

Policy 1.095 - Independent Sales Surtax Oversight Committee

1. Purpose.

- a. The establishment of the **I**ndependent **S**ales **S**urtax **O**versight **C**ommittee (hereinafter "ISSOC" or the "Committee") was originally authorized by a resolution of the School Board adopted July 26, 2004 and is hereby reauthorized, contingent upon the voters' approval of a one-cent sales surtax by referendum on November 8, 2016.

2. Term of the Charter

- a. This charter shall remain in effect until all proceeds of the District's portion of the sales surtax revenues, including any interest earnings, from the ten-year period from January 2017 through December 2026 have been expended and accounted for, i.e., when the projects on the Referendum Project List have been completed.
- b. This Policy shall be evaluated on an annual basis for possible revisions, and any revisions shall be consistent with the Resolution and any amendments thereto.

3. Responsibilities and Mission

- a. The ISSOC shall function consistent with Board Policy 1.09 (Advisory Committees to the Board), to assist the Board through independent oversight of the use of the District's portion of the one-cent sales surtax to be collected in Palm Beach County from January 1, 2017, through December 31, 2026 as well as reviewing the projects on the Referendum Project List.
- b. The ISSOC will provide oversight of the District's usage and expenditures of the proceeds of the sales surtax to verify consistency with the projects and purposes set forth in the Resolution, as set forth in subsection (1)(a) above. The ISSOC acknowledges that changes to, deviations from, modifications to, or non-compliance in relation to, the projects in Exhibit A to the Resolution may occur due to Acts of God or the public enemy, hurricanes or other natural disasters or other emergency situations affecting the operation of the public school system; compliance with an order of any governmental authority having jurisdiction or with state court judgments concerning the School District's state constitutional or statutory obligation to provide a uniform system of free public education; orders, consent decrees, or compliance

agreements involving federal courts or the Office for Civil Rights of the U. S. Department of Education or the Florida Department of Education; shortage or unavailability of materials, equipment, labor or technical personnel; breakdowns, epidemics, or pandemics; riots, civil disorder, warfare, or terrorism; strikes, slowdowns, walkouts, blockouts, or other industrial disturbances, whether direct or indirect; or any other events, circumstances, forces, or causes not within the reasonable control of the School District, whether or not of the same class or kind as those specifically named above.

4. Composition; Appointment; Term.

- a. *Voting Members.* The membership of the Committee shall consist of Sixteen (16) members appointed by the organizations listed below. All members must be residents of Palm Beach County that are not an employee of the District.
 - i. One (1) representative each from the following Board advisory committees: CORC, Technology, Finance, and Budget;
 - ii. One (1) representative appointed by the Palm Beach County League of Cities;
 - iii. One (1) demographer appointed by Florida Atlantic University;
 - iv. One (1) representative from the Black community as designated by the Urban League of Palm Beach County;
 - v. One (1) representative from the Hispanic community as designated by the Hispanic Chamber of Commerce;
 - vi. One (1) representative from the Haitian community as designated by the Haitian American Community Council;
 - vii. Two (2) representatives appointed by the Economic council;
 - viii. One (1) representative as recommended by the Black Chamber of Commerce of Palm Beach County;
 - ix. One (1) representative from the Coalition of Boynton West Residential Associations;
 - x. One (1) representative from the West Boca Community Council;
 - xi. One (1) representative from the Delray Alliance;
 - xii. One (1) representative from the Acreage;
 - xiii. One (1) representative as recommended by the local branch of the NAACP; and
 - xiv. One (1) representative from the Tri-Cities Education Committee.
- b. *Non-voting Members.* There shall be three (3) non-voting members of the Committee. Such members shall be a representative of the Principals' Association, a representative of the Classroom Teachers

Association, and a representative from the Palm Beach County Council of PTA/PTSA.

- c. *Alternates.* All of these organizations may also nominate one alternate member. Alternate members have a right to attend and participate at all meetings but do not count towards the quorum or have the right to vote while the member from that organization is present at the meeting. If the member is not present, the alternate is a voting member for that meeting and counts towards the quorum.
 - d. *Term.* The terms of the committee members shall be as provided in Board Policy 1.09 (Advisory Committees to the Board) or shall end in accordance with the time limitation imposed by the referendum.
 - e. Upon adoption of the revision to this policy, ISSOC members shall be provided with a copy of this policy and a copy of Board Policy 1.09 (Advisory Committees to the Board). Upon the appointment of an individual(s) to an advisory Committee, the individual(s) shall be provided with a copy of this policy and Board Policy 1.09.
5. **Committee Meetings, Operations, Procedures and Administrative Matters**

- a. *Quorum.* A quorum shall consist of 40% (rounded to the nearest whole number) of the existing voting members.
- b. *Committee Chair Term.* Consistent with Board Policy 1.09, the Committee member selected by Committee members to serve as the Committee's chair shall be limited to four (4) consecutive years as Committee chair. The term limitation for the Committee chair as provided for herein shall become effective commencing in January 2017. However, if the Committee votes to recommend that the term limitation be extended, this recommendation shall be presented to the Board for a vote to approve. This vote by the Committee must be made at least six weeks before the Committee's organizational meeting during the fourth year and may be made on an annual basis thereafter. If the Board approves, that Committee's chair may run for re-election at the next election.
- c. *Attendance Requirements.* A Committee member will be removed automatically should he or she or their alternate miss two (2) consecutive regular meetings, unless, by request of the member, the Chair grants compassionate leave due to personal, business, or familial exigency, or other good cause. Upon removal of a member, the organization will be requested to submit nominees for vacancies.
- d. *Electronic Participation in Meetings.* Committee members may attend meetings, participate and vote at meetings through the use of an interactive video and/or telephone systems ("Electronic Media

Technology”), provided a quorum of voting Committee members are physically present and meets at least one of the following criteria: (i) the voting member resides outside of a circle whose radius is 25 miles from a centerpoint located at the Fulton-Holland Educational Service Center; (ii) the voting member is travelling outside the boundaries of Palm Beach County at the time of the meeting; (iii) the voting member is confined to home or hospital due to illness or accident; or (iv) in those situations where the voting member’s absence is due to a death or serious illness of an immediate family member. Any voting member wishing to participate or vote in a meeting by Electronic media Technology shall notify the Committee staff liaison as soon as practicable that the member wishes to participate in the meeting by Electronic Media Technology. Any voting member participating or voting by Electronic Media Technology shall be responsible for the expenses associated with his/her participation, unless the District staff is able to provide the Electronic Media Technology at minimal or no incremental cost, or the expense is approved in advance by the Chief Financial Officer.

- e. *Operations and Procedures.* Except as set forth herein, the Committee shall conduct its meetings and operate consistent with, and ISSOC members shall abide by, the provisions of Board Policy 1.09.

STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(1)& (2); 1001.42 (28);
1001.43(10)

LAWS IMPLEMENTED: Fla. Stat. §§ 1001.41(1); 1001.43(2) & (10)

HISTORY: 4/5/2006; 10/5/2011; __/__/2017