

## 2130 - DISTRICT MONITORING AND ADVISORY COMMITTEE (DMAC)

### **Philosophy**

The School Board believes that in order for the school system to gain and maintain the trust of the community, it must be accountable to the community for maintaining a unitary school system free from the vestiges of the formerly segregated school system in the areas of relative quality of education, student assignment, faculty assignment, administrative staff assignment, facilities and resource allocation, transportation, and extra-curricular activities. To facilitate the accountability, there should be a committee whose members are appointed by various groups that have a recognized interest in the operation of the unitary school system. The committee will monitor the School District's achievement and maintenance of a unitary school system and make recommendations to the Board concerning maintenance of a unitary school system, equity, and diversity.

### **Creation, Membership and Date of Establishment**

The Board establishes the District Monitoring and Advisory Committee (DMAC) consisting of ~~fourteen (14)~~ twelve (12) members appointed as hereinafter provided.

The organizations listed immediately below shall appoint two (2) members each. If one (1) of these organizations ceases to exist or becomes inactive or unrepresentative of the intended constituency another organization shall be substituted. The determination of whether an organization becomes inactive or unrepresentative of the intended constituency shall initially be made by DMAC. Any organization determined by DMAC to have become inactive or unrepresentative of the intended constituency shall have the right to object. Should DMAC make such a determination, DMAC shall inform the Board of its determination and of any objections reviewed by DMAC. Whether such organization has objected to DMAC or not, that organization may register objections with the Board. The Board shall then make a determination of whether any such organization has become inactive or unrepresentative of the intended constituency. Should the Board determine that any organization has become inactive or become unrepresentative of the intended constituency, that determination may be challenged by invoking the alternative dispute resolution process through plaintiff's counsel. If a final determination is made in this process that one (1) of the organizations has become inactive or unrepresentative of the intended constituency, then the Board will designate another group after considering recommendations provided by the remaining DMAC membership. If there are objections to the group designated by the Board, those objections shall be determined subject to the alternative dispute resolution procedures.

- A. The Board
- B. NAACP North
- C. NAACP South
- D. Pinellas County Council of PTAs
- ~~E. Pinellas SAC Association, Inc.~~
- ~~F.E.~~ Pinellas Classroom Teachers Association (PCTA)
- ~~G.F.~~ Pinellas ~~Administrators Association (PAA)~~ Association of School Administrators (PASA)

Each appointing authority, by an essentially elective and publicly disclosed mechanism (e.g., either election or appointment by an elected officer or other elected authority) consistent with the bylaws or governing rules of each organization, shall appoint one (1) black member and one (1) non-black member.

1 The number of current school system employees serving on DMAC shall be limited to four (4). The PCTA and the  
2 ~~PAA-PASA~~ shall have the right but are not obligated to appoint employees of the school system. All other  
3 appointing authorities must appoint non-employees.

4  
5 The effective date of the establishment of DMAC shall be October 12, 1999.

#### 6 7 **Liaison**

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9 The Board shall provide a Board member to attend each meeting of DMAC and to act as Board liaison.

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11 The Superintendent shall appoint a liaison to DMAC who shall be responsible for providing clerical assistance and  
12 supplies necessary for the operation of DMAC.

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14 The District liaison shall attend all committee meetings and will coordinate the appearance of other staff as  
15 deemed appropriate by the Superintendent or upon request of the committee as may be reasonable.

16  
17 The liaison will ensure that feedback on DMAC recommendations are provided to DMAC members. If  
18 recommendations are part of a scheduled school board meeting, feedback will be provided by Friday of the same  
19 week of the board meeting. If a recommendation is determined to be discussed at a board workshop, feedback  
20 will be given to DMAC as soon as possible after the workshop.

#### 21 22 **Term of Membership**

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24 Each appointing authority shall appoint one member for an initial term of two (2) years and one (1) member for an  
25 initial term of four (4) years. All subsequent appointments shall be for a term of four (4) years except that any  
26 appointment to fill a vacancy that has occurred prior to the expiration of the term shall be for the expiration of that  
27 term.

28  
29 The chair shall remove any member for non-attendance in violation of duly adopted bylaws of DMAC. Prompt  
30 and regular attendance is essential to membership on DMAC.

