

MANUAL OF POLICY

POLICY NUMBER: I-17

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POLICY TITLE: Appearances Before the District Board of Trustees

LEGAL AUTHORITY: FLORIDA STATUTE 1001.64

DATE OF LAST REVIEW: 6/21/2005, 6/19/2007 and 7/21/2009

DATE OF BOARD ACTION: 3/7/1973, 12/18/1984, 9/26/1989 and 7/18/2000

This policy provides information regarding the steps to be followed in submitting a Request to Address the Board, the criteria to be utilized in granting or denying such requests, general procedures governing appearances, and exceptions to the requirements. The policy does not address Public Hearings. Any citizen is entitled to speak at such a hearing providing their comments are limited to the specific Public Hearing agenda item.

I. Guidelines for Submitting a Request to Address the Board

- A. Any person seeking permission to address the District Board of Trustees at a Board meeting must submit a written request to the Secretary of the Board (the College President) at the following address within the applicable time periods specified in Section I.B., below.

Miami Dade College
Office of the President
Attention: Secretary of the District Board of Trustees of Miami Dade College
300 Northeast Second Avenue
Miami, Florida 33132

The request shall contain the following information:

1. Name, home and business addresses, telephone/fax numbers and e-mail address of the individual desiring to appear.
 2. Organization(s) or person(s) represented, if any, and whether the individual is being compensated for the appearance.
 3. Topic or agenda item the individual desires to address.
 4. Board action requested, if any.
- B. In order to allow for the review and consideration of Requests to Address the Board and the scheduling of approved appearances, the following time requirements shall apply:

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1. An individual who is requesting permission to address a matter which is on the Board agenda must submit a written Request to Address the Board, conforming to the requirements of Section I.A. above. The Request to Address the Board must be received by the Secretary of the Board at least two full College business days prior to the regular meeting of the Board at which the matter is scheduled for action. (For example, if the regular meeting of the Board is scheduled for 8 a.m. on a Tuesday morning, the Request to Address the Board must be received by the Secretary of the Board no later than 8 a.m. on the preceding Friday.) If the matter is scheduled to be considered at a special or emergency Board meeting, the Request to Address the Board must be received by the Secretary of the Board at least 24 hours prior to the special or emergency meeting.
 2. An individual who wishes to request that a matter be placed on the Board agenda and address the Board regarding such matter must submit a written Request to Address the Board, conforming to the requirements of Section I.A., above. The Request to Address the Board must be received by the Secretary of the Board at least 14 calendar days prior to the regular meeting of the Board at which the individual desires to have the matter placed on the agenda and to appear. An individual shall not be permitted to have a matter placed on the Board agenda for a special or emergency meeting of the Board.
- C. The Secretary of the Board shall make a reasonable effort to acknowledge receipt of the Request by providing a notice granting or denying the Request and, if granted, specifying the date, time, and location of the Board meeting at which the individual may appear. When time constraints exist, a response may be given verbally rather than by mail.

II. Disposition of Requests to Address the Board

- A. Requests to Address the Board shall be evaluated by the College President, in consultation with the Chairman of the Board. In reaching a decision, the number of Requests to Address the Board and whether the interests of the community and/or the College would be served by the Board's consideration of the matter shall be determining factors.

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- B. Unless required by applicable law, a Request to Address the Board shall not be granted with respect to any matter upon which the applicable internal appeal or grievance process provided by College Policy specifies that a decision-maker other than the Board (e.g., the President, a Campus President or District Vice Provost or a committee) shall make the final decision.

In particular, appearances/hearings before the board with respect to personnel issues will be granted only as specified by College policy or as required by applicable law. Such appearances shall be limited to only the individual employee and his/her representative, unless otherwise provided by law. College employees must utilize and exhaust all appropriate internal administrative channels and all applicable internal appeal or grievance processes before requesting an appearance before the Board. The public should also utilize and exhaust appropriate administrative channels before requesting an appearance before the Board.

III. General Procedures Governing Appearances

- A. For the information of the Board, the College President, in his capacity as Secretary of the Board, shall provide each Board member with a list of individuals from whom a written Request to Address the Board has been received, as well as a list of individuals scheduled to speak and the item each one is scheduled to address. Every effort will be made to provide this information prior to the Board meeting.
- B. An individual or group scheduled to address the Board shall be allotted five (5) minutes to make the oral presentation to the Board on the topic or agenda item for which the Request was granted. If the oral presentation is being made by more than one individual, the five minute presentation must be divided among the group. The Board reserves the right to limit the number of individuals or groups who may address each Board item. Appearances are limited to matters on the agenda for which the Request to address the Board was specifically granted. Persons who believe that they will not have adequate oral presentation time may submit additional information in writing at the beginning of the presentation. Ten legible copies of all such written information must be provided.

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- C. At the appropriate time, those scheduled to speak shall be called by the Chairman of the Board. Each individual shall state for the record: his/her name, home or business address, organization(s) or person(s) represented (if any) and whether he/she is being compensated for the appearance.

IV. Exceptions

- A. By majority vote, the Board may, upon its own motion or upon a showing of good cause by the individual desiring to appear, waive any of the provisions of Section I, II or III.
- B. Rulemaking Proceedings: This policy does not apply to or restrict the right of affected persons to address the Board regarding the adoption, amendment or repeal of any rule during the public hearing portion of official Board meetings.
- C. Appearances by Invitation: This policy does not apply to individuals who address the Board at the invitation or request of the Board or the College President. The individual presiding over the Board meeting may establish appropriate requirements regarding such appearances.

	7/21/09
CHAIRMAN	DATE