

POLICY 3.22

4-B I recommend the Board adopt the proposed revisions to Policy 3.22, entitled "Standards of Conduct for Former School Board Members and Employees."

[Contact: JulieAnn Rico Allison, 434-8500.]

◆ **Adoption**

- This proposed revision conforms closely to the language of the statutory provisions implemented and is consistent with the recent Ethics Opinion cited.
- At the development reading on June 17, the Board approved this proposed Policy for recommendation for adoption and second reading on July 22 (continued to August 5).

CONSENT ITEM

PROPOSED REVISED POLICY 3.22

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

- 1 1. ~~As stated in Fla. Stat. § 112.313(14) ("Lobbying by former local officers;~~
2 ~~prohibition"), a former School Board members "may not personally represent~~
3 ~~another person or entity for compensation before the governing body of which the~~
4 ~~person was an officer for a period of 2 years after vacating that office." may not~~
5 ~~personally represent another person or business entity as defined in § 112.312,~~
6 ~~Fla. Stat., including their own sole proprietorship or other business for~~
7 ~~compensation before the School Board of which the individual was a member for a~~
8 ~~period of two (2) years following vacation of office, except for the purposes of~~
9 ~~collective bargaining.~~
- 10 2. ~~Employees of the School Board may not personally represent another person or~~
11 ~~business entity as defined in § 112.312, Fla. Stat., including their own sole~~
12 ~~proprietorship or other business for compensation before the School Board of~~
13 ~~which the individual was an employee for a period of two (2) years following~~
14 ~~termination of employment, except for the purposes of collective bargaining.~~
15 ~~Pursuant to Fla. Stat. § 112.313(13), a "school district employee may not~~
16 ~~personally represent another person or entity for compensation before the~~
17 ~~government body or agency of which the individual was an officer or employee for~~
18 ~~a period of 2 years following vacation of office or termination of employment,~~
19 ~~except for the purposes of collective bargaining."~~
- 20 3. ~~Nothing in this policy shall prohibit a former School Board member or employee~~
21 ~~from providing volunteer services to the School District or serving on an advisory~~
22 ~~committee. Consistent with Fla. Stat. § 112.312(20), the phrase "personally~~
23 ~~represent another person or entity for compensation" shall refer to "actual physical~~
24 ~~attendance on behalf of a client in an agency proceeding, the writing of letters or~~
25 ~~filing of documents on behalf of a client, and personal communications made with~~
26 ~~the officers or employees of any agency on behalf of a client" for compensation by~~
27 ~~that client.~~
- 28 4. ~~This Policy shall be construed consistent with relevant Opinions of the Florida~~
29 ~~Commission on Ethics, including CEO 01-5.~~

31 STATUTORY AUTHORITY: ~~§§ 112.313(13); 230.22(2); 230.23(22), 230.23 (17);~~
32 ~~230.23005, Fla. Stat.~~

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

34 ETHICS OPINION CITED: CEO 01-05 (2001).

35 HISTORY: 10/5/83; 6/16/93; 9/22/99; / /02

Legal Signoff

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

Attorney

Date

Summary of Estimated Cost form (*if prepared*)

Publication of Development Notice

Publication of Adoption Notice