

**MINUTES OF THE SCHOOL BOARD AUDIT AND BUDGET ADVISORY COMMITTEE  
OF MIAMI-DADE COUNTY PUBLIC SCHOOLS  
December 6, 2016**

---

The School Board Audit and Budget Advisory Committee (ABAC) met on Tuesday, December 6, 2016, in the School Board Administration Building, Conference Room 916, at 1450 N.E. Second Avenue, Miami, Florida.

**Members Present:**

**Voting:**

Mr. Rayfield McGhee, Jr., Esq., Vice-Chair  
Ms. Mari Tere Rojas, School Board Member  
Mr. Alvin L. Gainey, President  
Mr. Jeffrey Codallo  
Ms. Susan Marie Kairalla  
Mr. Julio C. Miranda, CPA, CFE  
Mr. Christopher Norwood, J.D.  
Mr. Rudy Rodriguez, CPA  
Mr. Isaac Salver, CPA  
Mr. Erick Wendelken, CPA

**Members Absent:**

Mr. Juan del Busto  
Mr. Albert D. Lopez, CPA

**Non-Voting:**

Mrs. Judith M. Marte, Chief Financial Officer

**Call to Order**

---

The ABAC's Vice-Chair, Mr. Rayfield McGhee, Jr. called the meeting to order at 12:33 p.m.

**1. Welcome and Introductions**

---

The Vice-Chair requested all in attendance to introduce themselves, which they did. The following persons were present:

Dr. Lawrence S. Feldman, School Board Chair	Ms. Deborah Karcher, Chief Information Officer
Dr. Steve Gallon III, School Board Member	Mr. José F. Montes de Oca, Chief Auditor
Mr. Alberto M. Carvalho, Superintendent	Mr. Ron Steiger, Chief Budget Officer
Ms. Mary Snipes, Alternate ABAC Member	Mr. Jaime G. Torrens, Chief Facilities Officer
Mr. Walter J. Harvey, School Board Attorney	Dr. Magaly C. Abrahante, Assistant Superintendent
Ms. Valtena G. Brown, Dep. Supt./Chief Operating Officer	Dr. Sylvia Diaz, Assistant Superintendent
Ms. Ana Rijo-Conde, Dep. Chief Facilities/Sustainability Officer	Ms. Patricia M. Fernandez, Assistant Superintendent
Mr. Jose L. Dotres, Chief Human Capital Officer	Ms. Tiffanie Pauline, Assistant Superintendent
Ms. Lisa Martinez, Chief Strategy Officer	Mr. Jose Bueno, Region Superintendent
Ms. Daisy Gonzalez-Diego, Chief Communications Officer	Ms. Barbara Mendizábal, Region Superintendent

