

POLICY 3.22

5-F I recommend the Board approve the proposed revisions to Policy 3.22, entitled "Standards of Conduct for Former School Board Members and Employees."

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

◆ Development

- This proposed revision conforms closely to the language of the statutory provisions implemented and is consistent with the recent Ethics Opinion cited.

CONSENT ITEM

PROPOSED REVISED POLICY 3.22

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

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

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29 STATUTORY AUTHORITY: §§ 112.313(13); 230.22(2); 230.23(22), 230.23 (17);
30 230.23005, Fla. Stat.

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

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

33 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