#### 31 32 **Open Government Laws**

33  
34 DMAC, as a committee created by the Board for purposes of advising the Board, is subject to the Government in  
35 the Sunshine Law (F.S. 286.011) and Florida's Public Records Act (F.S. Chapter 119). All meetings of DMAC  
36 shall be open to the public and shall be properly noticed to members of the public. Minutes are required for each  
37 meeting. The minutes of each meeting and any written reports, recommendations, or any other records of DMAC  
38 shall be open to public inspection.

39  
40 In accord with the scheduled agenda, DMAC shall provide a reasonable opportunity at each of its meetings for  
41 members of the public to address DMAC. This provision shall not apply to any joint workshop with the Board or to  
42 any subcommittee meeting. DMAC shall announce to the public before receiving public input that DMAC does  
43 not receive and act on any individual complaints or requests and does not act as an appellate body to review any  
44 decision of the District or school administrators. DMAC shall also inform the public before receiving input that it  
45 acts as a monitoring and advisory committee concerning the achievement and maintenance of a unitary school  
46 system.

#### 47 48 **Meetings**

49  
50 The first meeting of DMAC shall be November 11, 1999.

51  
52 DMAC shall meet at least four (4) times a year and may set additional meetings as necessary. At the initial  
53 meeting of DMAC, the dates of the remaining three (3) meetings of the first year of operation shall be set.  
54 Thereafter, DMAC shall set the dates of the minimum four (4) meetings for the subsequent year at the last  
55 meeting of each year.

Additional meetings may be set by a majority vote of the committee at any meeting of the committee or special meetings may be called by the chairperson upon a minimum of fifteen (15) days written notice to the membership.

#### **Officers**

DMAC shall annually elect a chairperson, vice-chairperson, and secretary from among the membership of the committee.

#### **Quorum**

DMAC cannot take any action or carry on a meeting in the absence of a quorum. A quorum at any meeting of DMAC shall consist of attendance by a simple majority of the membership (that is, ~~eight (8)~~ seven (7) of the ~~fourteen (14)~~ twelve (12) or more). The vote of the majority of the members present at a meeting at which a quorum is present is necessary for the adoption of any matter voted on by DMAC.

#### **Training**

The Board and the NAACP North and South shall provide training for all new members of DMAC concerning the history of desegregation, the definition and achievement of unitary status, and the functions and purposes of DMAC. Appointees must attend and receive training to assume membership in DMAC. Training topics should include information about Board approved Memoranda of Understanding.

#### **Meeting Space**

The Board will provide adequate and dignified meeting space for DMAC at the administration building (or another place, if agreed by DMAC). All meetings for the transaction of business shall occur in Pinellas County. Meetings will be held in various geographic areas of the district.

There should be one annual joint meeting of DMAC and the Board attended by DMAC members, Board members, and the Superintendent.

#### **Bylaws**

DMAC may adopt such bylaws and rules of operation as may be necessary for the efficient performance of its functions including the receipt of public comments. Any such bylaws and rules must be consistent with the provisions of this rule and approved by the Board pursuant to the provisions of the APA.

The bylaws shall provide for the appointment of subcommittees if deemed appropriate by DMAC.

#### **Responsibilities of DMAC**

DMAC shall function as an advisory body to the Board with respect to the matters set forth in this rule.

#### Education, Information, and Advice

At least annually, beginning for the school year 1999-2000, the Superintendent or designee(s) will file a report and make a presentation to DMAC on what the School District prescribed and implemented with respect to the plan addressing student achievement, student discipline, and assignment of students to programs developed pursuant to the stipulation between the defendants (the Board, and others) and the plaintiff class dated June 18, 1998, that was filed in Bradley, et al v. Pinellas County School Board. The Superintendent's report to DMAC shall include the following:

- A. whether the School District has implemented the plan in good faith;
- B. what results the School District has achieved with the plan in effect;

Such report shall contain but not be limited to data in detail disaggregated by race and sex with regard to ~~grades,~~ scores on standardized tests (including learning gains data), drop-out rates, graduation rates, expulsions, suspensions both in-school and out-of-school, referrals, arrests and assignment to special programs or classes. Special programs or classes shall include all programs or classes designed to assist students who appear to need special or additional help, all programs or classes designed for students who appear to be advanced, and all programs or classes designed to provide specialized training.

