

Agustin J. Barrera, Chairman

**SUBJECT: THAT THE SCHOOL BOARD DIRECT THE BOARD ATTORNEY TO TAKE SUCH APPROPRIATE ACTION, AS SPECIFIED BY THE BOARD, IN THE CASE OF AMERICAN CIVIL LIBERTIES UNION OF FLORIDA INC., v. THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA et al., U.S. District Ct. Case No. 06-21577-CIV-GOLD**

At its June 14, 2006 meeting, the Board entered a Final Order in the book challenge appeal case dealing with the *Vamos a Cuba*, *A Visit to Cuba*, and the related books in the series. On June 21, 2006, the Board was served with a lawsuit challenging its decision to remove the aforementioned books.

On July 24, 2006, after a full-day preliminary injunction hearing, the Court rendered its opinion in the case of American Civil Liberties Union of Florida, Inc., v. The School Board of Miami-Dade County, Florida, et al., U. S. District Court Case No. 06-21577-CIV-GOLD, finding that the Plaintiffs had met their burden for the granting of a preliminary injunction and thus ordered that the subject books be placed back on the school library shelves immediately.

The purpose of this item is to permit the Board to direct the Board Attorney as to any subsequent action the Board wishes be taken with regard to pending litigation.

**ACTION PROPOSED BY**

**CHAIRMAN AGUSTIN J. BARRERA:** That the School Board direct the Board Attorney to take such appropriate action, as specified by the Board, in the case of American Civil Liberties Union of Florida, Inc., v. The School Board of Miami-Dade County, Florida et al., U.S. District Ct. Case No. 06-21577-CIV-GOLD.

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