

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: Provision of Defense Counsel for School Employees in the case of J.J. individually and as parent of H.T.J., a minor, v. The School Board of Miami-Dade County, Florida, Craig V. Speziale, Kiury M. Hung, Louis J. Algaze and Kevin Grace, Circuit Case No. 04-19153-CA-02

The above styled lawsuit was filed in the State Court in Miami-Dade County and served September 9, 2004 on Dr. Louis Algaze, the principal at American Senior High School, Mr. Craig Speziale, the principal at South Miami Senior High School and Ms. Kiury M. Hung, a teacher at American Senior High School, and September 13, 2004 on the School Board. These school employees are being sued in their official capacity and have requested that the School Board provide them with legal counsel.

The lawsuit asserts claims for, among other things, negligence, negligent retention, negligent supervision, loss of consortium, and for violation of 42 U.S.C. § 1983 (deprivation of rights to due process of law and to equal protection under the law).

The acts alleged to have been committed by the named-Defendants arose out of and in the course of the performance of their assigned duties and responsibilities as school employees. Pursuant to School Board Rule 6Gx13-1C-1.02 and the authority under § 1012.26, Fla. Stat. (2003), we are requesting that the School Board authorize the provision of legal representation for Dr. Algaze, Mr. Speziale, and Ms. Hung.

Pending Board authorization, outside counsel for the School Board has taken action necessary to timely provide for defense of the Board and employees.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide for the defense of Dr. Louis Algaze, Mr. Craig Speziale, and Ms. Kiury M. Hung, in the case of J.J. individually and as parent of H.T.J., a minor, v. The School Board of Miami-Dade County, Florida, Craig V. Speziale, Kiury M. Hung, Louis J. Algaze and Kevin Grace, Circuit Case No. 04-19153-CA-02