- C. whether such implementation has succeeded in addressing, in a substantial and meaningful way, the issues of student achievement, student discipline, and assignment of students to programs;
- D. what changes have been made to the plan to improve it;
- E. whether continued good-faith implementation of the plan offers a realistic promise of achieving the goals described in the June 18, 1998, stipulation.

DMAC will receive the reports and presentations from the Superintendent or designee(s) and will review the information, distinguish areas of greater and lesser progress, and advise the Board on practicable means and measures to obtain further success in the three (3) areas (student achievement, student assignment, and student discipline) identified in the stipulation of June 18, 1998.

#### Facilities and Resources

Prior to Board consideration, the Superintendent or designee(s) will present to DMAC the proposed five (5) year work plan for facilities in sufficient time to allow DMAC to provide the Board its recommendations on the work plan. "Sufficient time" in this context shall be not less than thirty (30) days prior to the hearing at which the Board considers the plan.

DMAC will review the work plan to determine if additions and renovations to existing facilities are being made in a non-discriminatory manner and will make its recommendations to the Board in any areas of concern.

The Superintendent or designee(s) will present any proposed new school to DMAC in sufficient time to allow DMAC to review the proposal and make its recommendations to the Board concerning same.

The Superintendent or designee(s) will report at least annually to DMAC on the allocation of ~~textbooks and other~~ resources and demonstrate to DMAC that such allocations have been made in a manner so that the allocation per weighted FTE for black students shall be at least equal to that for white students. DMAC will review the reports and information and shall advise the Board regarding the allocation of such resources.

~~Until construction is complete, the Superintendent or a designee(s) will report at least four (4) times annually on the School District's progress toward building the three (3) new elementary schools or their equivalent, one (1) new middle school or its equivalent, and additional student stations at the high school level in south Pinellas County south of Central Avenue and east of 58<sup>th</sup> Street south. The reports shall review progress toward agreed milestones by construction project. DMAC will make recommendations to the Board concerning the progress as it deems appropriate.~~

#### Faculty

The Superintendent or a designee(s) will present at least annually to DMAC the District's plans and information concerning recruitment, employment, and placement of black educators. The report will include the status of continuing the critical shortage classification of black educators so long as this is required ~~there is a significant difference between the percentage per the court order and Memorandum of Understanding in the areas of Faculty and Administrative Staff.~~

DMAC will review the report and information received and identify areas of concern and make recommendations to the Board concerning the same as appropriate.

#### Administrative Staff

The Superintendent or a designee(s) shall report at least annually to DMAC, demonstrating the continued support of minority administrative staff including efforts to maintain the distribution of administrative staff in all school levels and central administration, the general geographic apportionment at least as equitable as levels that existed in the 1998-99 school year, and the continuation of special programs, ~~such as Leadership 2000, which will~~ be identified, that foster development of minority leaders.

DMAC will review the report and information and identify the areas of concern and make recommendations to the Board it deems appropriate.

#### Extra-Curricular Activities

The Superintendent or designee(s) at least annually will report to DMAC on student participation in all extra-curricular activities by overall District participation and by school. Data shall be disaggregated by race and sex.

DMAC will review the report and information and determine if there are any areas of concern and make recommendations to the Board as it deems appropriate.

#### Transportation

The Superintendent or a designee(s) at least annually will report to DMAC on the provision of transportation services. The information contained in the report will include:

- Number of routes serving each school and whether the routes are arterial or not
- Average ride times for buses for all school levels
- Any provisions for activity buses.

DMAC will review the report and information and determine if there are any areas of concern relative to the equity of transportation services being provided to minority students and make recommendations to the Board as it deems appropriate.

#### Student Assignment

The Superintendent or a designee(s) at least annually will report to DMAC concerning the development and implementation of the student assignment plan of the District. The report shall describe the racial composition of each school and the state of compliance with the relevant order.

The report shall include, but not be limited to the following:

- A. Until a Choice Plan of Student Assignment has been adopted and implemented, such report, in addition to the racial makeup of each school, shall include identification of school assignment zones, the racial makeup of such school assignment zones, identification of any schools that need changes in school assignment zones to maintain compliance with the court order on student assignment, any changes proposed by the School District to student assignment zones, and data disaggregated by race on applications for Special Attendance Permits (SAPs) and on SAPs granted.

