



# M-DCPS GOVERNMENTAL AFFAIRS REFERENCE HANDBOOK

2024

Office of Intergovernmental Affairs, Family, and Community Engagement  
305-995-2532

## GOVERNMENTAL AFFAIRS REFERENCE HANDBOOK

### Overview

The Office of Intergovernmental Affairs supports student achievement through advocacy efforts at the local, state, and federal levels of government. Miami-Dade County Public Schools has a vested interest in the legislative process at all levels. The Intergovernmental Affairs team works together with our partners to advance the School Board's legislative program and policy positions. At the state level, the team focuses on maximizing funding to education and advancing policy positions which support student achievement and protect the Board's Constitutional authority. At the federal level, the team works to advance the Board's federal legislative priorities through advocacy efforts aimed both at the Administration and Congress. A particular priority is full funding of the cost of implementing the Elementary and Secondary Education Act (ESEA), thus avoiding potentially damaging reductions in services to students. The Office also manages over 20 education compacts with various municipalities and Miami-Dade County. These partnerships are a vehicle for stronger community relations and serve to leverage resources for education needs in support of student achievement.

Office Phone Number: 305-995-2532

### **M-DCPS OFFICE OF INTERGOVERNMENTAL AFFAIRS**

[intergovaffairs@dadeschools.net](mailto:intergovaffairs@dadeschools.net)

*Tabitha G. Fazzino, Bureau Chief*

[tfazzino@dadeschools.net](mailto:tfazzino@dadeschools.net)



Tabitha G. Fazzino is the Chief Intergovernmental Affairs, Family, and Community Engagement Officer for Miami-Dade County Public Schools. She has over 30 years of experience in local, state, and federal government relations and has served M-DCPS since 1993 under seven superintendents. During her tenure, she has had a broad range of experiences including asset acquisition, grants development and management, Title I Administration, internal and external communications, compact negotiation, and district compliance and administration. She has also served as the Board's liaison to outside governmental entities and agencies. She was one of the authors of Miami-Dade's first Educational Facilities Element of the Miami-Dade County Comprehensive Land Use Plan and

Miami-Dade's School Impact Fee ordinance. She led the development of M-DCPS' groundbreaking Strategic Framework model designed to align the school system's resources and mission in support of improved student achievement. She holds graduate degrees in Public Administration and Urban and Regional Planning from Florida State University, as well as in Educational Leadership from Florida Atlantic University. She is a graduate of Leadership Miami and has participated in leadership training at the Harvard Graduate School of Education.

Ms. Fazzino is a recognized expert in intergovernmental relations and strategic planning. Her work in school planning has been recognized by the 1000 Friends of Florida, Florida State University, and others.

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*Aillette Rodriguez-Diaz*, Administrative Director  
[aadiaz@dadeschools.net](mailto:aadiaz@dadeschools.net)



Aillette A. Rodriguez-Diaz is the Administrative Director in the Office of Intergovernmental Affairs, Family and Community Engagement. As a career educator with nearly twenty years of demonstrated professional experience in educational leadership, Mrs. Rodriguez-Diaz has proven expertise in school leadership as a former school principal, assistant principal, and District Director in Family Engagement.

In her current role, Mrs. Rodriguez-Diaz serves as the lead advocate for district-wide initiatives with local governments and various community boards. She serves as the liaison between our municipal governments, the schools within their jurisdiction, and Miami-Dade County Public Schools. Mrs. Rodriguez-Diaz is directly involved with advocating for the school system's needs and interests during city council and Educational Advisory Board meetings, collaborating with city departments to address matters that directly impact the quality of instruction and well-being of students, identifying and pursuing opportunities for joint initiatives that promote community development. She also ensures effective communication between the municipalities and the school system, keeping both entities informed of important developments and updates.

She holds a graduate degree in Educational Leadership from Nova Southeastern University, a bachelor's degree in Elementary Education and ESOL, and is currently pursuing a Doctorate Degree in Educational Leadership and Policy Studies from Florida International University.

*Khristal Gooding*, Director of Community Development and Public Outreach  
[kgooding@dadeschools.net](mailto:kgooding@dadeschools.net)



Khristal Gooding is the Director of Community Development and Public Outreach for the Office of Intergovernmental Affairs. She has over 20 years of experience in the field of education, serving M-DCPS as an educator and school leader since 2003.

Khristal plays a pivotal role in fostering community engagement and development within the district, regional staff, and schools. Her multifaceted responsibilities encompass crafting and overseeing a robust network dedicated to support, orientation, training, and technical assistance, all aimed at enhancing community outreach and development. As a proactive member of various school district task forces, councils, and committees, she is instrumental in driving initiatives that promote community engagement. In collaboration with community-based and faith-based organizations, Khristal serves as a vital link between the district and the community, ensuring a cooperative and productive partnership. Her expertise extends to creating and disseminating a wide array of communications – from publications and materials to periodic status reports –

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all designed to keep the district, schools, regional staff, and local government entities in Miami-Dade County well-informed and aligned with the district's goals for community development and public outreach.

Through her dedicated efforts, Khristal ensures that the district's community development and outreach strategies are not only effective but also resonate with the diverse needs of the communities they serve.

Khristal was born and raised in Miami, Florida and is a graduate of Miami-Dade County Public Schools. She studied journalism, political science and history at Florida A&M University earning both her Bachelor of Science degree in Journalism/Political Science and graduate degree in Social Sciences from the university. She also holds a graduate degree in Educational Leadership from Grand Canyon University. Khristal brings a wealth of experience in the fields of education, marketing, program management and community advocacy.

