

Board Meeting Agenda Item Executive Summary

Supt.'s Office Use Only

Board Meeting 10-02-07

Agenda Consent

Item No. F. 20.

Board Meeting Date:	October 2, 2007
Submitted By:	Thomas L. Wittmer, Staff Attorney
Item Description:	Approval of Report to Florida Legislature pursuant to section 120.74, F.S.

Purpose and Explanation:

Section 120.74, F.S. requires that, in October of every other year, each agency head file a report with the President of the Senate, the Speaker of the House of Representatives and the Administrative Procedures Committee, with a copy to each appropriate standing committee of the Legislature, which certifies that the agency has complied with the requirements of the statute, which are set forth below. A copy of the report is attached hereto.

The statute requires each agency to review and revise its rules as often as necessary to ensure that its rules are correct and comply with statutory requirements. Every 2 years the agency must identify and correct deficiencies in its rules; clarify and simplify its rules; delete obsolete or unnecessary rules; delete rules that are redundant of statutes; seek to improve efficiency, reduce paperwork, or decrease costs to government and the private sector; and contact agencies that have concurrent or overlapping jurisdiction to determine whether their rules can be coordinated to promote efficiency, reduce paperwork, or decrease costs to government and the private sector.

The proposed report, in the form of a letter to the designated Legislative officials, informs them that, from 2003 to 2007, the School Board undertook a complete review of our existing policies in order to comply with the statutory requirements. The report states that the School Board completed revision and adoption of its policies in July 2007.

The statute also requires that the report identify the types of cases or disputes in which the agency is involved which should be conducted under the summary hearing process described in section 120.574, F.S. The report states that cases or disputes which present no material dispute of fact would be susceptible of resolution pursuant summary hearing.

RECOMMENDED ACTION: The Superintendent recommends that the Board approve the report and authorize the Superintendent to send it on behalf of the Board.

BUDGETARY IMPACT

Funding Source (Description):

Amount:

Staff Attorney Review & Approval <i>(For Contracts Only)</i>	Date: _____ Initial: _____	ADDITIONAL INFORMATION Yes: _____ No: _____
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BOARD MEMBERS

Virginia S. Childs
F. Wesley Eubank
Tina Pinkoson
Eileen F. Roy
Janie S. Williams

SUPERINTENDENT OF SCHOOLS

W. Daniel Boyd, Jr., Ed.D.



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September 24, 2007

The Honorable Ken Pruitt, President
1850 SW Fountainview Blvd., Suite 200
Port St. Lucie, FL 34986-3443

The Honorable Marco Rubio, Speaker
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

The Honorable Michael S. Bennett, Chair
Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399

RE: Compliance Report Pursuant to section 120.74, Florida Statutes

Dear Mr. President, Mr. Speaker and Mr. Chairman:

The School Board of Alachua County, Florida has authorized me to report to you pursuant to section 120.74, Florida Statutes, concerning compliance and the requirements set forth therein.

In 2003, the School Board retained NEOLA, Inc., an Ohio corporation authorized to do business in the State of Florida, to consult with the Superintendent and School Board and undertake a complete review of the Board's policies. That review has been completed and the revised policies were adopted on July 17, 2007.

The new policies bring the Board's policies up-to-date, conform them to current legislation, re-organize similar policies on the same subjects, eliminate redundant and obsolete language, and make the policies easier to find, understand and use. The new policies are electronically published and keyword searchable, at www.neola.com/alachua-fl.

With respect to the summary hearing process described in section 120.574, Florida Statutes, the kinds of cases and disputes involving the School Board, such as employee discipline, bid protests and rule challenges, are normally resolved through formal adjudicatory proceedings. However, if a case presented no disputed issues of material fact, then the Board would be agreeable to the summary procedure.

Respectfully Submitted,

W. Daniel Boyd, Jr.
Superintendent

cc: Virginia S. Childs, Chairman
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The Honorable James E. King. Jr., Chair
Committee on Education Facilities
Appropriations
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

The Honorable Stephen R. Wise, Chair
Committee on Education Pre-K-12
Appropriations
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

The Honorable Joe H. Pickens, Chair
Education Appropriations Committee
AND
Schools Learning Council
214 The Capitol
402 South Monroe Street
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The Honorable Don Gaetz, Chair
Senate Committee on Education Pre-K-12
Senate Office Building
404 South Monroe Street, Room 320
Tallahassee, FL 32399-1100

The Honorable David Simmons, Chair
Committee on 21st Century Competitiveness
214 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

The Honorable Thad Altman, Chair
Committee on Education Innovation &
Career Preparation
214 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

The Honorable Anitere Flores, Chair
Pre-K-12 Committee
214 The Capitol
402 South Monroe Street
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