- B. Until a Choice Plan of Student Assignment has been adopted and implemented, such report, in addition to the information required in the subsection above shall include an assessment of the progress toward adoption and implementation of a choice plan, including all then-current information on such issues as number of choice zones, locations of choice zone boundaries, identification of preferences for choices (such as program, sibling, diversity, proximity), definition of each preference category, determination of the operation and relationship of preference categories, determination of cross zone/SAP rules, location of zone offices for preference selection/parent-student information, determination of grandfather clauses, identification of zone councils, their make up, duties, selection and bylaws, determination of ratios to be utilized during the "Controlled Choice" phase of the plan, majority-minority transfer policies, determination of types of school programs, including "Attractor Programs", criteria for determination of underchosen schools, determination of criteria for availability and allocation of resources to underchosen schools for improvement, determination of transportation allocation, and definition of phase-in process from "Controlled Choice" to "Clustered Choice".
- C. Once a Choice Plan of Student Assignment is adopted, but before implementation, such report shall include a detailed description of the choice plan that has been adopted and details of the implementation schedule of that Choice Plan and schedule of each detailed step of implementation of each and every aspect of that Choice Plan.
- D. Once a Choice Plan of Student Assignment has been adopted and implemented, such report shall include data disaggregated by race as to student population at each and every school; data disaggregated by race as to first choice attendance, second choice attendance, third choice attendance, and attendance other than the first three (3) choices; data disaggregated by race for each and every school as to selections of that school as first choice, selection of that school as second choice and selection of that school as third choice; data disaggregated by race by school and disaggregated by preference as to students assigned as a result of the various student assignment preferences; identification of "Attractor Programs"; effectiveness of "Attractor Programs"; for the preceding school years, identification of underchosen schools; giving the criteria by which such schools are identified as underchosen; identification of all plans for improvement of underchosen schools, giving information on resources available and the methods of determining the availability of those resources and for all schools identified as having a student population that does not conform to the ratios in effect for any Controlled Choice year or, for any years after the last year of Controlled Choice, the ratio determined by the methodology used during that last year of Controlled Choice, and description and details of all plans in effect for bringing such schools in conformance with said ratios. It is understood that, after Controlled Choice is no longer in effect and ratios will not be mandatory, diversity of student population at each and every school shall remain a valid and preeminent goal.

E. If the district assigns students to schools using school zones or some other means, an annual report will be presented to DMAC that includes the following information:

- Demographic data for each school in the district
- Application and invitation information on district application programs
- Any plans for rezoning of student populations
- Any plans to close or consolidate schools
- Any plans to eliminate, increase the size of or move an application programs from one school to another
- Any plans for: Assigning students leaving charter schools; for assigning students from a charter school that is scheduled to close; and the impact of any application o renewal of a charter school contract

DMAC will review the report and information and determine if there are any areas of concern and make recommendations to the Board as it deems appropriate.

F. For purposes of this rule, the relevant Court's Order is the Decree of Summary Judgment entered January 15, 1965 and implemented by the Final Order entered July 23, 1971, as amended by the Amended Judgment entered July 30, 1971; the Order of Amendment to Final Order and Amended Judgment entered May 18, 1977, including adoption by reference the Stipulation of October 27, 1976; the Order of Amendment entered November 26, 1980, including adoption by reference the Stipulation of November 19, 1980, and filed November 24, 1980; the Order entered June 3, 1982, adopting by reference the Joint Stipulation of April 28, 1982; the Order entered June 2, 1988, adopting by reference the Joint Stipulation of May 10, 1988; the Order of April 24, 1989, adopting by reference the Stipulation of April 20, 1989; the Order of February 18, 1993; the Order of November 29, 1996, adopting by reference the Joint Stipulation of November 8, 1996; the Order of May 26, 1998; and the order of January 12, 1999. In addition, DMAC will adhere to the requirements of any of the Memoranda of Understanding agreed upon by Plaintiffs and Defendants.

