

MEMBERSHIP

0141 **Number**

The Board shall consist of five (5) members each of whom is elected in a county wide election. Each member of the Board shall serve as the representative of the entire District, rather than as the representative of his residence area.

0141.2 **Conflict of Interest**

A Board member shall not have any direct financial interest in a contract with the District nor shall he furnish directly any labor, equipment, or supplies to the District.

In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the District, the Board member shall declare his interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his interest in the public schools and his interest in his place of employment may conflict even though such conflict may not exist.

F.S. 112.311, 1001.42

0141.3 Conflicting Employment or Contractual Relationship

No Board member shall have or hold any employment or contractual relationship with any business entity or any agency which is doing business with the District, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the District.

Furthermore, no Board member shall have or hold any employment or contractual relationship that will create any conflict whatsoever between his private interests and the

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performance of his duties or that would impede the full and faithful discharge of his duties.

Lastly, no Board member may personally represent before the Board for compensation another person, business entity, or agency which is doing business with the District for a period of two (2) years following vacation of office or termination of employment, except for the purposes of collective bargaining. Language describing this prohibition shall appear in all contract documents, Request for Proposals (RFPs) and Request for Quotations (RFQ) and, if violated, shall be sufficient cause to disqualify the vendor.

F.S. 112.313(7), F.S. 112(13)

0142 Qualifications

Each member of the Board shall meet the qualifications specified by F.S. 1001.34.

0142.1 Oath

Before entering upon the duties of office after election, or within ten (10) days of appointment if appointed, members shall take the prescribed oath of office. F.S. 1001.37.

1 0142.3 **Orientation**

2 The Board believes that the preparation of each Board member for
3 the performance of Board duties is essential to the effectiveness of
4 the Board's functioning. The Board shall encourage each new Board
5 member to understand the functions of the Board, acquire
6 knowledge of matters related to the operation of the schools, and
7 learn Board procedures. Accordingly, each new Board member,
8 when his election is certified, shall receive for use during his term on
9 the Board:

- 10 A. a copy of the Florida Ethics Law;
- 11 B. a copy of the Board policy manual;
- 12 C. a copy of each current negotiated agreement;
- 13 D. the current budget statement, audit report, and related fiscal
14 materials;
- 15 E. Florida School Laws, current edition; and
- 16 F. State Board of Education rules.

17 The Board will establish and maintain a library of publications and
18 reference materials for the use of Board members and will provide a
19 new Board member with a list of references that should be reviewed.

20 The Superintendent shall provide an orientation program for newly
21 elected Board members to commence as soon as possible after their
22 new term begins. This orientation shall reflect, among other things,
23 the purpose and role of the Board, the conduct of individual Board
24 members, an overview of educational programs, and a review of
25 Board rules and policies. Each new Board member shall be invited
26 to meet with the Superintendent and members of the
27 Superintendent's staff to discuss District functions, policies, and
28 procedures.

29 The Board shall encourage the attendance of each new Board
30 member at orientation and training meetings.

1 0143 **Election**

2 The county shall be divided into five (5) residence areas
3 ~~approximately equal in population~~ **as determined by the Florida**
4 **Legislature.**

5 Members of the Board shall be elected in a countywide election and
6 once elected shall represent the entire District.

7 F.S. 1001.362

8 0143.1 **Residency Areas**

9 As provided by law, the Board may make any changes it deems
10 necessary in the boundaries of any Board member residence area in
11 odd-numbered years, provided that such a change shall not
12 disqualify an incumbent member during his elected term.

13 0144 **Term**

14 Board members shall be elected at the general election in November
15 for staggered terms of four (4) years arranged so that, of five (5)
16 members, three (3) members shall be elected at one general election
17 and two (2) members shall be elected at the ensuing general election.

18 The term of office shall begin on **the third Tuesday after the first**
19 **Monday in November of the year in which the member is**
20 **elected.** ~~two (2) weeks after the general election held in the same~~
21 ~~year.~~
22

23 F.S. 1001.35, **1001.371**

24 0145 **Filling a Board Vacancy**

25 A vacancy occurs on the Board when one (1) of the following events
26 occurs:

27 A. death of the incumbent

28 B. failure to maintain the residence required

C. failure of the person elected ~~or appointed~~ to qualify as an elector ~~residence~~ within the District within thirty (30) days after the organization of the Board or of the appointment or election

D. resignation

E. removal from office

F. unexplained absence for sixty (60) consecutive days

Vacancies shall be filled by appointment by the Governor.

