

September 9, 2019, Regular Board Meeting

Title

23. PUBLIC HEARING AND VOTE: REVISIONS TO CHAPTER 9 BOARD POLICIES

Recommendation

That the Duval County School Board conduct a public hearing and adopt Policy 9.66, Sales Surtax Oversight Committee.

Description

The proposed new policy will establish a Sales Surtax Oversight Committee (the "Committee") to review, monitor and make recommendations to the School Board and Superintendent, and inform the public on the planning, progress, and implementation of projects funded with proceeds from the School Board's levy of the sales surtax as set forth in its Resolution dated May 7, 2019. The proposed new policy establishes the responsibilities of the Committee, provides for the membership of the Committee (including member qualifications, term of office, and prohibition of conflicts of interest); meetings (including selection of chairman and vice-chairman, a minimum of quarterly meetings, quorum, conduct of meetings pursuant to Roberts Rules of Order, and supporting district staff); and establishing the duration of the Committee to exist through the completion of all projects (including the expenditure and accounting of all sales surtax proceeds).

Gap Analysis

Approval of this policy will establish the composition and responsibilities of the Sales Surtax Oversight Committee.

Previous Outcomes

None. This is a new policy.

Expected Outcomes

The proposed policy will be adopted and implemented by the district.

Strategic Plan Goal

Ensure Effective, Equitable, & Efficient Use of Resources Aligned to Improved Student Outcomes

Financial Impact

None

Contact

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Attachments

None

SALES SURTAX OVERSIGHT COMMITTEE

9.66

- I. Purpose. The purpose of the Sales Surtax Oversight Committee (the "Committee") is to review, monitor, make recommendations, for consideration, to the School Board and Superintendent, and inform the public on the planning, progress, and implementation of the projects funded with proceeds from the School Board's levy of the sales surtax as set forth in the School Board's Resolution on May 7, 2019, and approved by voters on _____ (the "Sales Surtax"). The Committee is established to provide transparency and instill confidence in Duval County taxpayers that projects funded by the Sales Surtax proceeds are being delivered according to the Sales Surtax Plan set forth in the School Board's Resolution.
- II. Responsibilities.
 - A. The Committee shall:
 1. review and monitor the District's progress, and implementation of the projects funded by Sales Surtax for District schools and any charter schools;
 2. advise the Superintendent and the School Board of the District's progress of implementation of the Sales Surtax projects;
 3. assist in informing the community of the Sales Surtax projects and progress by the District; and
 4. make recommendations on the use of any surplus Sales Surtax revenue or unspent project allocations.
 - B. The Committee shall provide the School Board with an update following each meeting of the Committee.
 - C. The Committee's review and recommendations shall be reported on an annual basis to the School Board, Superintendent and the community. The annual report shall assess the implementation of the Sales Surtax to ensure that the proceeds are being spent according to the Plan set forth in the School Board's Resolution, and delivered in a timely manner.
- III. Membership and Supporting Staff. The Committee shall be comprised of the following twenty-two (22) voting and two (2) non-voting members, and shall be supported by District staff as noted below.
 - A. Voting Members. The following are voting members of the Committee. Each member shall be the Chairman/President/CEO of the following organizations or his/her designee:

1. One (1) representative of a District parent organization. This representation shall be from the District Advisory Council or the District Parent Teacher Association on a rotational basis. The initial single term representative will be from the District Advisory Council and thereafter alternate between the two organizations as terms expire.
2. One (1) representative of Jacksonville Regional Chamber of Commerce.
3. One (1) representative of Northeast Florida Builders Association.
4. One (1) representative of Northeast Florida Association of Realtors.
5. One (1) representative of a post-secondary institution in Duval County. This representation will be from Edward Waters College, Florida State College at Jacksonville, Jacksonville University, or the University of North Florida on a rotational basis. The initial single term representative shall be from Edward Waters College and thereafter rotate among the post-secondary institutions in the order listed herein as terms expire.
6. One (1) representative appointed by the mayor of Atlantic Beach, Baldwin, Jacksonville Beach, or Neptune Beach. There shall be a single representative on the Committee on a rotational basis. The initial single term representative shall be from Atlantic Beach and thereafter rotate in the order listed herein as terms expire.
7. One (1) representative of the Hispanic Chamber of Commerce.
8. One (1) representative of Jacksonville NAACP.
9. One (1) representative of Foundation for Duval Schools.
10. One (1) representative of Jacksonville Public Education Fund.
11. One (1) representative of the City of Jacksonville's Citizen Planning Advisory Committee (CPAC). This representation will rotate among the six (6) CPACs consisting of Greater Arlington/Beaches (District 2), North (District 6), Northwest (District 5), Southeast (District 3), Southwest (District 4), and Urban Core (District 1). The initial single term representative shall be from Greater Arlington/Beaches (District 2) and thereafter rotate among the CPACs in the order listed herein as terms expire.

