



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

TO: Juana Leon, Administrative Services Manager
The Children's Trust

FROM: Loressa Felix, General Counsel
Commission on Ethics and Public Trust

SUBJECT: INQ 2025-46, Voting Conflict, §2-11.1(d) Miami-Dade County Ethics Code

DATE: May 16, 2025

CC: All COE Legal Staff

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding possible voting conflicts of interest by The Children's Trust board members on Resolution 2025-49.

Background:

The Children's Trust Board (TCT) is an independent special district established by Miami-Dade County in Art. CIII, Sections 2-1521 through 2-1531 of the Miami-Dade County Code (TCT ordinance).

You have advised that Resolution 2025-49, recommending, "[a]uthorization to accept a total of \$1.5 million, with \$500,000.00 disbursed annually over the next three years, from the Frederick A. DeLuca Foundation for investment in the Summer Youth Internship Program; authorization to amend the 2024-2025 Trust budget to increase the allocation to this program by \$500,000.00; and authorization to amend the 2024-2025 agreement with Miami-Dade County to increase The Trust's allocation to the Summer Youth Internship Program (SYIP) by \$500,000.00 for summer 2025, for a new total contract amount not to exceed \$3,000,000.00, for a term of 12 months, from March 1, 2025, and ending on February 28, 2026," will be considered at an upcoming meeting of TCT board.

Since 2016, Miami-Dade County, The Children's Trust, Miami-Dade County Public Schools, the Foundation for New Education Initiatives, Inc., and EdFed have collaborated to provide paid summer internships for youth across the county. This collaborative summer internship program provides valuable work and life experiences for high school youth in Miami-Dade County. The program encourages the development of positive work habits, offers hands-on professional experience in varied career fields, and motivates youth to further their education and improve their ability to pursue a wide range of career options.

The Frederick A. DeLuca Foundation plans to join the Summer Youth Internship Program (SYIP) collaborative, which includes the South Florida Workforce Investment Board (SFWIB), Miami-Dade County, Miami-Dade County Public Schools (M-DCPS), The Foundation for New Education Initiatives, Inc. (The Foundation), and EdFed Credit Union. The Children's Trust contracts with Miami-Dade County to pool funding for the program. Miami-Dade County contracts with The Foundation and M-DCPS, which operates the program. SFWIB contracts directly with M-DCPS to support the internship program.

This resolution seeks to authorize The Children's Trust to accept a total of \$1.5 million from the Frederick A. DeLuca Foundation in \$500,000.00 increments over three years and amend the current match contract agreement with Miami-Dade County to increase The Trust's allocation to the 2025 SYIP in an amount not to exceed \$3,000,000. In Resolution #2025-11, the Board previously approved for The Trust to negotiate and enter into a match contract agreement with Miami-Dade County for SYIP, in a total amount not to exceed \$2,500,000.00, for a term of 12 months, commencing March 1, 2025, and ending on February 28, 2026. This investment aims to increase The Trust's allocation to support the SYIP and to increase the number of students served from 3,100 to a record high of 3,350 students.

The internship program recruits and connects rising 10th to rising 12th grade students who live in Miami-Dade County and attend either an M-DCPS school or a charter school with paid summer internships. There is an emphasis on engaging high-need youth, and the program must enroll at least 15 percent of youth with disabilities. With the additional funds, the program intends to employ at least 3,350 youth interns in the summer of 2025. This represents an increase of 250 internships. The youth interns will each set up a credit union account with collaborating partner EdFed Credit Union, earn a stipend of no less than \$1,500.00, and work 30 hours per week for five weeks. In addition to receiving a stipend for summer work experience, youth interns may earn high school honors course credits and college credits through dual enrollment.

You inquire on behalf of TCT board member Dr. Malou C. Harrison, regarding whether she would have a voting conflict of interest under Section 2-11.1(d) of the County Ethics Code or the TCT Conflict of Interest and Code of Ethics Policy/Bylaws, in voting or otherwise participating in Resolution 2025-49.

Dr. Harrison is the Executive Vice President and Provost at Miami Dade College. She is a designee from the Miami Dade College, appointed to the TCT Board by the Miami Dade College President. Miami Dade College receives over 40 SYIP students to intern at the institution, and over 400 SYIP interns enroll in dual enrollment-college credit courses as part of the SYIP. Miami Dade College receives no direct funding from this initiative, as students are directly provided with a stipend for their participation in addition to potential college credits. No information has been provided to show that Dr. Harrison has any involvement or administration over SYIP student participants for their internships or class enrollment.

Discussion:

This office may consider and opine whether a TCT board member has a conflict of interest, pursuant to the County Ethics Code, affecting his or her vote or participation in a funding allocation from TCT. See RQO 19-06

TCT's Conflict of Interest and Code of Ethics Policy states, inter alia, that a board member shall not vote on any matter presented to the TCT Board if the member will receive a direct financial benefit from the board action. TCT's Bylaws also provides that, "Board members will act in such a manner to avoid the appearance of impropriety. No member shall serve as a staff member of any agency when The Children's Trust provides more than fifty (50) percent of the agency's budget, and The Children's Trust's funds may pay no portion of a Board member's salary."

There are no facts indicating that Dr. Harrison will be receiving a direct financial benefit from board action, therefore, a conflict analysis under TCT rules is not applicable.

The Ethics Code at Section 2-11.1(d), establishes a voting conflict if:

- 1) The board member has an enumerated relationship (officer, director, partner, of counsel, consultant, employee, fiduciary, etc.) with any entity affected by the vote;
- 2) The board member has an enumerated relationship with an entity affected and the matter would affect him or her in a manner distinct in which it would affect the public generally; and,
- 3) The board member might, directly or indirectly, profit or be enhanced by the board action.¹
See RQO 15-04.

An automatic voting conflict arises when the board member has a prohibited relationship with the entity *affected* by the Resolution.

In this instance, Dr. Harrison works for Miami Dade College, an entity which may be the recipient of participating SYIP students, but Miami Dade College receives no funding from the TCT as a result of this resolution. She is not employed by nor has an enumerated relationship with any entity *affected* by this Resolution. *See* INQ 21-38 and INQ 21-74. Therefore, no voting conflict arises under this principle.

It also does not appear that Dr. Harrison will receive a special benefit by virtue of her employment with Miami Dade College. Therefore, there is no unique impact which would create a voting conflict as the board member would not be affected by this vote in a matter distinct from the public generally. *See* INQ 21-86, INQ 22-77, and INQ 23-10.

Opinion:

Based on the information provided herein, it does not appear that TCT Board Member Harrison has a voting conflict. She does not have an enumerated relationship with any entity receiving

¹ This section of the County Ethics Code applies to the Mayor and members of the Board of County Commissioners (BCC); however, by implication, members of The Children's Trust board may be included for purpose of analysis because, as an independent special district, the role and authority of TCT members mimics the role of the BCC, as ultimate decision-makers of contracts allocating funds such as the ones described herein.

funds from this Resolution. She will not profit (directly or indirectly) or be enhanced by this vote, nor will she receive a special benefit in her professional capacity. Further, her vote and participation with regard to this Resolution would not raise the perception of an appearance of impropriety.

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal opinions provided by the legal staff after review and approval by the Executive Director and/or General Counsel. INQs deal with opinions previously addressed in public session by the Miami-Dade Commission on Ethics and Public Trust or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Ethics Commission when the subject matter is of great public importance or where there is insufficient precedent. While this is an informal opinion, covered parties that act contrary to this opinion may be subject to investigation and a formal Complaint filed with the Ethics Commission.