



## **POLICY 5.012**

**5-A** I recommend the Board approve development of the proposed **revised** Policy 5.012, entitled “Advisory Boundary Committee.”

[Contact: Kristin Garrison and Art Wittman, PX48301]

### **Development**

### **CONSENT ITEM**

- 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

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

35 centralized records of appointment and termination dates of voting  
36 members and their attendance.

37 4. **Membership Criteria.**

- 38 a. Members must be residents of Palm Beach County.
- 39 b. The membership should be representative of the entire community and  
40 geographic areas of the District.
- 41 c. Members should be committed to serve throughout the boundary cycle for  
42 which they were appointed, until final adoption of attendance boundaries  
43 for the next school year.
- 44 d. Members must have the ability to maintain a global view of the District, its  
45 students, and the issues and policies impacting and guiding the setting of  
46 school attendance boundaries.
- 47 e. Members should have the flexibility in their personal and professional  
48 schedules to meet during work hours, evenings, or weekends, as  
49 necessary, to complete tasks within appropriate timelines.

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

- 54 a. The chair's duties shall include presiding over meetings, assisting staff in  
55 developing the agenda for each meeting, keeping the ABC on task and  
56 within appropriate timelines, and speaking on behalf of the ABC at public  
57 functions including Board meetings.
- 58 b. The vice-chair's duties shall include acting in the chair's capacity when the  
59 chair is absent, and such other duties as the chair or ABC may assign.

60 6. **Service Criteria.**

- 61 a. Continuation of appointees as ABC members is subject to the discretion of  
62 their appointers or, if appropriate, their appointing position at any time  
63 during their appointed terms.
- 64 b. ABC members shall not miss more than two (2) regular meetings in a row  
65 without justifiable cause. In the event an ABC member should miss two (2)  
66 consecutive regular ABC meetings without justifiable cause, appropriate  
67 staff shall diligently attempt to contact the member for an explanation and  
68 a reminder concerning this provision. Failure of the ABC member to attend  
69 the next regular ABC meeting without justifiable cause shall result in the  
70 automatic removal of the individual from ABC membership. Appropriate

71 staff shall then notify in a timely manner the appointer of the vacancy and  
72 the need for a replacement ABC member. This attendance policy will be  
73 strictly enforced.

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

76 **7. ABC Meeting Procedures.**

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

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

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

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

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

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

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

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

146 meeting any and all handout materials shall be delivered to the absent  
147 members by e-mail or mail upon request.

148 n. If an ABC member is unable to attend a regular ABC meeting, it is that  
149 member's responsibility to notify the relevant staff of that individual's  
150 inability to attend. Under normal circumstances, this notice should be  
151 given forty-eight (48) hours prior to the scheduled meeting.

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

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

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

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

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

STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(1), (2); 1001.42(2~~6~~2); 1001.43(5), (10)

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

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

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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.

Bruce A. Harris  
Attorney

4/25/13  
Date