*Douglas Clark*, Supervisor, Community Engagement

[dclark@dadeschools.net](mailto:dclark@dadeschools.net)



Douglas B. Clark is a graduate of Miami-Dade County Public Schools. After a lengthy career in the Department of Media Services (WLRN), Douglas joined the Office of Intergovernmental Affairs in September of 2019. Mr. Clark is responsible for supporting community stakeholder groups, including the Citizen's Coalition Committee and the Foundation for New Education Initiatives. Douglas is the Chief Intergovernmental Affairs Officer's designee to the Ethics Advisory Committee. He provides creative services to the department, including printed and digital materials, and manages the bureau's website. He brings a wealth of institutional knowledge and a problem-solving approach to our work. Mr. Clark has been married to his wife for more than 25 years, and they adopted their only daughter from China in 2012.

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*Mark Needle*, Policy Analyst  
[mneedle@dadeschools.net](mailto:mneedle@dadeschools.net)



Mark Needle holds degrees from Duke University and the NYU School of Law and has maintained a 30-year relationship with Miami-Dade County Public Schools in a variety of part-time roles. As Senior Policy Analyst, he produces policy and research briefs, legislative and regulatory positions, and analyses on federal and state issues from pre-K through adult education. He also has a long track record of developing program innovations for workforce education at the school and district levels, several recognized by awards, and of service on inter-agency task forces and statewide education groups. He has conducted strategic planning across agencies and workforce systems, developed a multi-city research-practitioner partnership, and created cross-system service models for homeless education, one-stop workforce services, and adult language learner internships. In doing this work, he has organized a number of grants up to \$5,000,000 through state, regional, and federal agencies.

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### **STATE GOVERNMENTAL AFFAIRS TEAM (CONTRACTED)**

Miami-Dade County Public Schools also engages governmental consulting firms that aid in advancing the School Board's Legislative Priorities both at the state and federal levels of government. The work of these firms is managed by the M-DCPS Office of Intergovernmental Affairs, Family, and Community Engagement. The contracted state governmental affairs team is comprised of professionals with decades of experience in Florida's Capitol. A listing of these firms, the individuals assigned to the MDCPS account, and relevant contact information is provided below.

#### **Becker & Poliackoff**

[www.beckerlawyers.com](http://www.beckerlawyers.com)

South Florida Office: 954-985-4176

*Yolanda Jackson*

[yjackson@beckerlawyers.com](mailto:yjackson@beckerlawyers.com)



Yolanda Cash Jackson is an experienced Government Law attorney who has established a strong reputation in the community for her leadership and commitment to civic, charitable, and professional organizations. She concentrates her practice in the area of Government Relations and has developed a proficiency in state government funding and appropriations. Ms. Jackson has excellent working relationships with several of the state's leading elected officials and policymakers.

*LaToya Sheals*

[lsheals@beckerlawyers.com](mailto:lsheals@beckerlawyers.com)



LaToya Sheals is a Government Relations Consultant in Becker's Government and Lobbying Practice. Ms. Sheals has extensive experience investigating and analyzing legislation and developing public policy on various issues such as Healthcare, Education, Transportation, Economic Development.

Ms. Sheals was a legislative Aide to Florida Senator Victor Torres, representing the 15<sup>th</sup> district, and served as Chief of Staff for former State Senator Daphne Campbell, representing the 38<sup>th</sup> district of Miami-Dade County. In both positions, Ms. Sheals was responsible for assisting and assembling information to draft legislation, press releases, speeches, special reports, and legislative updates. She advised both members on policy-related decisions, attended meetings, performed presentations, and maintained the annual budget for offices, outreach, and legislative services operations.



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### **Ronald L. Book, P.A.**

[www.rlbookpa.com](http://www.rlbookpa.com)

Miami Office: 305-935-1866

Tallahassee Office: 850-224-3427

*Ronald L. Book*

[ron@rlbookpa.com](mailto:ron@rlbookpa.com)



Ron Book is President and Chief Executive Officer of Ronald L. Book, P.A. Since founding the firm in 1987, Ron has developed a client list that is a “who’s who” of business and industry, local governments, health care, and not-for-profit associations. His reputation as a hard worker dedicated to his client’s causes has earned him a place in the upper echelon of Tallahassee power. Associates, clients, and lawmakers describe Ron Book and his firm as committed, tenacious, knowledgeable, and credible.

It is challenging to narrow Mr. Book’s areas of expertise to a simple few. From sports and economic development to affordable housing to environmental remediation to social services, transportation, growth management, health care, seaports, and aviation — if it is an issue that you have read about, Mr. Book has been at the center of the debate, influencing the decisions of policymakers for the past four decades. For over 30 years, his firm has led the government affairs industry in Florida, specializing in the appropriations process, responsible for literally billions in grants, programs, and earmarks to various projects and causes.

*Kelly Mallette*

[kelly@rlbookpa.com](mailto:kelly@rlbookpa.com)



Kelly Mallette serves as Senior Director of Government Affairs for Ronald L. Book, P.A.; In this role, she helps oversee the firm’s Capitol lobbying practice, including the overall development of strategy, approach, and execution for the firm’s extensive portfolio of clients.

Kelly’s long experience in politics began decades ago when, at the age of 19, she worked as an intern for one of Florida’s most recognized lobbyists. Since then, she has grown into a powerful force in the Florida Capitol, providing lobbying services to a broad range of firm clients, including high-level business interests, hospitals, health care providers, professional associations, and many others. Her experience as Senate aide to a former Appropriations subcommittee chair provided her with unique insight into Florida’s budget process.

