

Office of School Board Attorney  
JulieAnn Rico, Board Attorney

**SUBJECT: REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE POSITION OF ASSOCIATE ATTORNEY, PERSONNEL**

**COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY**

The Associate Attorney, Personnel provides legal advice and represents the School Board in the areas of personnel, disciplinary matters, employee relations, school police, and worker's compensation and works closely with assigned departments to effectively implement all pertinent policies.

Conditions of the employment contract for the position of Associate Attorney, Personnel provide for an initial employment term from December 15, 2006 to December 14, 2008, with compensation at an annual salary of \$120,000.00, subject to increase as the Board, Board Attorney and the contracted employee may agree. The contract also provides for the individual to be granted vacation and sick leave as provided to managerial exempt personnel. The employee shall be entitled to membership in the Florida Retirement System in the Senior Management Classification as required by Florida Retirement System Rule 60S-1.004.

The employment contract may be terminated by the Board Attorney or employee on 30 days written notice to the Board and the Board Attorney, or to the employee, as the case may be, it being understood that except as so provided, the contracted employee's right to employment shall be subject to the Board Attorney's absolute right to terminate this agreement at will.

**Ms. Janeen Richard, Esq.** is recommended for appointment to the contracted position of Associate Attorney, Personnel. Ms. Richard received her Juris Doctorate *cum laude* in May, 1996 from the University of Miami School of Law. Ms. Richard has been a member of the Florida Bar since 1997 and was formerly a senior litigation attorney with the law firm of Akerman, Senterfitt, P.A. in Ft. Lauderdale, Florida.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, appoint **Ms. Janeen Richard.** to the contracted position of Associate Attorney, Personnel, Office of the School Board Attorney effective December 15, 2006, upon completion of background check, at an annual salary of \$120,000.00 through December 14, 2008.

# MIAMI-DADE COUNTY PUBLIC SCHOOLS

## JOB DESCRIPTION

### IDENTIFICATION INFORMATION

- |    |                        |                                   |
|----|------------------------|-----------------------------------|
| 1. | JOB TITLE:             | Associate Attorney, Personnel     |
| 2. | DEPARTMENT:            | Board Attorney's Office           |
| 3. | IMMEDIATE SUPERVISOR:  | School Board Attorney             |
| 4. | PAY GRADE:             | (Contract)                        |
| 5. | JOB CODE:              | 8203                              |
| 6. | BARGAINING UNIT:       | 6                                 |
| 7. | DATE OF LAST REVISION: | November 4, 2005                  |
| 8. | POSITION AUTHORIZED:   | Board Item G-2, November 16, 2005 |
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### OCCUPATIONAL SUMMARY

Works at the direction of the Senior Attorney for Personnel. Provides legal advice and represents the School Board in the areas of personnel, disciplinary matters, employee relations, school police, and worker's compensation. Interacts with and acts as attorney to the Superintendent in the areas of personnel, disciplinary matters, employee relations, school police and worker's compensation.

### EXAMPLE OF DUTIES

1. Provides legal advice and represents the School Board in the areas of personnel, disciplinary matters, employee relations, school police, and worker's compensation.
2. Interacts with and acts as attorney to the Superintendent in the areas of personnel, disciplinary matters, employee relations, school police, and worker's compensation.
3. Assists the Board Attorney on all legal matters as assigned.
4. Performs legal research and prepares legal opinions.
5. Drafts, reviews, or updates Board policies.
6. Recommends changes in policies and procedures to ensure compliance with all applicable federal and state laws and regulations.
7. Provides legal advice to school District officials.

8. Represents the District in litigation and/or administrative personnel disciplinary actions.
9. Follows adopted policies and procedures in accordance with School Board priorities.
10. Conducts oneself in the best interest of students, in accordance with the highest traditions of public education and in support of the District's Mission Statement.
11. Must be willing to cross train and provide legal support in other practice areas as assigned by the School Board Attorney.

### **PHYSICAL REQUIREMENTS**

This work requires the following physical activities: climbing, bending, stooping, kneeling, twisting, reaching, sitting, standing, walking, lifting, finger dexterity, grasping, repetitive motions, talking, hearing and visual acuity. The work is performed primarily indoors.

### **MINIMUM QUALIFICATION REQUIREMENTS**

1. Law degree from accredited law school.
2. Member in good standing of The Florida Bar.
3. Admitted to U.S. Federal District Court for the Southern District of Florida or its equivalent, preferred.
4. Minimum of two (2) to five (5) years of successful experience in one or more of the following: personnel/employment/labor law, or trial experience in civil or criminal or administrative proceedings.
5. Demonstrated ability to communicate the law to others.
6. Demonstrated ability to work with diverse groups.

## **JANEEN R. RICHARD**

70 N.E. 46<sup>th</sup> Street  
Miami, Florida 33137  
(305) 490-0801 (cell)  
(305) 576-9801 (home)

### **PROFESSIONAL EXPERIENCE**

**AKERMAN SENTERFITT, P.A., FT. LAUDERDALE, FL**

*Senior Litigation Associate*

*12/01-Present*

Participation in every aspect of employment litigation, commercial litigation, and personal injury defense. Drafting pleadings, motions, discovery requests and responses. Participation in mediation, arbitration, trials, and appeals. Representing large private and public corporations in commercial disputes and personal injury matters. Representing corporate clients in matters relating to sex and age discrimination.