F.S. 1001.38, Fla. Const. Art. X, Section 3

Removal

The Governor is empowered to suspend or remove for cause an elected or appointed Board member. Convictions of certain offenses and failure to adhere to prescribed standards of conduct as defined by statute are grounds for removal from office.

F.S. Const. Art. IV, Section 7 (2005)

Compensation

Pursuant to State law, each Board member shall receive a base salary based on the population of Pasco County.

F.S. 1001.395

The Board may authorize all approved expenses for membership of its Board members in recognized school board associations. Expenses of a Board member incurred in the performance of his duties will be paid by the District, provided that each such member submits a written statement of his expenses consistent with Board policy and within the constraints of budgeted resources.

A Board member shall receive term life insurance, medical coverage and other benefits to the same extent as other eligible employees with an option to purchase additional coverage at prescribed rates. Board members are eligible to participate in the Florida Retirement System as specified by law. Board members shall not receive sick leave or vacation pay.

1 0148 **Use of Equipment and Services**

2 The Superintendent is authorized to make available to Board
3 members for their official use the following equipment and services:

4 A. computer, printer, fax machine, desk, chair, filing cabinet,
5 electronic communication device, and routine office supplies

6 B. business cards and stationery

7 C. software compatible with District systems

8 Any additional non-budgeted items desired by members must have
9 Board approval. Equipment and services shall be acquired in
10 accordance with District purchasing and property accounting
11 procedures and shall be accounted for by the Superintendent.
12 Equipment and furniture must be returned no later than the last
13 day of service.

14 F.S. 1001.41

15 0149 **Access to Records**

16 Individual members of the Board do not possess the powers that
17 reside in the Board, but no member of the Board shall be denied
18 documents or information to which he is legally entitled and which
19 are required in the performance of his duties as a Board member.

20 Access to District personnel records shall be subject to Board policy
21 and State statute.

22 Information obtained from employee personnel records by members
23 of the Board shall be used only for the purpose of aiding the
24 members to fulfill their legal responsibilities in making decisions on
25 such matters as appointments, assignments, promotions,
26 demotions, remuneration, discipline, and dismissal, or to aid the
27 development and implementation of personnel policies, or for such
28 other uses as are necessary to enable the Board to carry out its legal
29 responsibilities.

30 0149.1 **Public Expressions of Members**

31 The Board Chairman functions as the official spokesperson for the
32 Board.

From time-to-time, however, individual Board members make public statements on school matters to local media and/or to local or State officials.

Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:

1. Correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter.
2. Routine, not for publication, correspondence of the Superintendent and other Board employees.
3. "Campaign articles" or "position papers" of candidates for elections to the Board.
4. Routine letters of the Chairman of the Board.
5. Statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board).
6. Personal statements not intended for publication.
7. Postelection statements by Board members thanking citizens for voting for them.

~~B. Copies of this bylaw shall be sent to local media by the Board Chairman.~~

1 0149.2 **Board Member Participation at District Committee Meetings**

2 The Board believes that the involvement of stakeholders in the
3 formulation of recommendations to the Superintendent and the
4 Board is essential to good decision-making. At the annual
5 organizational meeting, the Chairman of the Board appoints a
6 member to various committees. The appointee shall participate as a
7 member of the committee deliberations. Statements by Board
8 members which reflect personal opinion will be clearly identified as
9 such to committee members.

10 If not attending the committee meeting as an appointee, the Board
11 member's attendance shall be in an observer status, and may be
12 subject to disclosure under the Sunshine Law.

13 0149.3 **Board-Staff Communications**

14 The Board desires to maintain open channels of communication
15 between itself and the staff. The basic line of communication will be
16 through the Superintendent.

17 A. Staff Communications to the Board

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19 The preferred method of communications from staff members to the
20 Board or its committees should be submitted through the
21 Superintendent. The Superintendent shall forward such
22 communications received from staff members to the Board. This
23 procedure is not intended to deny any staff member his
24 constitutional right of free speech or the right to appeal to or
25 otherwise address the Board on important matters through
26 established procedures.

27 B. Board Communications to Staff

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29 All official communications, policies, and directives of the Board that
30 are of interest and concern to the staff will generally be
31 communicated through the Superintendent, who shall also keep
32 staff members informed of the Board's concerns and actions.

33 C. Social Interaction

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35 Both staff and Board members share an interest in the schools and
36 in education generally, and it is to be expected that when they
37 interact at social affairs and other functions, they will informally
38 discuss such matters as educational trends, issues, and

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1 innovations, and general activities of the District. Board members
2 are not authorized to act on behalf of the Board unless in open
3 public session or when specifically vested with such authority.
4 Board members and members of the staff should not discuss
5 individual personalities, personnel grievances, or other complaints.

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