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### **Florida School Services**

Main Office: 305-513-9995

*Thomas A. Cerra*

[tomcerra@gmail.com](mailto:tomcerra@gmail.com)



Thomas A. Cerra is a career educator with nearly 60 years of experience who served as Deputy Superintendent for Miami-Dade County Public Schools (M-DCPS) in Miami, FL. His career spans an experience ladder that includes teaching, school-site administration, serving as chief lobbyist, chief negotiator, and labor relations for the school district. His experience also includes city, county, state, and federal government relations, as well as strategic planning and policy development. For the last 26 years, he has been president of Florida School Services, Inc., an educational consulting firm.

Mr. Cerra is recognized nationally as an expert on education policy, labor negotiations, and education finance. Among his clients are school districts, benefits providers, school design and construction, publishing, and technology companies as well as an educational foundation. He has served as a legislative lobbyist for M-DCPS for the past 45 years. He also served as executive director for the Independent Benefits Council (FSBA – school board members; FADSS – school superintendents; FEA – teachers’ union; and FASA – school administrators) and now for the Greater Florida Consortium of School Boards (eleven school districts representing 40 percent of the students in Florida). He has served as President of the Florida Association of School Administrators (FASA) and the Florida Educational Negotiators (FEN). He is a founding member of the Florida Educational Legislative Liaisons (FELL).

As an educational lobbyist, he played a significant role in the drafting and passage of the following legislation:

- Safe Schools Act and Funding;
- Certificates of Participation (COPS);
- Pre School Act and Funding;
- Minority Set-Asides and Small and Minority Business Participation;
- Local Discretionary Authority for Capital Purposes (1.5 mills);
- Cuban and Haitian Federal Funding;
- Bilingual Education Funding;
- School Crossing Guards and School Safety Zones;
- SREF Flexibility;
- Summer School Funding; and
- Impact Fees



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### **Sun City Strategies**

[www.suncitystrategies.com](http://www.suncitystrategies.com)

Miami Office: 786-708-2485

*Eduardo “Eddy” Gonzalez*

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Eduardo “Eddy” Gonzalez is the President of Sun City Strategies, LLC. Eddy began his career of service as the President of the Kiwanis Club of Flamingo Hialeah. He then served on the City of Hialeah’s Water and Sewer board. In 1998, he was appointed as Councilmember to the City of Hialeah and was reelected until 2006. In 2003, former Governor Jeb Bush appointed him to serve a 2-year term on the State Legislative Committee on Inter-governmental relations. Eddy then joined the Executive Board of the Miami Dade County League of Cities, serving as President. He also served as an Executive Committee Member of the Florida League of Cities during that time. In 2006 he was elected as a State Representative to the Florida House of Representatives and re-elected subsequently until 2014. He served on many House Committees throughout his tenure, including Appropriations, Higher Ed, K-12, Health Innovation, and Health & Human Services Committees. He was also the Chairman of the Local and Federal Affairs Committee. In 2012-2013, Eddy was elected by his colleagues to be Chairman of the Miami Dade Legislative Delegation.

*William “Will” McCrea*

[will@suncitystrategies.com](mailto:will@suncitystrategies.com)



William “Will” McRea is an associate at Sun City Strategies. He is a Miami native with several years of experience in Florida’s political and public policy arenas. He began working in the public sector as the Deputy City Clerk for the City of Hialeah Gardens in 2011. He later served as a legislative assistant to Florida State House Representative Eddy Gonzalez and, after that, Florida State Senator Anitere Flores. William left the Legislature to attend law school. While in law school, William was the President of the Student Bar Association and served as the Managing Editor of the Journal of Complex Litigation. He is a Florida Bar licensed attorney.

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### **FEDERAL GOVERNMENTAL AFFAIRS TEAM (CONTRACTED)**

The School Board's Federal governmental affairs consulting firm is Ballard Partners. The firm has served in this role since 2017 and in this capacity focuses on advocacy with Congressional Offices, various agencies, and the Executive Branch. The Office of Intergovernmental Affairs oversees and directs the work of the firm.

#### **Ballard Partners**

[www.ballardpartners.com](http://www.ballardpartners.com)

Miami Office: 305-456-8479

Washington, D.C. Office: 202-800-5620

#### *Brian Ballard*

[ballard@ballardpartners.com](mailto:ballard@ballardpartners.com)



Brian has earned a reputation as a tireless, persistent and effective advocate for his clients' interests. He has been recognized in The Hill: Top Lobbyists / Hired Guns 2021, 2020, Florida Trend's 2021, 2020 Most Influential Business Leaders, named a member of Vanity Fair's "New Establishment for 2019", and listed among the 18 to watch in 2018 by Politico Playbook Power List. His accomplishments have spanned over 25 years and includes legislative successes on hundreds of policy and funding initiatives in Florida and Washington, DC.

Brian has taken his passion for politics and policy to the national scene, opening up Ballard Partners' Washington, DC office in February 2017. He is spearheading the firm's successful efforts with a first-class bi-partisan government relations team that represents clients across the federal landscape and impacting a myriad of domestic and foreign affairs issues.

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*Sylvester Lukis*

[syl@ballardpartners.com](mailto:syl@ballardpartners.com)



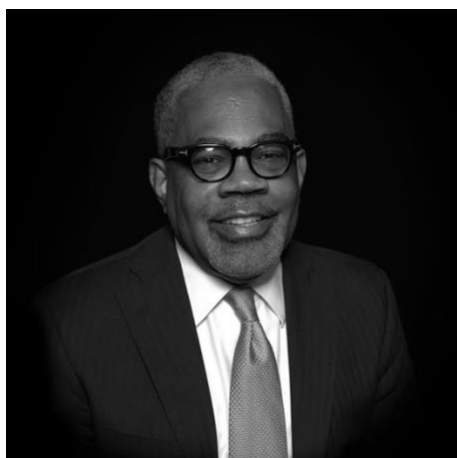
Syl Lukis has a distinguished career in Florida and national politics spanning four decades. As one of the firm's key strategic advisors, Syl's political and policy experience has been critical to the success of the firm's growth in Florida and expansion to the national level.