**Minutes of the School Board Audit and Budget Advisory Committee**

**December 6, 2016**

**Page 2 of 11**

Dr. Albert Payne, Region Superintendent	Ms. Vanessa Woodard Byers, Chief of Staff
Mr. Michael Fox, Risk and Benefits Officer	Mr. Nelson Diaz, Administrative Assistant
Ms. Connie Pou, Controller	Mr. Pierre Funderburk, Administrative Assistant
Mr. Leonardo Fernandez, Treasurer	Ms. Gina Rimart, Administrative Assistant
Ms. Maria T. Gonzalez, Assistant Chief Auditor	Ms. Dalia Rosales, Administrative Assistant
Mr. Trevor L. Williams, Assistant Chief Auditor	Ms. Elsa Berrios-Montijo, Staff Assistant
Ms. Daisy Naya, Assistant Controller	Ms. Latisha Green, Administrative Assistant
Ms. Mindy McNichols, Assistant School Board Attorney	Ms. Lawandra Houston, District Administrative Assistant
Ms. Tabitha G. Fazzino, District Compliance Officer	Ms. Enid Weisman, Consultant
Ms. Jennifer Andreu, Administrative Director	Mr. Felix Jimenez, Assistant Inspector General
Dr. Jimmie Brown, Administrative Director	Mr. Thomas Knigge, Supervisor Special Agent
Ms. Cynthia Gracia, Administrative Director	Mr. Jose R. Gonzalez, Special Agent
Ms. Odalis J. Garces, District Director	Mr. Frank Trujillo, Special Agent
Mr. Luis Baluja, Executive Director	Ms. Cynthia Borders-Byrd, Partner, C Borders-Byrd, CPA LLC
Dr. Lupe Diaz, Executive Director	Mr. Donovan Maginley, Partner, RSM US LLP
Mr. Jon Goodman, Executive Audit Director	Mr. Anil Harris, Manager, RSM US LLP
Mr. William McAuliff, Executive Director	Ms. Christina Perdomo, Accounting Manager, Academica
Mr. Ivo Gomez, Claims Compliance Officer	Ms. Nataly Gonzalez, Accounting Representative, Academica
Ms. Tamara Wain, District Supervisor	Mr. Joseph L. Raia, Counsel, Mater Academy Inc.
Ms. Joanna Martin-Warr, Director	Mr. Bill Benson, Partner, Keefe McCullough
Mr. Richard Yanez, Audit Director	Mr. Levi Williams, Esq., RECS GC
Ms. Elvira Sanchez, Audit Coordinator	Mr. V C Quintana, Partner, SMART
Ms. Maria Curbelo, Audit Coordinator II	Mr. Dan Ricker, Watchdog Report
Mr. Jerold Blumstein, Chief of Staff	Ms. Lauren Kairalla, Visitor
Ms. Jackeline Fals, Chief of Staff	Ms. Marisel Miranda, Visitor
Ms. Jennifer Rojo Suarez, Chief of Staff	

Mr. Rayfiled McGhee, Vice-Chair, welcomed and greeted the audience, then yielded the floor to Dr. Larry Feldman, School Board Chair, who introduced his appointed School Board member to the ABAC, Ms. Mari Tere Rojas and announced the alternate, Ms. Perla Tabares Hantman.

Mr. McGhee then acknowledged the newly elected School Board Member Dr. Steve Gallon III and his ABAC alternate, Ms. Mary Lee Snipes. He also recognized the newly appointed ABAC member by School Board Member, Ms. Rojas, Mr. Julio C. Miranda.

Thereafter, Mr. Montes de Oca, Chief Auditor, recognized Mrs. Judith Marte, Chief Financial Officer, as the recipient of the Bill Wise Award from the Council of the Great City Schools for distinguished services to urban education. Mr. Alberto Carvalho, Superintendent of Schools, commented on the merits of Mrs. Marte that earned her this award, which places her at a level where she is recognized as the best Chief Financial Officer of all the school systems in the country.

## **2. Conduct Election of Chair and Vice Chair of the School Board Audit and Budget Advisory Committee (ABAC or Committee)**

---

The Chief Auditor informed the Committee members about the School Board policy that requires them to elect a Chair and a Vice-Chair every year. He then opened the floor for nominations. Mr. Rudy Rodriguez nominated Mr. Rayfield McGhee for Chair. Mr. Montes de Oca asked if there were any other nominations. There being none, he called for a vote and Mr. McGhee was unanimously elected Chair of the Audit and Budget Advisory Committee.

Mr. Montes de Oca then opened the floor for nominations for the Vice-Chair. Mr. McGhee nominated Mr. Erick Wendelken for Vice-Chair. Mr. Montes de Oca asked if there were any other nominations. There being none, he called for a vote and Mr. Wendelken was unanimously elected Vice-Chair of the Audit and Budget Advisory Committee.

Both parties accepted the result of the elections and the floor was opened for them to comment or provide remarks. Mr. McGhee expressed his gratitude for being elected as the Chairperson of the ABAC. Mr. Wendelken also thanked the Committee members for allowing him the opportunity to serve as the Vice-Chairperson of the Committee. Dr. Feldman congratulated the nominees and thanked the former ABAC Chair, Mr. Roland Sanchez-Medina, for the level of commitment and the leadership he provided during his terms as Chair and Vice-Chair.

