

Office of Superintendent of Schools
Board Meeting of February 13, 2008

February 11, 2008

Office of School Board Attorney
JulieAnn Rico, Board Attorney

**SUBJECT: THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
AGREE UPON THE SCHOOL BOARD ATTORNEY'S
PERFORMANCE GOALS & INITIATIVES FOR CALENDAR YEAR
2008 IN ACCORDANCE WITH THE BOARD ATTORNEY'S
EMPLOYMENT CONTRACT**

COMMITTEE: INNOVATION EFFICIENCY & GOVERNMENTAL RELATIONS

Pursuant to the provisions of the Board Attorney's employment contract, the Board Attorney shall have her performance goals developed, agreed upon, amended, and approved annually (§ IV, *Salary, Increases and Performance Goals*). The purpose of this Item is to present the amended performance goals for the Board Attorney for the 2008 calendar year. The Board Attorney requests that these new performance goals and initiatives (attached), which were amended pursuant to the recommendations of Board members at the February 7, 2008 Innovation, Efficiency & Governmental Relations School Board Committee, be agreed upon, further amended--if desired by the Board--and approved in accordance with the Board Attorney's employment contract.

REVISED

RECOMMENDED: That The School Board of Miami-Dade County, Florida agree upon and approve the amended performance goals for the School Board Attorney for calendar year 2008 in accordance with her employment contract.

**REVISED
G-6**

JAR/LMG:pc

SCHOOL BOARD ATTORNEY'S OFFICE ADMINISTRATION INITIATIVES 2008

Yellow=Ongoing
Green=Complete
White=Identified

Initiatives	Status
❖ Create an evaluation score card for outside counsel.	
❖ Create a legal alert update communication procedure which will notify the Board of newly filed or threatened lawsuits.	
❖ Develop quarterly tort litigation Board report and quarterly outside counsel Board report.	
❖ Provide legal guidance in the area of Administration for implementation of the Rules Revision project.	

BOARD ATTORNEYS

POLICY COMPLIANCE/GOVERNANCE INITIATIVES

2008

Yellow=Ongoing
Green=Complete
White=Identified

INITIATIVES	STATUS
<ul style="list-style-type: none"> ❖ Implement Online Rule Revision Project. <ul style="list-style-type: none"> ◆ Present set of Board Rules for repeal ◆ Present set of Board Rules for amendment ◆ Present set of new Board Rules for adoption 	
<ul style="list-style-type: none"> ❖ Revise and Update School Board Governance Manual. [2008 Update on Public Records Law Compliance, Sunshine Law, and Ethics requirements for public officers and employees] 	
<ul style="list-style-type: none"> ❖ Search for legal means for increasing federal and State funding of education under NCLB, IDEA, State constitutional provisions for fair and adequate funding of education, and any other applicable laws. 	

REVISED

SCHOOL BOARD ATTORNEY'S PERSONNEL INITIATIVES 2008

Yellow=Ongoing
Green=Complete
White=Identified

INITIATIVE	STATUS
❖ Draft and distribute employment compliance guidelines for worksite administrators.	
❖ Assist in revision of the current Corporal Punishment Board Rule to include a definition of Corporal Punishment.	
❖ Provide training on EEOC, Title VII, and disciplinary actions to District Staff and Administrators.	
❖ Provide legal guidance in the area of Personnel for implementation of the Rules Revision project.	
❖ Develop and deliver training to the Office of Professional Standards' Case Managers on the performance of OPS functions regarding compliance with applicable Board rules and legal standards relative to employment matters [e.g., legal implications of criminal convictions and of the withholding of adjudication].	

ADDED

SCHOOL BOARD ATTORNEY'S RISK MANAGEMENT INITIATIVES 2008

		Yellow=Ongoing Green=Complete White=Identified
INITIATIVE	STATUS	
❖ Conduct training for school site and transportation administrators on liability issues.		
❖ Develop and improve existing guidelines and protocols for responding to Public Record Requests related to threatened/pending litigation matters and distribute guidelines to school district employees, District claims adjusters and outside counsel.		
❖ Establish Risk Management Round Table for comprehensive review of liability issues and ongoing litigation matters.		
❖ Develop and maintain District-wide tracking systems for: <ul style="list-style-type: none"> ❖ Outside counsel fees and costs ❖ Document retrieval concerning claims against the School District or individuals. 		
❖ Provide legal guidance in the area of Risk Management for implementation of the Rules Revision project.		

REVISED

SCHOOL BOARD ATTORNEY'S ACADEMIC INITIATIVES 2008

Yellow=Ongoing
Green=Complete
White=Identified
STATUS

INITIATIVES

❖ Comprehensively review all facets of MDCPS's alternative education programs and processes and make recommendations to the administration for compliance with applicable laws and rules, including suspensions and expulsions.	
❖ Provide legal guidance and training regarding Section 504 of the Rehabilitation Act of 1973.	
❖ Develop an ESE Due Process Hearing manual for principals.	
❖ Provide legal guidance in the area of Academics for implementation of the Rules Revision project.	
❖ In collaboration with the State Attorney's Office and other relevant agencies, develop training materials to further educate secondary school students on the legal implications and consequences of engaging in sexual conduct with a minor (formerly known as "statutory rape").	

ADDED

SCHOOL BOARD ATTORNEY'S BUSINESS OPERATIONS & CONSTRUCTION AND CONTRACTS INITIATIVES 2008

Yellow=Ongoing
Green=Complete
White=Identified

Initiatives	Status
<ul style="list-style-type: none"> ❖ In concert with Facilities Management: <ul style="list-style-type: none"> ◆ Develop a program for identification and disposal of excess portable classroom capacity. ◆ Standardize general conditions section of the Builders' Contract and coordinate with all construction related contracts. 	
❖ Develop procedures for protection of School Board created intellectual property to maximize financial potential.	
❖ Research all legally available vehicles for fundraising, income/revenue to the School District for intellectual property; identify any impediments requiring legislative changes.	
<ul style="list-style-type: none"> ❖ In concert with Outside Counsel and Facilities Management: <ul style="list-style-type: none"> ◆ Resolve remaining water-intrusion and construction litigation previously assigned to outside counsel. 	
❖ Provide legal guidance in the area of Business Operations and Construction and Contracts for implementation of the Rules Revision project.	

SCHOOL BOARD ATTORNEY'S REAL ESTATE INITIATIVES 2008

Yellow=Ongoing
Green=Complete
White=Identified

INITIATIVES	STATUS
❖ Continue to develop and provide Module Two of in-service training to Facilities staff relative to implementation of standard real estate forms concerning Purchase and Sale Contracts.	
❖ Draft Master Developer's Agreement for Concurrency: Proportionate Share Mitigation.	
❖ Compile copies of all School District Leases which are currently in effect.	
❖ Create a table identifying termination and renewal terms for each lease.	
❖ Provide legal guidance in the area of Real Estate for implementation of the Rules Revision project.	