#### Charter Schools

~~DMAC shall also review applications for charter schools and amendments, if any, to applications for charter schools; and it may (in accordance with the provisions of Subsection C. ("Charter Schools") of the Student Assignment section of the December 17, 1999 "Stipulation for Unitary Status in the Areas of Extracurricular Activities, Faculty Assignment, Student Assignment, Relative Quality of Education, and Mandatory Injunction," as amended) provide comments to the Board concerning whether the potential impact of the proposed charter may materially or noticeably impair the Board's ability to carry out its obligations under this Amended Order or under the December 17, 1999 Stipulation, as amended.~~

~~In addition, DMAC shall review each proposed charter, each proposed amendment to a charter, and each proposed renewal of a charter prior to consideration by the Board for final approval and may, in accordance with the provisions of Subsection C. ("Charter Schools") of the Student Assignment section of the December 17, 1999 Stipulation, as amended, provide comments concerning whether the potential impact of the proposed charter, the proposed amendment to a charter or proposed renewal of a charter may materially or noticeably impair the Board's ability to carry out its obligations under this Amended Order or the December 17, 1999 Stipulation, as amended.~~

#### Reports, Recommendations, and Comments from DMAC

All reports, recommendations, and comments from the committee to the Board shall be in writing. Such reports, recommendations, and comments shall be forwarded to the Superintendent for review by the Superintendent and transmittal to the Board within two (2) weeks of receipt.

Any member of DMAC who disagrees with a written report, recommendation, or comment of DMAC shall be permitted to append a signed statement setting forth the basis for such disagreement.

Nothing shall prevent DMAC from presenting a consolidated report on two (2) or more areas identified above.

Nothing shall preclude oral presentations to the Board by DMAC.

### **Responsibilities of the Superintendent**

The Superintendent shall respond as promptly as practicable to all requests for information from DMAC and shall make appropriate staff available for appearance at DMAC meetings to discuss matters coming before the committee. It shall provide DMAC such clerical and other assistance as may reasonably be required for DMAC's timely discharge of its responsibilities.

The Superintendent shall review each report, recommendation, or comment forwarded by DMAC and shall make recommendations to the Board within thirty (30) days of receipt for action on the report, recommendation, or comment of DMAC.

The Superintendent shall provide DMAC with a copy of the Superintendent's recommendation for action by the Board and notify DMAC when the Board will consider and act upon the Superintendent's recommendations.

The Superintendent, or designee, shall keep the members of DMAC informed as to the status of any recommendation made by DMAC to the Board at every regular DMAC meeting.

Nothing shall prevent the Superintendent from presenting a consolidated report on two (2) or more areas identified above.

The superintendent, or designee, will ensure that a DMAC link is contained on the district website and that information on the link is current.

### **Responsibilities of the Board**

The Board shall review each report, recommendation or comment of DMAC and the subsequent recommendation of the Superintendent concerning same and take such action and provide such response as the Board deems appropriate.

### **DISTRICT MONITORING AND ADVISORY COMMITTEE BYLAWS**

The bylaws of the DMAC shall be as follows:

#### **ARTICLE I – Name of Organization**

The name of this organization shall be District Monitoring And Advisory Committee (DMAC) per order of the United States District Court for the Middle District of Florida and by rule of the Pinellas County School Board enacted pursuant to Order of the Court, hereinafter referred to as the Committee.

#### **ARTICLE II – Purpose, Function and Basic Policies**

##### **Section 1**

The purpose and functions of this committee as determined by order of the United States District Court for the Middle District of Florida and Board rule shall be:

- A. The committee shall comply with all orders of the United States District Court for the Middle District of Florida as entered in the case of Bradley v. Pinellas County School Board.