## **3. Approval of the Minutes of the School Board Audit and Budget Advisory Committee (ABAC or Committee) Meeting of September 20, 2016**

---

The Chair drew the members' attention to the minutes for the ABAC meeting of September 20, 2016, and asked whether any members had suggested revisions or questions related to the contents of the proposed minutes.

There being no questions or comments, a motion was made by Ms. Kairalla, second by Mr. Rodriguez for approval of the minutes to serve as the memorialization of the September 20, 2016, ABAC meeting. The motion carried unanimously.

### **AUDIT REPORTS:**

## **4. Presentation of the Comprehensive Annual Financial Report, Auditor's Communication of Audit Results, and Management Letter Fiscal Year Ended June 30, 2016**

---

Mr. Donovan Maginley, Engagement Partner from RSM US LLP (the independent external audit firm which performed the audit), provided a brief synopsis of the above-referenced report and noted that the Comprehensive Annual Financial Report (CAFR) contained an unmodified opinion on the financial statements (commonly referred to as a clean opinion, which is the highest level of assurance on a financial audit). He emphasized that the

Governmental Accounting Standards Board Statement 68 (GASB68 – recognition of the liability of pensions) is embedded in the financial statements.

He informed the Committee that the Management Letter, along with the financial and fiscal sections, provide an overview of operations of the organization. He identified some highlights and pointed out how the District has been able to improve the surplus fund balance, which reflects an increase from 11 percent last year to 15 percent this year. Mr. Maginley also stated that they reviewed aspects of cybersecurity and noted some areas where security could be improved. However, he emphasized that because this information is confidential, for obvious security reasons, it is being discussed with management to strengthen that area. Overall, he categorized the School Board's financial position as being solid.

The Superintendent reminded everyone of the financial challenges that the District has faced and the measures utilized to overcome those obstacles. He expressed his gratitude to the responsible administrators for maintaining financial stability that resulted in the outcome of this report. He also cautioned the audience that there is an expectation that the State will be reducing the district's revenue in the coming year.

The Chief Auditor congratulated Mrs. Marte, along with and Ms. Pou, for an outstanding job and leading the administration with their wise guidance.

The Chair echoed the compliments and congratulated the Superintendent and management for being on the right track and the conservative posture that the District has taken to safeguard against what is taking place at the State level.

Mr. Rodriguez also commended the Superintendent, Mrs. Marte, Ms. Pou and Mr. Fernandez, for a job well done.

There being no further questions or comments, a motion was made by Mr. Gainey, seconded by Ms. Kairalla, which carried unanimously, to recommend that the **Comprehensive Annual Financial Report, Auditor's Communication of Audit Results, and Management Letter Fiscal Year Ended June 30, 2016** be received and filed by the School Board.

## **5. Presentation of the Audit of Educational Facilities Impact Fee Fund, Special-Purpose Financial Statements for FYE June 30, 2016**

---

Ms. Cynthia Borders-Byrd, Managing Partner of C Borders-Byrd, CPA LLC, provided a brief overview on the above-referenced report, and pointed out that the opinion is clean, which is consistent with the results of audits performed in the past. She observed that page three of the report shows a balance sheet cash increase from \$9.8 million to \$20.9 million and assets increase from \$15.8 to \$26 million. Ms. Borders-Byrd thanked district staff for their support during the audit and welcomed any questions.

The Superintendent commented on the favorable outcomes from the external audits and expressed his gratitude to Ms. Borders-Byrd for her work.

There being no further comments or questions, a motion was made by Ms. Kairalla, seconded by Mr. Wendelken, which carried unanimously, to recommend that the **Audit of Educational Facilities Impact Fee Fund, Special-Purpose Financial Statements for FYE June 30, 2016** be received and filed by the School Board.

