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

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

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

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

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

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

102 h. Notices of any ABC meeting shall be submitted by the appropriate District staff  
103 person to the District's Office of Public Affairs in a timely manner. If at the time  
104 the notice is submitted, the major subject matter(s) are known, or the agenda  
105 is available, these shall be included within the notice. The Office of Public  
106 Affairs, upon receipt of the notice, posts it on the District's Public Affairs Web  
107 site, which is available to the public and news media. If the subject matter or

- 108 agenda is not included in the initial notice of the meeting at the time the  
109 agenda is prepared, the agenda should similarly be provided online via the  
110 ABC Calendar to the general public and through links to the Office of Public  
111 Affairs when it becomes available, and this agenda is then available for public  
112 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*, Latest Addition, unless otherwise  
115 stated in this Policy 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 made available online to each ABC member at  
119 least two (2) days prior to the meeting. Back-up materials and/or maps may be  
120 mailed to ABC members upon request.
- 121 i. Each agenda shall contain a statement informing the public that the  
122 ABC is an advisory committee which makes recommendations to the  
123 Superintendent.
- 124 ii. Absent consent from the ABC, no more than a total of thirty (30)  
125 minutes of each regular ABC meeting shall be set aside for public  
126 comments speaking to the meeting's agenda items. The person chairing  
127 the meeting may exercise discretion to set the time allotted for each  
128 speaker, considering the total number of speakers signed up (although  
129 the time shall in no case exceed three (3) minutes per person, absent  
130 special consent of the ABC).
- 131 k. Communications, prepared by District staff on behalf of the ABC, shall be  
132 reviewed and approved by the ABC before such communications are  
133 distributed. If time does not allow for such a review by the ABC at a meeting,  
134 the Chair may review the communication to ensure that it accurately reflects  
135 the ABC's action.
- 136 l. An ABC member requesting any information to be included in the member's  
137 information packet for the next meeting must make this request within five (5)  
138 business days after the previous meeting.
- 139 m. If an ABC member is absent for any portion of an ABC meeting at which  
140 handouts are presented and has not received the handouts, after the meeting  
141 any and all handout materials shall be delivered to the absent members by e-  
142 mail or mail upon request.
- 143 n. If an ABC member is unable to attend a regular ABC meeting, it is that  
144 member's responsibility to notify the relevant staff of that individual's inability to  
145 attend. Under normal circumstances, this notice should be given forty-eight  
146 (48) hours prior to the scheduled meeting.

147 o. When addressing a public forum (other than ABC, regional subcommittee, or  
148 community informational meetings) or the School Board regarding ABC  
149 issues, such ABC members must first state whether they are speaking as an  
150 individual or as a representative of the ABC. Unless authorized by the ABC by  
151 a vote, no ABC member shall purport to speak on behalf of the ABC. Knowing  
152 violation of this subsection shall subject the ABC member to removal from the  
153 ABC by vote of the ABC.

154 p. If, during a School Board meeting or workshop on boundary changes that the  
155 ABC has recommended to the Superintendent, an ABC member is asked to  
156 state the rationale for the ABC's recommendation, the ABC member may  
157 briefly explain the rationale but may not present any materials that were not  
158 included in the ABC's deliberation process (unless this member has been  
159 designated by the ABC to present such additional materials).

160 q. District staff shall be reasonably available to assist during, or outside of, ABC  
161 meetings in the training of new ABC members.

162 r. If an ABC member feels that any of these internal ABC procedures have not  
163 been followed, the member should notify appropriate District staff in a timely  
164 manner to assert any objection and allow for correction.

165 8. **Evaluation of the ABC Committee Process.** After completion of the  
166 boundary process, appropriate District staff and the ABC shall evaluate the ABC's  
167 operation to determine if it should be recommended that the structure and process  
168 be modified.

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170 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(1), (2); 1001.42(~~2~~62); 1001.43(5),  
171 (10)

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

173 HISTORY: 5/31/2006; 12/10/2008; \_\_/\_\_/2013

Legal Signoff:

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

  
\_\_\_\_\_  
Attorney

5/24/13  
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Date