

**MEMORANDUM**

Agenda Item No. 11(A)(20)

---

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 6, 2011

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT** Resolution supporting the actions of Governor Rick Scott to review the anti-hazing policies at universities in the State University System; urging the Florida Legislature to require more robust policies at both public and nonpublic universities that implement stricter penalties, greater enforcement and additional education to address hazing incidents

---

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



---

R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 6, 2011

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No.11(A)(20)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(20)

Veto \_\_\_\_\_

12-6-11

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION SUPPORTING THE ACTIONS OF GOVERNOR RICK SCOTT TO REVIEW THE ANTI-HAZING POLICIES AT UNIVERSITIES IN THE STATE UNIVERSITY SYSTEM; URGING THE FLORIDA LEGISLATURE TO REQUIRE MORE ROBUST POLICIES AT BOTH PUBLIC AND NONPUBLIC UNIVERSITIES THAT IMPLEMENT STRICTER PENALTIES, GREATER ENFORCEMENT AND ADDITIONAL EDUCATION TO ADDRESS HAZING INCIDENTS

**WHEREAS**, hazing needlessly endangers the mental and physical health and safety of students; and

**WHEREAS**, hazing can have a pervasive negative effect on victims and their families who, well after the incident, may still feel lasting psychological harm; and

**WHEREAS**, the recent alleged hazing incident at Florida A&M University is but one example of a growing and disturbing trend in college campuses across the country; and

**WHEREAS**, our universities should be safe havens for Florida's students where participation in organizations and activities is never discouraged; and

**WHEREAS**, universities are entrusted with the vital task of educating the future leaders of our communities; and

**WHEREAS**, hazing directly impedes that mission by intimidating many students from participating in the organizations and activities that instill the knowledge and leadership skills necessary to foster a positive and active civic life among Florida's students; and

**WHEREAS**, the Florida Legislature has demonstrated its shared concern on this issue through the passage of the Chad Meredith Act in 2005, which established hazing as a criminal offense punishable as a third degree felony for acts that result in serious bodily injury or death

and as a first degree misdemeanor for acts that create a substantial risk of physical injury or death; and

**WHEREAS**, current Florida law also requires all public and nonpublic universities whose students receive state student financial assistance to adopt a written anti-hazing policy which includes rules prohibiting students and other persons associated with any student organization from engaging in hazing; and

**WHEREAS**, recent incidents have plainly demonstrated a definitive need for Florida's university presidents to reevaluate their universities' anti-hazing policies to ensure greater conformity with the legislative intent of the Florida Statutes, as they relate to hazing; and

**WHEREAS**, a truly effective anti-hazing policy will undoubtedly require universities to adopt a comprehensive approach that includes stricter penalties, greater no-tolerance enforcement, and additional education; and

**WHEREAS**, Governor Rick Scott recently encouraged State University System of Florida Chancellor Frank Brogan and the Board of Governors to request all university presidents in the State University System to reevaluate their current hazing and harassment policies and procedures, to strictly condemn all hazing incidents on college and university campuses, and to remind students, faculty and staff of the policies and procedures relating to hazing; and

**WHEREAS**, the Florida Legislature can also require nonpublic universities whose students receive state student financial assistance to adopt these more robust anti-hazing policies,

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Supports the actions of Governor Rick Scott to review the anti-hazing policies at universities in the State University System.

**Section 2.** Urges the Florida Legislature to require more robust policies at both public and nonpublic universities that implement stricter penalties, greater enforcement, and additional education to address hazing incidents.

**Section 3.** Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 4.** Directs the County's state lobbyists to advocate for the issue identified in Section 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 state legislative package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

5

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of December, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

MBV

Michael B. Valdes

6