#### **6. Presentation of the Audit of Magnet Education Choice Association, Inc. (MECA) for FYE June 30, 2016**

---

Ms. Cynthia Borders-Byrd also conducted the audit on the above-referenced entity, which is a direct support organization for magnet programs. She noted that MECA had significant increases in revenues and fund balances which were primarily due to contributions from JP Morgan to underwrite some of the career programs within the District.

Dr. Feldman inquired whether JP Morgan had received any recognition from management on their contributions to the school system's educational and career programs. Mrs. Marte responded that they were previously recognized at a School Board meeting for their contributions.

Ms. Borders-Byrd indicated that this report also contains a clean opinion and there were no difficulties encountered when performing the audit. However, there were some minor adjustments made to the financial statements which management has embraced. There were no disagreements with management and no findings to report. Mr. McGhee then opened the floor for questions or comments.

Ms. Rojas asked whether the amount contributed was enough to support the programs. Ms. Borders-Byrd stated that it is difficult for her to identify what is sufficient, but contributions are larger than the prior year's and they seem to be moving in a positive direction. She explained that the way fund-raising typically operates is that the principals and their staffs solicit organizations to donate funds for their particular school.

There being no further questions or comments, a motion was made by Dr. Feldman, seconded by Mr. Gainey, which carried unanimously, to recommend that the **Audit of Magnet Education Choice Association, Inc. (MECA) for FYE June 30, 2016** be received and filed by the School Board.

#### **7. Monthly Financial Report Unaudited – For the Period Ending September 2016**

---

Mrs. Marte explained that these reports are presented at every Committee meeting to keep its members apprised as to how the District is doing financially and then yielded the floor for questions.

There were no questions. This report was presented for information purposes only; therefore, no transmittal to School Board by the ABAC was required.

## **8. Internal Audit Report – Selected Schools/Centers**

---

Ms. Maria T. Gonzalez, Assistant Chief Auditor, School Audits, introduced the Internal Audit report of Selected Schools/Centers and explained that the report contains the results of 60 audits, seven of which had findings, mostly compliance-related. She pointed out; however, that at one of the seven schools, there was a major finding related to a misappropriation of funds, which was perpetrated by the Athletic Director. She also explained that this audit was conducted in collaboration with the Office of the Inspector General (OIG) to assist with their investigation on this particular matter. Ms. Gonzalez remarked that a separate OIG report on this case is also being presented to the Committee on this agenda.

Ms. Rojas inquired about the District's training opportunities afforded to principals with findings at their schools and for new principals. Mrs. Valtena Brown, Deputy Superintendent of School Operations, summarized all the training initiatives available to principals, including those conducted by the Office of Professional Development. She also noted that assistance is provided through the Region offices and the revamped Money Does Matter Program, which targets audiences including administrators and staff members involved in school findings.

There being no further questions or comments, a motion was made by Ms. Kairalla, seconded by Mr. Gainey, which carried unanimously, to recommend that the **Internal Audit Report – Selected Schools/Centers** be received and filed by the School Board.

## **9. Internal Audit Report – Audit of Construction Program Management Support Services Contract**

---

Mr. Montes de Oca introduced the above-noted report, which was moved to the top of the agenda to allow some administrators present at this Committee meeting to also be able to attend a General Obligation Bond Advisory Committee meeting. He said that the audit was conducted to determine whether some of the bond program expenditures were properly made. The Chief Auditor pointed out that audit findings were generally favorable, funds were well managed and some recommendations were made. He then yielded the floor to Mr. Trevor Williams, Assistant Chief Auditor, to address any questions or concerns. Mr. Williams emphasized that internal controls over contracts were generally adequate, but some areas can be improved and corresponding recommendations can be found in the report. He noted the level of cooperation and communication among Facilities, Office of Economic Opportunities and the Office of Management and Compliance Audits was excellent.