As Senior Partner in Ballard Partners' Washington, DC office, Syl works closely with the firm's Chairman and CEO, Brian Ballard, and members of the Washington, DC team regarding a variety of significant federal issues on behalf of both domestic and foreign clients. Most important among them are matters involving trade, tariffs, anti-dumping and countervailing duty issues before U.S. White House trade

and National Economic Council officials as well as those in the United States Trade Representative's Office and the United States Department of Commerce. Syl also works closely with the Ballard DC team on behalf of several foreign entities and countries regarding strategically important geopolitical matters before the United States Department of State and the National Security Council. Additionally, Syl represents clients before the U.S. Congress and the Executive Branch including the United States Treasury Department and the Departments of Interior, Health and Human Services and Homeland Security.

*Tola Thompson*

[tola@ballardpartners.com](mailto:tola@ballardpartners.com)



Tola is a seasoned governmental relations professional with over 18 years of experience at the state and federal levels. A 14-year veteran of Capitol Hill, Tola most recently served as Chief of Staff to U.S. Rep. Al Lawson, a member of the House Financial Services Committee.

Over the years, Tola has developed relationships with key members of Leadership and members of the Congressional Black Caucus and the New Democrat Coalition. In addition to his service with Rep. Lawson, Thompson also worked for ten years with former US Rep. Carrie Meek, a senior member of the House Appropriations Committee, where he managed a broad legislative portfolio that included

telecommunications, education, labor, health, and agricultural appropriations.

## GOVERNMENTAL AFFAIRS REFERENCE HANDBOOK

*Jose Felix Diaz*

[diaz@ballardpartners.com](mailto:diaz@ballardpartners.com)



As an attorney, advisor, and four-term elected official, Jose Felix has consistently been recognized as one of the rising stars in government affairs over the past decade. In 2010, Jose was elected to the Florida House of Representatives, where he served for seven years. Jose ascended quickly to the leadership ranks of the legislature, where he chaired the Energy & Utilities, Regulatory Affairs, and Commerce committees. Known for his fundraising prowess and sharp political instincts, Jose was recruited to serve on the Republican State Leadership Committee's Future Majority Project Board, to help recruit and retain minority candidates throughout the United States.

A Columbia Law School graduate, Jose has significant international, federal, state, and local government affairs experience and legal acumen. Early in his law career, Jose gained a reputation for being a tenacious advocate for clients in contract procurement, public private partnerships, complex legal, and land use and zoning matters.

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### **SCHOOL BOARD POLICIES RELATED TO LOBBYING AND LOBBYING**

#### **0118, Purpose of the Board**

##### **0118 - PURPOSE OF THE BOARD**

A School Board is a legal entity for providing a system of public education within each county of the State of Florida. The system was created and is governed by the Florida Constitution and State statutes. Members of a Board are State officers chosen by citizens to represent them and the State in the legislative management of the local schools.

The Board is responsible for implementing statutory requirements pertaining to public education and for meeting the desires of the citizens. While the Board has an obligation to determine and assess citizen desires, when the citizens elect delegates to represent them in the conduct of specified educational programs they grant their representatives the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out their responsibilities. The Board shall hold the Superintendent responsible for administration of Board policies and for the effective administration and supervision of the District.

The Board declares and reaffirms its intent to:

- A. maintain communications with citizens of the District. The Board shall keep them informed of the progress and problems of the District, and the citizens shall be encouraged to bring their thoughts and concerns about the educational system to the attention of this body;
- B. establish policies and make decisions on the basis of declared educational philosophy and goals; and
- C. act as a representative body for citizens in all matters related to educational programs and operations. The Board has been assigned specific authority through the Florida Constitution and laws, and the Board shall not relinquish or fail to exercise that authority.

Effective 7/1/11

#### **1129, Conflict of Interest**

##### **1129 - CONFLICT OF INTEREST**

Employees are governed by the Florida Constitution, statutory provisions contained in the Code of Ethics for Public Officers and Employees, Part III of F.S. Chapter 112, certain other statutes in the Education Code, and the Florida Commission on Ethics. The following sections of this policy provide the principles, in simplified form, in the Constitutional and statutory mandates. They cannot be used as definitive rules to apply to different sets of circumstances or factual situations. In any given situation, the full statutory language must be consulted for applicable definitions, and for any exemptions.

- A. Employees are required to comply with all provisions of the Code of Ethics, including those provisions outlined below. This requirement discourages the appearance of impropriety and the perception of undue influence upon the business functions of the District.
- B. This policy applies specifically to conflicts of interest. Employees are reminded that other School Board policies exist that may also address an employee's particular issue or question. It is an employee's responsibility to refer to and observe all Board policies that may be applicable to his/her individual situation.