- B. The committee shall act as the eyes and ears of the community to ensure that the Board is accountable to the community for establishing and maintaining a unitary school system, that is one (1) free from the vestiges of the formerly dual school system in the areas of relative quality of education, student assignment, faculty assignment, administrative staff assignment, facilities and resource allocation, transportation and extracurricular activities. To do so, the committee will offer recommendations to the Board concerning issues of equity, diversity and the school district's achievement and maintenance of the unitary school system.
- C. To obtain information from whatever source in order to assess and advise the Board concerning the items in Paragraph B.
- D. The committee shall function as an advisory body to the Board with respect to matters set forth in all orders of the United States District Court in the case of *Bradley v. Pinellas County School Board* and as set forth in this policy.
- E. The committee shall submit written reports to the Superintendent making recommendations and comments on each of the seven (7) factors of a unitary school system, as well as on issues of equity and diversity.
  - 1. Any member of the committee who disagrees with a written report, recommendation, or comment of the committee shall be permitted to append a signed statement setting forth the basis for such disagreement. This written statement shall be submitted at the same time as the majority report.
  - 2. Nothing shall prevent the committee from presenting a consolidated report on two (2) or more areas of concern as identified in this policy.
  - 3. Nothing shall preclude oral presentation to the Board by members of the committee.

## Section 2

### Basic policies

- A. The committee shall be non-partisan, non-commercial and non-sectarian.
- B. The committee shall conduct its business under the principles of the Government in the Sunshine Law (F.S. 286.0111) and Florida Public Records Act (F.S. Chapter 119).
- C. The role of the committee must be performed with the utmost objectivity without regard to personality, position or power, with the educational welfare of all the children of Pinellas County as primary focus.
- D. The committee shall work collaboratively with the School District to ensure that systems are provided which ensure a quality with regard to student learning facilities, resources, student assignment, extracurricular activities, transportation, administrative staff and faculty. The committee shall assist the Board in an advisory capacity, as to the Board's responsibility for school improvement and accountability, pursuant to Florida statutes, State administrative regulations, Board policy and orders of United States District Court for the Middle District of Florida as entered in the case of *Bradley v. Pinellas County School Board*.

- E. The committee is not an appellate body, nor is it to take action on individual complaints as to the functioning of the school system. Rather, the committee is solely to function within the parameters as outlined in these bylaws, the rule and policies of the Board and all Orders of the United States District Court for the Middle District of Florida entered in the case of Bradley v. Pinellas County School Board.
- F. The name of the committee or names of any members of the committee in their official capacities as members of the committee shall not be used in any connection with any commercial concern.

## ARTICLE III – Representation and Membership

### Section 1

Representation and membership on the committee shall be as described by the Order of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board, which includes the rule adopted by the Board as policy establishing the committee. The terms of subsequent appointees will be from November 1st of the year the appointment is made to October 31st of the year their term expires.

### Section 2

The Board shall provide a member to attend each regular meeting of the committee to act as the Board liaison.

### Section 3

The Superintendent shall appoint a liaison to the committee who shall be responsible for providing clerical assistance and supplies necessary for the operation of the committee.

The District liaison shall attend all committee meetings and shall coordinate the appearance of other staff as deemed appropriate by the Superintendent or upon request of the committee as may be reasonable.

### Section 4

An appointing authority, pursuant to the Order of the United States District Court for the Middle District of Florida, establishing the rule of the Board as policy with regard to the committee, may appoint a new member if a vacancy occurs within the group of appointees appointed by that appointing authority prior to the completion of that appointee's term. Any such appointment that occurs prior to the expiration of such term shall be for the expiration of that term.

### Section 5

If an appointing authority ceases to exist, then the procedure for obtaining another appointing authority shall be as provided in the Order of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board, and which was enacted as rule and policy concerning the creation of the committee.

### Section 6

Any committee member who misses two (2) meetings during a school year shall be contacted by the chairperson regarding non-attendance. At the direction of the committee, the chairperson shall remove such member for non-attendance. Further, a member may be removed by majority vote of a quorum of the members present for non-adherence to the basic policies of the committee.

## ARTICLE IV – Officers and Their Elections

1  
2 Section 1  
3

4 Pursuant to Order of the United States District Court for the Middle District of Florida in the case of Bradley v  
5 Pinellas County School Board and the rule of the Board established by such Order as policy, the committee shall  
6 annually elect a chairperson, a vice-chairperson and secretary from among its membership.  
7

A. The officers shall represent one (1) of the three (3) groups of the following appointing authorities:

1. NAACP north and south
2. the Pinellas County Council of PTAs ~~and Pinellas SAC Association, Inc.~~
3. Pinellas Classroom Teachers Association, Pinellas ~~Administrators~~  
Association of School Administrators and the Board

Each year an officer shall be elected from each of the three (3) foregoing groups.