Mr. Carvalho then spoke about the passing of the bond referendum and the management oversight that was promised and he believes all initiatives are working as anticipated. The Superintendent welcomed the audit report, which he deems beneficial for the system and thanked the Chief Auditor and his team. He said he looks forward to working with them on other GOB projects.

Mr. Rudy Rodriguez remarked that it was a good report and an audit that would possibly assist the District in mitigating any potential findings by the Auditor General. He also inquired about any issues related to the Internal Revenue Service (IRS) regarding contracted

employees who are contracted by a vendor, who are not District employees. Mr. Montes de Oca clarified that there is no issue with the District regarding this concern. Mr. Williams emphasized that there are no risks for the District regarding payroll taxes.

Ms. Mari Tere Rojas praised the report and inquired about the availability and future use of funds remaining after the GOB projects have been completed at various schools. The Superintendent explained that each voting district had a specific amount budgeted from the GOB total revenue and if there are extraordinary needs for a school, the redirection of funds from any left over from completed projects are brought by the administration to the General Obligation Bond Advisory Committee for its review and subsequently submitted to the School Board for approval. He stated that other resources may also be utilized to accommodate needs of any school that are greater than the funds allocated through the GOB.

Ms. Kairalla commented on how well the program is being managed by the District and the efficiency and transparency of the construction projects.

Mr. Salver inquired about any District's plan of action to hedge against the rise of interest rates in the future. The Superintendent responded by referring to actions that have been taken in the past, where the District has established a debt cushion (retired old debt by refinancing aggressively) which has resulted in savings in interest expense and thereby construction costs.

There being no further questions or comments, a motion was made by Mr. Jeffrey Codallo, seconded by Ms. Kairalla, which carried unanimously, to recommend that the **Internal Audit Report – Audit of Construction Program Management Support Services Contract** be received and filed by the School Board.

#### **10. a. Presentation for 43 of 126 Charter Schools Audited Financial Statements Fiscal Year Ended June 30, 2016**

---

Mr. Miranda recused himself from discussion and action on this item because of his prior involvement in reviewing some of these statements. Mr. Goodman presented the above-referenced statements and observed that the charter schools sector has grown substantially in Miami-Dade County, noting that about 63,000 students are now enrolled. He explained that this comprises 18% of all M-DCPS students and that approximately \$500 million in public funds will flow to Miami-Dade County charter schools during the current year. Thirty-nine of the charter schools being presented are managed by Academica, a large for-profit charter school management company, and the OMCA has determined these statements to be free of significant fiscal issues. Mr. Goodman then explained that there were financial management concerns with one school, Keys Gate Charter High School, such as the substantial deficit position of over \$3.2 million. He pointed out that the Committee is scheduled to discuss this matter shortly, under Old Business, Item A, and that representatives from the various schools, as well as Charter Schools Operations, were present to address questions. The floor was then opened for questions or comments.

There being no questions or comments, a motion was made by Mr. Salver, seconded by Ms. Kairalla, which carried unanimously, to recommend that the **Presentation for 43 of 126 Charter School Audited Financial Statements Fiscal Year Ended June 30, 2016** be received and filed by the School Board.

**b. Department of Education Office of Inspector General – Final Audit Report –  
Nationwide Assessment of Charter and Education Management Organizations**

---

The Chief Auditor introduced the above-referenced report and asked Mr. Goodman to present it. Mr. Goodman explained that the report included the review of 33 charter schools from six states and the corresponding sponsors and observed that M-DCPS was the only sponsor reviewed in Florida. He observed that the report recommends better internal controls and fiscal oversight and found deficiencies including conflicts of interest, related party transactions and insufficient segregation of duties. Mr. Goodman indicated that at the bottom of page 26 and top of page 27, the report credits M-DCPS with being more aware of the subject internal control weaknesses than the other authorizers and sponsors throughout the nation. The floor was then opened for questions and comments.

