

Office of School Board Attorney
Walter J. Harvey, Board Attorney

SUBJECT: APPROVAL TO RETAIN OUTSIDE LEGAL COUNSEL TO REPRESENT THE BOARD IN ITS EFFORTS TO RECOVER PROPERTY AND FUNDS OWED TO THE DISTRICT FROM TERMINATED CONTRACTS

COMMITTEE: INNOVATION, EFFICIENCY AND GOVERNMENTAL RELATIONS

**LINK TO
STRATEGIC
FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

The School Board Attorney requests that the School Board authorize the Board Attorney to enter into a contract for creditor collection and asset recovery services with Blaxberg Grayson & Kukoff, P.A. to collect funds and/or property from charter schools, School Board creditors, and indispensable, necessary or related parties.

To date, the Board has over 90 contracts with charter schools. Pursuant to the charter school contracts with the School Board, upon immediate termination the charter schools are required to relinquish to the School Board "all educational and administrative records of the School...and ...within two business days, the School shall turn over all records and information regarding the accounts of all of the public funds to the School Board." Furthermore, Section 1002.33(8)(e), Fla. Stat. (2010), also states that upon termination, public funds and property shall revert to the School Board immediately. Despite the clear language of both the contract and Florida law, some charter school officials and other related, necessary or indispensable parties do not relinquish property belonging to the District. In addition, other contract disputes often arise necessitating immediate and prompt action in the recovery of School Board funds and assets.

To protect the School Board's property and funds, the Board Attorney seeks authorization to enter into a contract for creditor collection and asset recovery services with Blaxberg Grayson & Kukoff, P.A. to collect funds and/or property from charter schools, School Board creditors, and indispensable necessary or related parties to recover School Board property.

RECOMMENDATION: The School Board Attorney requests that the School Board authorize the Board Attorney to enter into a contract for creditor collection and asset recovery services with Blaxberg Grayson & Kukoff, P.A. to collect funds and/or property from charter schools, School Board creditors, and indispensable, necessary or related parties.