

June 12, 2002

Dr. Robert B. Ingram, Member

SUBJECT: REQUEST THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, DIRECT THE SUPERINTENDENT OF SCHOOLS TO DRAFT A PLAN TO HAVE A SERGEANT-AT-ARMS FOR EACH BOARD MEETING

In accordance with School Board -- Methods of Operation and Board Rule **6Gx13-8C-1.12**, the School Board has adopted Roberts Rules of Order (RROO), for Board Meetings. As defined therein, the presiding officer of a government body meeting in public session is the ultimate authority. In this regard, we can refer to RROO (revised):

Article XIII, "Legal Rights of Assemblies...", Paragraph 73, Right of Assembly to Eject any one from its Place of Meeting. Every deliberative assembly has the right to decide who may be present during its session; and when the assembly, either by a rule or by a vote, decides that a certain person shall not remain in the room, it is the duty of the chairman to enforce the rule of order, using whatever force is necessary to eject the party.

Further, School Board Rule **6Gx13-8C-1.171** provides for School Board--Methods of Operation and is entitled **BOARD MEETINGS--DECORUM**. An excerpt of the Rule is as follows:

The Chair may order the removal, from a public meeting held by the Board, of any person interfering with the expeditious or orderly process of such meeting, provided the Chair has first issued a warning that continued interference with the orderly process of the meeting will result in removal.

It is on this basis that I am recommending to the School Board that we amend this Board Rule to include the following additional language to the above paragraph.

The Chair will cause the Sergeant-At-Arms to remove the person who has been warned and who is in violation as indicated herein. The Sergeant-At-Arms will be a police command officer, designated by the Chief of Police and District Security in advance of each meeting. The Sergeant-At-Arms will be available to the Chair to enforce the rule of order with whatever force is necessary. To ensure the latter can be accomplished, the Sergeant-At-Arms will have a contingency of security and police officers to deploy as appropriate, using only the force necessary to be conclusively effective.

This inclusion will ensure that the Constitutional Rights of persons who come before the Miami-Dade County School Board will be protected, while simultaneously affording the Chair's authority as presiding officer can be enforced as necessary. The Miami-Dade School Police Department will act in conformance with the suggested language until the School Board adopts the revision through normal process.

**ACTION PROPOSED BY
DR. ROBERT B. INGRAM:**

That The School Board of Miami-Dade County, Florida amend Board Rule **6Gx13-8C-1.17** to include language ensuring a Sergeant-At-Arms is available to the Chair of the School Board to enforce the rule of order, as may occasionally be necessary.

**REPLACEMENT
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