Ms. Kairalla expressed her belief that charter school contracts should be strengthened to make sure that the school is viable before the document is signed. She suggested exploring the idea of having a community oversight committee to address some of the concerns and recommendations included in the report.

Mr. Norwood commented that the U.S. Department of Education is recognizing the issues on how charter schools are managed. He noted that M-DCPS and its auditors are doing a good job in monitoring this operation by identifying issues with related party transactions and conflicts of interest, which are areas also noted in this report as requiring correction.

Mr. Rodriguez inquired about the requirements for a management organization to receive funding. Mr. Montes de Oca responded that he was not familiar with the details of the requirement; however, he would research the topic and forward the information to the Committee, the administration and the School Board. The Chair then requested for this topic to be placed as an Item under Old Business for the next meeting. Mr. Montes de Oca replied that it can be an Old Business for the next ABAC meeting. (*The response to this request has already been transmitted to the ABAC*)

Dr. Feldman expressed the need for clarification on the modifications that have already been made to strengthen the contracts between M-DCPS and charter schools, which are allowed according to state law regarding governance, financial urgencies, etc. to ensure that all children will be provided the same opportunity that are present in the traditional public schools. Ms. Tiffanie Pauline, Assistant Superintendent of Charter School Compliance and Support confirmed that the District has made modifications to the Charter Schools contracts according to law.

The Superintendent thanked the ABAC for its unwavering support and acknowledged that the oversight of charter schools has not been an easy journey and noted that every element addressed in this report has been topics of great concern considered by the Committee. He



emphasized that this report is a validation of the position that the District has taken throughout the years and again thanked the ABAC, which is independent from the District, for concurring. Mr. Carvalho remarked that out of all the states and districts that were audited, M-DCPS was the only district in the nation that maintained an on-going dialogue with its charter schools and placed a narrative on the record specific to segregation of duties, conflicts of interest, and related party transactions, which has also been the topics of concern with the Committee for years. The Superintendent concluded that as the sponsor, M-DCPS is going to be using some of the recommendations in the report to further improve its oversight, working collaboratively with the School Board Attorney and Chief Auditor and his staff. Mr. Carvalho announced that with the support of the School Board he was considering the establishment of a quasi-independent entity, similar to the GOB Oversight Committee, to serve as a watchdog on the performance of charter schools in areas such as education, finance and governance.

This report was presented for informational purposes only; therefore, no transmittal to the School Board by the ABAC was required.

#### **11. a. Miami-Dade County Office of the Inspector General - Annual Report 2016-2017**

Mr. Tom Knigge, Supervisory Special Agent from the Office of the Inspector General (OIG) presented the OIG's annual report for the 2015-2016 fiscal year and provided a history of their interaction with M-DCPS, which they serve by detecting, investigating and preventing fraud, waste, mismanagement and abuse of power. He also provided some highlights on featured cases as well as updates on prior cases that have been investigated and entertained questions.

Dr. Feldman asked the Superintendent to speak about the Disparity Study and how well the District is doing regarding the percentage of participation by minority-owned companies providing services to the School Board.

The Superintendent provided a brief history on how the Disparity Study was commissioned, performed, reviewed, vetted and presented to the School Board. He also spoke about how School Board policies have been updated to "level the playing field" for underserved groups in our community. There were no further comments or questions.

This report was presented for informational purposes only; therefore, no transmittal to the School Board by the ABAC was required.

#### **b. Report on an Arrest at Cutler Bay Senior High School – Grand Theft, SB1516-1002**

Mr. Knigge, provided a brief synopsis regarding the aforementioned report and mentioned that the OIG received an anonymous complaint from a parent regarding monies that were being collected from student athletes and alleging improper use of these collected funds. The OIG conducted an investigation which resulted in the arrest of the former Athletic Director of Cutler Bay Senior High School.