##### **Provisions**

- A. Gifts
  - 0. Employees are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service that is based on an understanding that their official action or judgment would be influenced by such gift. (F.S. 112.313(2))

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1. No employee or his/her spouse or minor child shall accept any compensation, payment, or thing of value when s/he knows, or with the exercise of reasonable care should know, that it was given to influence an action in which the employee was expected to participate in his/her official capacity. (F.S. 112.313(4))

### B. Misuse of Public Position

No employee shall corruptly use or attempt to use his/her official position or perform his/her official duties to secure a special privilege, benefit, or exemption for himself/herself or others. (F.S. 112.313(6))

### C. Disproportionate Benefit

Employees are prohibited from abusing their position in order to obtain a "disproportionate benefit" for themselves, their spouse, children, employer, or entities with which they have certain business interests. A disproportionate benefit means a benefit, privilege, exemption or result arising from an act or omission by a public employee that is inconsistent with the proper performance of their public duties.

### D. Doing Business with the School Board

0. No employee acting in his/her official capacity shall directly or indirectly purchase, rent, or lease any goods or services for the District from any business entity of which the employee, spouse, or child is an officer, partner, director or proprietor, or in which the employee, spouse, or child, or any combination of them, has a material interest. (F.S. 112.313(3))

1. Some case-specific exceptions to this provision may apply. Employees should review F.S. 112.313(12), for exemptions that may be applicable to their particular situations.

2. Guidelines for Avoidance of Conflict of Interest

To avoid conflicts of interests or the appearance of conflicts as it relates to personal purchases or private contracting, employees who are required to file an annual statement of financial interests (financial disclosure form) or who have the authority to make purchases on behalf of the District shall adhere to the following guidelines. These guidelines do not apply to purchases made in a private capacity of goods or services at a price and upon terms available to similarly situated members of the general public.

- a. When entering into a transaction or contractual relationship as described above, employees subject to these guidelines will make the following inquiries to the entity with whom they are contracting:

0. Does the business entity have a contractual relationship with the Board for more than \$500?

1. Is the contracting individual a principal or employee of an entity with a contractual relationship with the Board for more than \$500?

- b. If an affirmative answer is given to either inquiry above, the employee will request from the Board Attorney guidance on whether contracting with the individual or entity would constitute a conflict of interest pursuant to Code of Ethics for Public Officers and Employees, or other statute or Board policy. The Board Attorney will issue a written opinion or will refer the employee to the Florida Commission on Ethics.

3. Clarification and opinions regarding the application of the Code of Ethics for Public Officers and Employees can be obtained at any time from the Florida Commission on Ethics.

- E. No employee shall disclose or use information not available to members of the general public and gained by reason of his/her official position for his/her personal gain or benefit or for the personal gain or benefit of any other person or business entity. (F.S. 112.313(8))

- F. Employees may not participate in the selection, award, or administration of a contract if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, any member of their immediate family, their partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit



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from a firm considered for a contract. The phrase "about to employ", as used herein, shall mean that, at the time of the selection, award, or administration of the contract, the employee is aware of an offer, promise, contract, or commitment of employment.

- G. Employees who have procurement authority for District goods or services are prohibited from soliciting or accepting donations on behalf of a District Support Organization (DSO) from any contractor, lobbyist, consultant, or bidder that has a pending bid solicitation, proposal, or contract award for District goods or services.

H. Employment After Termination

Employees are prohibited from personally representing another person or entity or acting as an agent or attorney for compensation in connection with any matter in which the District is interested for two (2) years after the employees' service terminates. (F.S. 112.313(9))

0. This restriction applies to all school senior level employees classified as Managerial Exempt Personnel, Pay Grade 22 and above, Dade County School Administrators Association, Pay Grade 47 and above, and other equivalent positions.
1. Exception to this provision is provided by statute for the purpose of collective bargaining, and may be granted to former District employees who are employees or agents of not-for-profit organizations, other governmental agencies or those whose business relationship is determined by the Board to be in the best interest of the District.
2. The District is prohibited from entering into any business relations or continue an existing business relationship with any person or entity determined to have engaged in a violation of the restriction contained in this provision.
3. In addition to penalties outlined in Penalties below, penalties for violation of this provision include a civil penalty equal to the compensation that the employee received for the prohibited conduct.

### Self-Reporting Requirement

All employees, upon initial hire and annually thereafter, shall certify that they will comply with this Board policy, and that they will self-report any relationship that may implicate a potential conflict of interest or other violations of this policy. The certification shall be submitted according to a process determined by the Office of Human Capital Management.

### Penalties

Penalties for violation of this rule and/or violations of the Code of Ethics include dismissal from employment, suspension from employment for not more than ninety (90) days without pay, demotion, reduction in salary level, forfeiture of no more than one-third salary per month for no more than twelve (12) months, civil penalty not to exceed \$10,000, restitution of any pecuniary benefits received because of the violation committed, and/or public censure and reprimand. (F.S. 112.317)

Effective 7/1/11  
Revised 10/21/20  
Revised 1/13/21

### 1210.01 Code of Ethics

#### 1210.01 - CODE OF ETHICS

All members of the School Board, administrators, teachers, and all other employees of the District, regardless of their position, because of their dual roles as public servants and educators are to be bound by the following Code of Ethics. Adherence to the Code of Ethics will create an environment of honesty and integrity and will aid in achieving the common mission of providing a safe and high-quality education to all District students.

As stated in the Code of Ethics of the Education Profession in Florida (State Board of Education Rule F.A.C. 6A-10.081):

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- A. The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all;
- B. The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity;
- C. Aware of the importance of maintaining the respect and confidence of one's colleagues, students, parents, and other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

Further, nonacademic and elected officials are bound to accept these principles since these groups reflect critical policy direction and support services for the essential academic purpose.

### Application

This Code of Ethics applies to all members of the Board, administrators, teachers, and all other employees regardless of full or part time status. It also applies to all persons who receive any direct economic benefit such as membership in Board funded insurance programs.