**CARLTON FIELDS, P.A., MIAMI, FL**

*Litigation Associate*

*4/98-12/01*

Participated in every aspect of general commercial litigation and construction litigation. Drafted pleadings, motions, discovery requests and responses. Participated in mediation, trial and appeals. Represented clients in construction litigation including the defense of bond claims brought against sureties and the defense of general contractors in breach of contract claims.

**HONORABLE WILKIE D. FERGUSON, JR. (DECEASED), FT. LAUDERDALE, FL**

**UNITED STATES DISTRICT COURT JUDGE, SOUTHERN DISTRICT OF FLORIDA**

*Federal Judicial Law Clerk*

*1996-1998*

Responsible for more than 200 civil cases, performed legal research, prepared bench memorandums, drafted orders and opinions, reviewed complaints, motions, and pleadings, communicated with counsel regarding case management and procedural requirements, and attended courtroom proceedings.

### **EDUCATION**

**UNIVERSITY OF MIAMI SCHOOL OF LAW, Coral Gables, FL**

J.D., *cum laude*, May 1996

Associate Editor, *Inter-American Law Review*

Moot Court Board

Best Brief, Moot Court Competition

Phi Delta Phi Legal Fraternity

Black Law Students Association

SPELMAN COLLEGE, Atlanta, GA  
B.A., English, *cum laude*, 1992

UNIVERSITY OF BIRMINGHAM, Birmingham, England  
English Literature Courses, 1990-91

**BAR ADMISSIONS**

State of Florida  
U.S. District Court, Southern District of Florida  
Eleventh Circuit Court of Appeals

**PROFESSIONAL MEMBERSHIPS**

The Florida Bar  
National Bar Association  
Wilkie D. Ferguson, Jr. Bar Association  
Broward County Bar Association  
Gwen S. Cherry Black Women Lawyers Association

***References Available Upon Request***

## A G R E E M E N T

THIS AGREEMENT dated this 13th day of December, 2006, by and between THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, hereinafter referred to as the "BOARD," and JANEEN R. RICHARD, hereinafter referred to as " RICHARD;"

### WITNESSETH

WHEREAS, pursuant to a written Agreement between the BOARD and JULIEANN RICO, hereafter referred to as the BOARD ATTORNEY, the "BOARD ATTORNEY" is responsible for the selection, hiring and supervision of such additional attorneys as may be necessary for the proper handling of the work of the BOARD; and pursuant to said Agreement each such additional attorney is to be employed by the BOARD; and

WHEREAS, the said BOARD ATTORNEY desires that RICHARD be employed as ASSOCIATE ATTORNEY – PERSONNEL, and RICHARD desires to accept such employment subject to all the provisions of the said Agreement between the BOARD and the BOARD ATTORNEY;

NOW, THEREFORE, the parties hereto agree as follows:

1. The BOARD agrees to employ RICHARD as ASSOCIATE ATTORNEY – PERSONNEL at an annual salary of ONE HUNDRED TWENTY THOUSAND and 00/100 (\$120,000.00) Dollars, payable in biweekly installments, for the period from December 15, 2006 to December 14, 2008, subject to increase as the BOARD, the BOARD ATTORNEY, and RICHARD may agree.

1A. The parties acknowledge and agree that RICHARD 's employment hereunder shall be subject to a 60-day initial probationary period, during which this Employment Agreement may be terminated at the sole discretion of the BOARD ATTORNEY upon written notice to RICHARD.

2. In addition to the compensation herein above provided, RICHARD shall be entitled to participate in such insurance and retirement plans and other fringe benefits as may be available from time to time to the managerial exempt employees of the BOARD, and shall be entitled to reimbursement for travel and related expenses according to applicable law and BOARD Rules and regulations.

3. The duties and assignments of RICHARD as ASSOCIATE ATTORNEY – PERSONNEL shall include the responsibilities as set forth in the Job Description for ASSOCIATE ATTORNEY – PERSONNEL, as amended from time to time, and the performance of such other duties and assignments as the BOARD ATTORNEY shall direct. In the conduct of her duties, she shall be fully and solely responsible and accountable to the BOARD ATTORNEY.

4. RICHARD agrees to devote her full time and efforts to the performance of her duties and responsibilities as ASSOCIATE ATTORNEY – PERSONNEL and further agrees not to accept or perform any legal services for any client other than the BOARD which may in any way conflict with the legal business of the BOARD or with her duties and responsibilities as such ASSOCIATE ATTORNEY – PERSONNEL.

5. This Contract may be terminated at the option of the BOARD ATTORNEY or RICHARD on thirty (30) days' written notice to the BOARD and to the BOARD ATTORNEY, or to RICHARD, as the case may be, it being understood that except as so provided, the said RICHARD 's

right to employment shall be subject to the BOARD ATTORNEY'S absolute right to terminate this Agreement at will.

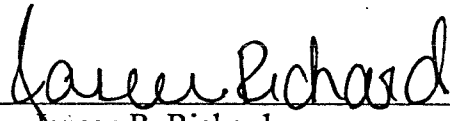
IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Miami-Dade County, Florida, this \_\_\_\_\_ day of December 2006.

ATTEST:

THE SCHOOL BOARD OF MIAMI-DADE  
COUNTY, FLORIDA

\_\_\_\_\_  
Rudolph F. Crew, Ed.D., Secretary

By: \_\_\_\_\_  
Agustin J. Barrera, Chairman

By:   
\_\_\_\_\_  
Janeen R. Richard

Approved as to Form:

\_\_\_\_\_  
JulieAnn Rico Allison  
School Board Attorney