The Chair inquired about the Principal's actions to be taken regarding this case, in terms of oversight. Mr. Knigge provided a history of this school's administration and noted that the audit report from OMCA contains recommendations on how to monitor this financial activity. Ms. Brown added that this was the school's first year of high school athletic activities and that measures are now in place to prevent similar occurrences in the future.

The Superintendent mentioned that that OIG also received referrals from his office, whether they consist of internal or external issues, for investigation.

There were no further questions or comments. This report was presented for informational purposes only; therefore, no transmittal to the School Board by the ABAC was required.

## **12. Office of Management and Compliance Audits' Activity Report**

---

Mr. Montes de Oca introduced the above-noted report and stated that it summarizes what has transpired from the last ABAC meeting and welcomed any questions.

There were no questions. This report was presented for informational purposes only; therefore, no transmittal to the School Board by the ABAC was required.

### **Old Business:**

#### **a) Follow Up Keys Gate Outstanding Issue Regarding \$500,000 Undisclosed Payment - Keys Gate Charter High School**

The Chief Auditor introduced the above-identified report, updating the Committee on the issue of Keys Gate Charter High School. Mr. Miranda recused himself from the discussion on this item due to his prior involvement in the audit of this school. Mr. Montes de Oca mentioned that the School Board Attorney and members of Charter School Operations were available to address any questions or concerns.

There were no questions. This report was presented for informational purposes only; therefore, no transmittal to the School Board by the ABAC was required.

#### **b) Follow Up Charter School Out of County Loans**

Mr. Montes de Oca presented the above-referenced report and provided the latest update to the Committee and welcomed any questions. Mr. Harvey provided a brief chronology of events regarding these transfers and spoke about the latest opinion from the Florida Department of Education, which corroborates the position of OMCA and the District that charter schools are not allowed to make these out of county fund transfers and loans under the law. ABAC member Mr. Norwood asked if there was a timeline for returning the funds and Mr. Harvey responded that the deadline is March 31, 2017.

Representatives from the two charter schools in question, BridgePrep Academy and Keys Gate stated that the respective schools are committed to returning the transferred funds by March 31, 2017. School Board member and ABAC representative, Ms. Rojas, insisted on their memorializing their intent to return the funds. The Superintendent complimented the ABAC and OMCA for the great work done in this area and lamented the fact that so much time and resources had to be spent on an issue that was so clear. Mr. Norwood pressed for further administrative action including issuance of 90-day termination letter to these schools. The Superintendent said he was under advice by the School Board Attorney not to make further comments on this matter since these issues are under assessment by M-DCPS administration. The Chair opened the floor for questions or comments.

Mr. Norwood thanked Ms. Pauline for her hard work on this massive issue with Charter Schools that has been ongoing for a while. On the other hand, he stated that this particular item is very interesting to him because the Department of Education had been asked several times if the transfer of Out-of-County funds were legal.

There being no further discussion, these reports were presented for informational purposes only; therefore, no transmittal to the School Board by the ABAC was required.

**New Business:**

**Adjournment**

---

There being no further business to come before the Committee and upon motion duly made and seconded, the meeting was adjourned by Mr. McGhee, Jr. at 3:06 p.m.

/lg

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>MIRANDA JULIO C</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>School Board of Miami-Dade County</i>
MAILING ADDRESS <i>13921 S.W. 25 Street</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <i>MIAMI, FL 33175 MIAMI-DADE</i>	NAME OF POLITICAL SUBDIVISION: <i>School Board of Miami-Dade County</i>
DATE ON WHICH VOTE OCCURRED <i>December 6, 2016</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filling the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Julio C. Miranda, hereby disclose that on December 6, 20 16:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of My former employer, office of Management and Compliance Audits, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item 10a, which involved the review of several charter schools' audited financial statements. While I was employed with the school district and later as a volunteer (after I retired). I assisted the office in the review of the audited financial statements.

Also, item "old business, a". I was involved in the audit of the school, which resulted in this follow-up.

12/7/16

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.