Employees are subject to various other laws, rules, and regulations including but not limited to The Code of Ethics for the Education Profession in Florida and the Principles of Professional Conduct of the Education Profession in Florida, F.S. Chapter 6A-10.081, the Code of Ethics for Public Officers and Employees, found in F.S. Chapter 112, Part III, and Policy 1129 which are incorporated by reference and this Code of Ethics should be viewed as additive to these laws, rules and regulations. To the extent not in conflict with any laws, Board rules, or governmental regulations, this Code of Ethics shall control with regard to conduct. In the event of any conflict, the law, regulation, or policy shall control.

### Fundamental Principles

The fundamental principles upon which this Code of Ethics is predicated are as follows:

- A. Citizenship – Helping to create a society based upon democratic values (e.g., rule of law, equality of opportunity, due process, reasoned argument, representative government, checks and balances, rights and responsibilities, and democratic decision-making);
- B. Cooperation – Working together toward goals as basic as human survival in an increasingly interdependent world;
- C. Fairness – Treating people impartially, not playing favorites, being open-minded, and maintaining an objective attitude toward those whose actions and ideas are different from our own;
- D. Honesty – Dealing truthfully with people, being sincere, not deceiving them nor stealing from them, not cheating nor lying;
- E. Integrity – Standing up for their beliefs about what is right and what is wrong and resisting social pressure to do wrong;
- F. Kindness – Being sympathetic, helpful, compassionate, benevolent, agreeable, and gentle toward people and other living things;
- G. Pursuit of Excellence – Doing the best with the talents present, striving toward a goal, and not giving up;
- H. Respect – Showing regard for the worth and dignity of someone or something, being courteous and polite, and judging all people on their merits. It takes three (3) major forms: respect for oneself, respect for other people, and respect for all forms of life and the environment;
- I. Responsibility – Thinking before acting and being accountable for their actions, paying attention to others and responding to their needs. Responsibility emphasizes the positive obligations to care for each other.

Each employee agrees and pledges:

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- A. To abide by this Code of Ethics, making the well-being of the students and the honest performance of professional duties core guiding principles;
- B. To obey local, State, and national laws, codes, and regulations;
- C. To support the principles of due process to protect the civil and human rights of all individuals;
- D. To treat all persons with respect and to strive to be fair in all matters;
- E. To take responsibility and be accountable for his/her actions;
- F. To avoid conflicts of interest or any appearance of impropriety;
- G. To cooperate with others to protect and advance the District and its students; and
- H. To be efficient and effective in the performance of job duties.

### Conflicts of Interest

Employees shall employ independent objective judgment in performing their duties, deciding all matters on the merits, free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. No employee shall engage in conduct which creates a conflict of interest. A conflict of interest shall be defined as a situation in which regard for a private interest tends to lead to disregard of a public duty or interest. A conflict of interest shall exist upon use by an employee of the authority of his/her office or the use of any confidential information received through his/her employment for the private pecuniary benefit of the employee, or the employee's immediate family or a business with which the employee or a member of the employee's immediate family has employment or ownership worth \$5,000 or more, either directly or indirectly, without disclosure to the appropriate School District official.

- A. Financial Interest. Except as authorized in any collective bargaining agreement, an employee shall not engage, or have any interest, financial or otherwise, direct or indirect, in any business, transaction or professional entity, either as a director, officer, partner, trustee, employee, or manager in that entity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the employee or the District. Any provision of this code which requires disclosure to School District officials will be satisfied by the filing of a financial disclosure statement in the form required of members of the Board.
- B. Contracting Decisions. An employee shall not recommend, vote, or otherwise participate in the decision to make any contract between the School District and any business or entity in which the employee has a personal or financial conflict of interest. This includes contractual relationships with units of government as well as for profit and not for profit organizations such as charter schools.
- C. Financial Conflict. An employee who has a financial conflict of interest because of a relationship with a business, governmental agency or not for profit institution must recuse him/herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract. The reason for such recusal must be stated in writing and filed with the Superintendent and the Board Attorney prior to or at the time of the action requiring the recusal.
- D. Honoraria. An employee will not solicit or accept an honorarium, which is related to the employee's job duties. "Honorarium" shall be defined consistent with F.S. 112.3149, as a payment of money or anything of value paid to the employee or on his/her behalf as consideration for an oral presentation or writing other than a book.
- E. Personal Advertisements. An employee shall not advertise business or professional activities on school property or use schoolwork hours, property or services to perform or promote personal, not for profit, or commercial enterprises or to campaign or raise money for any candidates for political office.
- F. Employee Publications. An employee shall not participate in the review and approval of publications or materials for School District purchase by the office in which the employee is employed if the employee or a member of the employee's immediate family is the author/editor of or has any financial interest in the sale of such publications or materials.