12. One (1) representative of the City of Jacksonville Joint Planning Committee.
13. One (1) representative of the Jacksonville Civic Council.
14. One (1) representative of Duval Teachers United.
15. One (1) representative of Jacksonville Fraternal Order of Police.
16. One (1) member appointed by each of the seven School Board members. School Board members may consider his/her appointee having experience in labor, finance, or commerce, or representing a nonprofit organization providing services to the District, or representing the interests of Duval County parents.

B. Ex-Officio Non-Voting Members.

1. Superintendent of Schools or designee.
2. One (1) member appointed by the District Student Government Association.

C. Membership Qualifications.

1. Each voting member shall have an outstanding reputation for civic involvement, integrity, responsibility, and business or professional ability.
2. Members shall have no direct or indirect conflict of interest in a contract with the School Board or a financial interest in any projects that are funded by the Sales Surtax. Members shall be residents of Duval County, Florida. If a member no longer resides in Duval County, then such member shall immediately resign or be removed from the Committee. With the exception of the Committee member representing Duval Teachers United, no voting Committee member shall be an employee of Duval County Public Schools.

D. Term.

1. The term of service for all members is two (2) years. With the exception of those representatives who serve a single term (District parent organizations in section A.1. above, post-secondary institutions in section A.5. above, cities in Duval County in section A.6. above, and CPACs in section A.11. above), members may be reappointed for one consecutive two (2) year term.

2. The initial term for each Committee member will commence on the effective date and continue through the third June 30 (thereby resulting in an initial term exceeding two years). Thereafter, the term of each member shall be two (2) years.
3. In extraordinary circumstances and subject to a vote of the Committee, a member may participate telephonically provided the member is present for the entire meeting and a quorum of the Committee is otherwise physically present.
4. Vacancies due to resignation, disqualification, or removal shall be filled within forty-five (45) days. Any vacancy on the Committee shall be filled for the unexpired term in the same manner as provided for the initial appointment to the Committee. If any member fails to attend two of three successive meetings of the Committee, then member's office is automatically deemed vacant and the vacancy shall be filled as provided for in this policy. Any member appointed to the Committee for two consecutive full terms shall not be eligible for the next succeeding term. Any individual appointed to serve on the Committee for less than 1 year shall not be considered a first full term.

E. Conflict of Interest and Code of Ethics.

1. Members shall not have any direct or indirect conflict of interest in a contract with the Board or a financial interest in any of the projects funded under the Sales Surtax.
2. Prior to serving, members are required to certify in writing that they do not have any direct or indirect conflict of interest in a contract with the Board or any financial interest in any of the projects funded under the Sales Surtax.
3. If a conflict or financial interest arises after appointment, the member shall disclose the conflict or financial interest and immediately resign or shall be removed from the Committee.

IV. Meetings.

- A. The Committee shall elect a chair and vice-chair and may elect other officers as necessary. The term of office shall expire the earlier of (2) years or the officer no longer being a member of the Committee.
- B. The Committee shall meet at least four (4) times per year and may hold other meetings as necessary. All meetings and Committee proceedings

must comply with Florida's Sunshine and Public Records laws (Chapter 119 and s. 286.011, Florida Statutes).

- C. A majority of the voting members shall constitute a quorum.
 - D. Meetings shall be conducted according to the latest version of Robert Rules of Order.
 - E. The Superintendent, the Chief of Staff or the Deputy Superintendent, the Chief Financial Officer, the Assistant Superintendent Operations, the Internal School Board Auditor, and the Office of General Counsel shall provide staff support to the Committee as necessary to accomplish its purpose.
- V. Duration. The Committee shall exist through the date of completion of the projects to be funded by the Sales Surtax, including the expenditure of, and accounting for, all Sales Surtax proceeds.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
HISTORY:

1001.41, F.S.
1001.42, F.S.
NEW