B. Nominations shall be taken from the floor for the office of chairperson, with a corresponding election of chairperson immediately to follow the nominations. Nominations will then be taken for the office of vice-chairperson with the corresponding election for that office. Finally, nominations will be taken for the position of secretary with the election for that office.

C. Officers shall be elected by ballot at the November meeting of each year. However, if there is only one (1) nomination, the election may be done by voice vote of members.

D. Officers shall assume their duties after the election at the November meeting of each year and serve a term of one (1) year or until a successor has been elected. Terms of office shall be from the November election to October 31st of the year following the election.

E. A person shall not be eligible to serve more than two (2) consecutive terms in the same office.

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9  
10 Section 2  
11

12 Vacancies in any position of officer shall be filled at the first meeting of the committee that is held after notification  
13 of the vacancy.  
14

A. A vacancy in the position of chairperson shall result in that position being filled by the vice-chairperson. A new vice-chairperson shall be elected using the same provisions as stated in Section 1 of this Article.

B. A vacancy in the position of vice-chairperson shall result in a new vice-chairperson being elected using the same provisions as stated in Section 1 of this Article.

C. A vacancy in the position of secretary shall result in a new secretary being elected using the same provisions as stated in Section 1 of this Article.

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16 **ARTICLE V – Duties of Officers**  
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18 Section 1  
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The chairperson shall preside at all meetings of the committee. The chairperson shall perform such duties as prescribed by these bylaws or as assigned to the chairperson by the committee. The chairperson shall seek clarification, if needed, from the attorneys for the plaintiff and defendant in the case of Bradley v. Pinellas County School Board provided such advice will not result in additional cost to the Board. The chairperson shall coordinate the work of the officers and any subcommittees that may be created, such that the purpose, function and basic policies of the committee may be promoted.

## Section 2

The vice-chairperson shall preside over committee meetings in the absence of the chairperson, and shall perform the duties of the chairperson in the absence or disability of the chairperson.

## Section 3

The secretary shall record minutes of each meeting of the committee and shall deliver such minutes to the District liaison for distribution to members within ten (10) working days after the meeting date. The secretary shall keep a roster of members of the committee with their original election date, term of office and the date and manner of termination of any such membership. The secretary shall further provide the log to members of the public to sign such that they may be recognized to speak before the committee.

## Section 4

All officers agree to abide by these bylaws, by all Orders of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board, the rule of the Board establishing this committee in policy and by parliamentary authority adopted by the committee.

## Section 5

All officers shall agree to deliver all official materials to their successor within ten (10) days after the end of their elected term of office.

# **ARTICLE VI – Meetings**

## Section 1

All meetings of the committee shall comply with all Orders entered in the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board, and specifically that Order establishing the Board rule as policy, enacting the creation of the committee.

- A. Committee meetings shall last approximately two (2) hours unless extended by agreement of the committee.
- B. Agendas and all materials and data necessary to support the agenda shall be mailed to members at least ten (10) days prior to the date of meeting.
- C. Regular meetings shall be set at the last committee meeting of each year. Additional regular meetings may be set by the committee. Special meetings may be called if necessary to complete the business of the committee when approved by the majority vote of the committee.

**D. At least 50% of the DMAC meetings will be held at locations other than the school administration building in Largo.**

## Section 2

The committee shall not take any action or carry on a meeting in the absence of a quorum. A quorum at any committee meeting shall consist of attendance by a simple majority of the membership, that is ~~eight (8)~~ seven (7)

1 | of the ~~fourteen (14)~~ twelve (12) members. The majority of the members present at that meeting, at which a  
2 quorum is present, is necessary for the adoption of any matter voted on by the committee.

3  
4 Section 3

5  
6 All meetings for the transaction of committee business shall occur in Pinellas County.

7  
8 Section 4

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10 All meetings of the committee shall be open to the public and shall be properly noticed to members of the public.

11  
12 Section 5

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14 Agenda planning for each committee meeting will begin at the end of each meeting. Items recorded in the  
15 minutes as unfinished will be placed on the agenda for the next meeting as old business. Those items of  
16 business recorded in the minutes generated by discussion at the previous meeting will appear as new business.  
17 Committee members wishing to place items on the agenda for future meetings may do so at the end of each  
18 meeting or by contacting the District liaison at least three (3) weeks prior to the next meeting. Each item of  
19 business should be assigned an approximate time limit and be identified on the agenda so that all committee  
20 members may aid the chairperson in honoring time limits.