## GOVERNMENTAL AFFAIRS REFERENCE HANDBOOK

- G. Referrals. In no situation, shall an employee refer a parent or student to a service, service provider, or product in return for anything of value. Officers or employees making referrals as part of their official duties shall make referrals to more than one provider of the service or product, if available. For example, school counselors shall refer parents or students to more than one counselor or provider of medical services, if available. Additionally, an employee shall not refer a parent or student to any service, service provider, or product in which that employee has a financial interest, without first disclosing that interest to the parent or student.
- H. Outside Income. Employees shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible or in conflict with the employee's official duties.
- I. General Limitation on Solicitation. An employee shall not solicit, directly or indirectly any payments or other benefits under circumstances that would create in the mind of a reasonable person in the community the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions. This provision does not apply to lawful campaign contributions.
- J. Gifts and Gratuities. The acceptance of gifts, payments or other benefits from those with whom the District does business, regardless of profit or not for profit status, can be improper. A gift is defined as anything of value that an employee receives, or that is paid or given to another on an employee's behalf without any payment or consideration received in return. Examples of gifts are tickets to sporting or cultural events, items of food, meals which cannot be immediately consumed such as a holiday party, use of facilities, forgiveness of debts, interests in real property, investments, or merchandise, or a rebate or discount (unless the rebate or discount is normally given to any member of the public). Employees who are in the position to make or influence a decision to spend school funds shall not solicit or accept any personal gifts, favors, or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the employee's decision. This provision does not apply to: (a) meals provided at an event at which the employee participates in a seminar or similar activity; (b) travel expenses and meals paid by a local, State, Federal, or foreign government agency; or (c) lawful campaign contributions.

### 6460, Business Code of Ethics

#### 6460 - BUSINESS CODE OF ETHICS

This Business Code of Ethics (Code) shall govern the conduct of all bidders seeking business and all contractors, lobbyists, and consultants that have either a pending bid or contract or are currently under contract with the School Board. These standards of conduct supersede all prior written ethics policies adopted by the Board which may be in conflict with these standards and are to be read in conjunction with the latest applicable Board contracting and procurement policies and procedures. All contractors shall ensure that their subcontractors comply with this Code. The Board will accept bids and proposals for contracts and procurement of goods or services only from firms or entities which agree to comply with this Code and all applicable Board contracting and procurement policies and procedures.

#### **Definitions**

- A. Consultant - an individual providing information and advice in an area of expertise, pursuant to a contract with the Board. This may include, but is not limited to, real estate brokers, developers, and experts in their field.
- B. Contractor - an individual, company, joint venture, vendor, or other corporate entity who has entered into a contract to provide goods or services to the Board in accordance with an invitation to bid, a request for proposal, or otherwise by the approval of the Board.
- C. Lobbyist - any individual, firm, or corporation compensated by or who contracts for economic consideration from any principal person or organization for the purpose of lobbying. See Policy 8150 for a more complete definition.
- D. Bidder - any entity making a formal offer, bid or proposal to become a contractor of the Board.

#### **Intent and Purpose**

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- A. to protect the integrity of the school district's procurement process;
- B. to provide a uniform statement of expected conduct for consultants and contractors doing business with the Board in an effort to ensure a fair and ethical environment throughout the procurement process.

### **Code is not Exhaustive/Non-Exclusive**

This policy does not address all ethical issues that may arise through the School District's procurement process. Nonetheless, each person or entity is expected to act in an ethical manner at all times while engaging in business with the Board.

### **Enforcement of Code of Conduct**

Violations of any provisions of this Code may be investigated by the Board's Inspector General or by any other appropriate enforcement authority. The Board may reject any bid or proposal, or impose other sanctions against any person, contractor, or entity, that has not complied with the requirements of this Code according to State laws or Board policies.

### **Prohibited Conduct**

No bidder, proposer, contractor, or subcontractor shall fraudulently deceive or attempt to deceive any School District official with regard to any material fact pertinent to any pending or proposed Board contract. Nor shall an individual, company, or other entity engage in conduct with the purpose or intent of placing any School District employee, official, or agent under personal obligation to the bidder, proposer, contractor or subcontractor by engaging in, but not limited to, the following acts or conduct: providing gifts or monetary compensation to a Board employee or promising gifts, or other compensation in return for a contract, or any other conduct that would place the employee in violation of the prohibitions contained in F.S. 112.313.

### **Avoidance of the Appearance of Impropriety**

All contractors shall refrain from conduct which they know or reasonably should know is likely to create in the minds of reasonable, objective, fair-minded observers an appearance of impropriety.

### **Donations to School Board Direct-Support Organizations (DSO)**

All bidders seeking business, and all contractors, lobbyists, and consultants that have a pending contract with the Board, are prohibited from making donations to any School Board DSO when they have a pending bid solicitation, proposal, or contract award for District goods or services, or when they are representing an entity that has a pending bid solicitation, proposal, or contract award for District goods or services.

### **Lobbyist Registration**

All consultants and contractors must ensure that any lobbyist working on their behalf comply with Policy 8150.

### **Gifts and Offers of Employment to School Personnel**

No consultant, bidder, proposer, or contractor shall offer, give, or promise to offer or give directly or indirectly, any money, gift or gratuity to any Board employee whose duties involve authorizing and/or procuring contracts for goods and services for the school district. Policy 1210.01, Policy 3210.01, and Policy 4210.01 regarding gifts to school personnel are incorporated by reference in this policy.

Similarly, no person or entity covered by this Code, including, but not limited to, consultant, bidder, proposer, or contractor shall offer, or promise to offer, either directly or indirectly, any future employment or business opportunity to any Board employee or consultant, their immediate family, spouse, significant other, or business associates of such persons, if such offer of employment is conditioned expressly or implicitly on the awarding of a present or future contract, or preference in the awarding of a contract to anyone at any time by the Board.

### **Disclosure of Employment of Former Board Employees**

To prevent current or former Board employees from using their relationship with the Board from improperly influencing procurement decision-making, all bidders, proposers, consultants, and contractors are required to disclose the names of any of their employees who serve as agents or principals for the bidder, proposer or contractor, and who within the last two (2) years, have been or are employees of the Board. Such disclosures

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shall comply with current Board rules, but will include, at a minimum, the name of the former Board employee, a list of the positions the employee held in the last two years of his/her employment with the Board, and the dates the employee held those positions.