21  
22 Section 6

23  
24 Written minutes are required for each meeting. Each meeting shall be audio recorded for the convenience of the  
25 committee.

26  
27 Section 7

28  
29 Minutes of each meeting and written reports, recommendations and any other records of the committee shall be  
30 open to public inspection. To facilitate public information, minutes and reports, as well as the upcoming agenda  
31 shall be published on the Board's website.

32  
33 Section 8

34  
35 The committee shall provide a reasonable opportunity at each regular meeting for members of the public to  
36 address the committee.

37  
38 The chairperson will announce at the beginning of the meeting the procedure for receiving public comments which  
39 are as follows:

- 40
- A. Members of the public shall be given three (3) minutes to address the committee during the open agenda and public comment portion of the agenda.
  - B. Members of the public wishing to speak shall identify themselves and the secretary shall record their names and a brief synopsis of their comments for the minutes.
  - C. The vice chairperson shall serve as timekeeper for the public comment portion of the committee meeting.

41  
42 Section 9

43  
44 Meetings shall be conducted according to the "meeting ground rules" which are agreed upon each year by the  
45 members of the committee.

Prior to the meeting the chairperson shall announce that the committee is not an appellate body, nor is it to take action on individual complaints as to the functioning of the school system, individual staff members or individual schools.

## **ARTICLE VII – Subcommittees**

### Section 1

Subcommittees may be appointed by the committee to develop recommendations pertaining to DMAC's charge as stated in the unitary agreement. Appointment of such groups shall be done so by a majority vote or by consensus of committee members.

## **ARTICLE VIII – Authority**

### Section 1

All Orders of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board will take precedence over any rule, policy or bylaw with regard to the committee.

### Section 2

The rule enacted as part of one (1) of the Orders of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board, which establishes such rule as the policy of the Board creating the committee, shall take precedence over any of these bylaws.

### Section 3

As to interpretation of bylaws and court orders, the committee may consult with the attorneys for the plaintiff and the defendant in the case of Bradley v. Pinellas County School Board provided such advice will not result in additional cost to the Board.

### Section 4

With regard to procedural matters, Roberts Rules of Order newly revised shall govern in all cases in which they are applicable and in which they are not in conflict with these bylaws, nor the rule of the Board nor the Order of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board.

## **ARTICLE IX – Amendments**

### Section 1

No amendment to these bylaws may conflict with any Order of the United States District Court for the Middle District of Florida as entered in the case of Bradley v. Pinellas County School Board, and with the rule adopted by the Board.

### Section 2

Any amendment to these bylaws based upon the rule of the Board established as policy may not, pursuant to Order of the United States District Court for the Middle District of Florida in the case of Bradley v. Pinellas County School Board, be changed in any way except as provided within such Order of the Court.

### Section 3

Any provision of these bylaws that is not based upon Order of the Court or rule of the Board may be amended.

- 1 A. Amendments to these bylaws shall be presented in writing to all members at least thirty (30)  
2 days prior to a vote.  
3  
4 B. Amendments to these bylaws may be adopted at a regular meeting of the committee or a  
5 special meeting of the committee as needed, by a majority vote of the quorum present.  
6  
7 C. The amendment shall become effective upon approval of the majority of the quorum present  
8 and subsequent approval of the Board.  
9

10  
11 Section 4  
12

13 The amendments made to these bylaws and to the rule established as policy by the Board, which became  
14 effective on March 15, 2011, were made on the recommendation of DMAC pursuant to the authority granted by  
15 Order of the United States District Court for the Middle District of Florida entered in the case of Bradley v. Pinellas  
16 County School Board on August 30, 1999. Such Order states that after ten (10) years have elapsed following  
17 entry of such Order, "the School Board may amend the Rule on DMAC as recommended by DMAC."  
18  
19  
20  
21

22 | Adopted 12/9/09; Revised 3/15/11, 1 / 13  
23  
24

25 Approved as to form and legality:  
26  
27

28   
29 \_\_\_\_\_

30 School Board Attorney