In addition, the Board will not contract with any bidder, proposer, consultant, or contractor that compensates any former Board employee or consultant to influence any action on a matter pending with the Board if that employee, within the last twelve (12) months, held a Board position in which they personally and substantially participated in the matter.

The Board will not contract with any bidder, proposer, contractor or sub-contractor that employs a former Board employee or consultant who, while serving in a Board position within the last two (2) years, substantially participated in the development of the invitation to bid or request for proposal's requirements or specifications, or who took part in contracting process for the specific goods or services being solicited by the Board. The Superintendent may waive this prohibition in writing for good cause with notification to the Board prior to awarding the contract. Good cause may be shown in circumstances where awarding the contract to another party will not be in the best interest of the Board.

### **Preclusion from Contracting for Individuals or Firms Involved in the Development of the Bid, Proposal, or Contract Specifications**

No contractor or consultant who participates in the development of the scope of work, solicitation documents, contractual instruments, or of the technical specifications on behalf of the School District may participate as a proposer or sub-proposer or perform any work associated with that particular procurement. The Superintendent may waive this prohibition for good cause in writing prior to the award of the contract.

### **Conflicts of Interest**

All individuals, firms, contractors, and consultants, must take steps to avoid conflicts of interest, for example, but not limited to, those conflicts delineated in Policy 0141.2, Policy 1129, Policy 3129, and Policy 4129. The Superintendent, in consultation with legal counsel, shall determine whether a conflict of interest exists and recommend appropriate action that will resolve the conflict. If it is determined that an actual or apparent conflict of interest exists, the Superintendent shall notify the contractor in writing of this finding and the actions that will be recommended to the Board in order to resolve the conflict of interest.

### **Non-Retaliation Policy**

The Board encourages good faith reporting of all suspected violations of this Code. Anyone making a good faith report of a suspected violation of this Code shall not be subjected to any adverse action by the Board, nor shall anyone or any company, accused of violating this Code and subsequently found not to have committed a violation of this Code, be subjected to any adverse sanctions or penalties by the Board. The identity of any persons reporting violations of this Code shall be kept confidential to the extent permitted by law.

All suspected violations shall be reported to the Office of the Inspector General for investigation. If the Inspector General determines that the allegations have merit, the matter will be referred to the appropriate authorities. If the Inspector General determines that the matter should be investigated by another department or by an outside entity, the Inspector General may refer the matter to the other department or outside entity for investigation or final disposition.

### **Resolving Violations of the Code**

If it is determined that a violation of this Code has taken place, the Board may take one or more of the following actions:

- A. meeting with the consultant or contractor to discuss the violation, and any and all possible resolutions to the violation(s);
- B. suspending the consultant or contractor in accordance with the provisions of the contract in question, or by initiating debarment procedures as established by Policy 6320.04;
- C. directing the prime contractor to remove a subcontractor who has been shown to have intentionally violated the Code from the project;



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- D. rescinding, voiding, or terminating the contract as may be permitted by law, Board rules, or the relevant contract; and/or
- E. any other reasonable sanction deemed appropriate, and which is permitted by law, Board rules, and by the provisions of the impacted contract.

### **Prospective Application**

This Code does not apply to contracts, written agreements, or published solicitations in existence at the time this Code was enacted. It will be incorporated into all formal bid solicitations, vendor applications, and to any Request for Proposals issued by the Board.

Effective 7/1/11

Revised 1/13/21

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### **Anti-Discrimination Policy**

The School Board of Miami-Dade County, Florida adheres to a policy of nondiscrimination in employment and educational programs/activities and strives affirmatively to provide equal opportunity for all as required by:

**Title VI of the Civil Rights Act of 1964** - prohibits discrimination on the basis of race, color, religion, or national origin.

**Title VII of the Civil Rights Act of 1964 as amended** - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

**Title IX of the Education Amendments of 1972** - prohibits discrimination on the basis of gender. M-DCPS does not discriminate on the basis of sex in any education program or activity that it operates as required by Title IX. M-DCPS also does not discriminate on the basis of sex in admissions or employment.

**Age Discrimination Act of 1975** - prohibits discrimination based on age in programs or activities.

**Age Discrimination in Employment Act of 1967 (ADEA) as amended** - prohibits discrimination on the basis of age with respect to individuals who are at least 40 years old.

**The Equal Pay Act of 1963 as amended** - prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

**Section 504 of the Rehabilitation Act of 1973** - prohibits discrimination against the disabled.

**Americans with Disabilities Act of 1990 (ADA)** - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.

**The Family and Medical Leave Act of 1993 (FMLA)** - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons.

**The Pregnancy Discrimination Act of 1978** - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

**Florida Educational Equity Act (FEEA)** - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

**Florida Civil Rights Act of 1992** - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

**Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)** - prohibits discrimination against employees or applicants because of genetic information.

**Boy Scouts of America Equal Access Act of 2002** – No public school shall deny equal access to, or a fair opportunity for groups to meet on school premises or in school facilities before or after school hours, or discriminate against any group officially affiliated with Boy Scouts of America or any other youth or community group listed in Title 36 (as a patriotic society).

**Veterans** are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.

#### **In Addition:**

**School Board Policies 1362, 3362, 4362, and 5517** - Prohibit harassment and/or discrimination against students, employees, or applicants on the basis of race, color, ethnic or national origin, religion, marital status, disability, genetic information, age, political beliefs, sexual orientation, sex/gender, gender identification, social and family background, linguistic preference, pregnancy, citizenship status, and any other legally prohibited basis. Retaliation for engaging in a protected activity is also prohibited.

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