

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

SUBJECT: ANNUAL REPORT TO THE BOARD

COMMITTEE: PERSONNEL SERVICES AND STUDENT AND SCHOOL SUPPORT

LINK TO STRATEGIC BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

The School Board Attorney presents this annual report to the Board summarizing and highlighting the legal work and overall performance of the School Board Attorney's Office (SBAO). The School Board Attorney is very proud of the dedicated and talented staff who work diligently, consistently, and responsibly to provide the highest level of legal advice and representation to the School Board.

OVERVIEW

The SBAO caseload continues to increase every year in many areas. At the same time, as detailed in this report, the SBAO continues to decrease the District's outside legal costs by effectively utilizing its in-house representation and advocacy.

In addition, the SBAO is fully committed to the District's goal of Student Achievement as outlined in "Vision 20/20, 2015-2020 MDCPS Strategic Blueprint," concentrating its efforts on the five pillars: Effective and Sustainable Business Practices; Highly Effective Teachers, Leaders & Staff; Safe, Healthy & Supportive Learning Environment; Informed, Engaged & Empowered Stakeholders; and Relevant, Rigorous & Innovative Academics. The SBAO works collaboratively with Cabinet level administrators and departments to be more effective in serving and protecting our students.

HIGHLIGHTS

Advocacy And Compliance

- Settlement of Suffolk & Other Construction Claims
- Complex Agreements
- SEED/KIPP – District Managed Charter Schools
- Hurricane Irma / FEMA-related Issues
- Florida Constitution Amendments, Legislation – Compliance Issues

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- Forums & Seminars with Local Courts

Presentations

The SBAO is regularly requested to present at conferences and professional organizations. In the last year, SBAO attorneys were requested to present at:

- Annual Joint Conference of the Florida School Boards Association (FSBA)/Florida Association of District School Superintendents (FADSS)/Florida School Board Attorneys Association(FSBAA), Tampa, FL, "*Handling Instructional Materials Challenges*";
- Quarterly Conference of the Florida School Board Attorneys Association (FSBAA), Gainesville, FL, "*Transgender Law Roundtable*;"
- The South Florida Executive Roundtable, Miami, FL, "*A View from the Office of the General Counsel*;"
- Family Court Services Lunch and Learn Series, *Family and Custody Issues in Miami-Dade County Public Schools*;
- The Quarterly Chat for SBE and MWBE firms on Joint Ventures;
- The Risk Management Society, Greater Miami Chapter;
- Judicial Nominating Commission, "*How to become a Judge*," various voluntary bar associations;
- "*Education Law and English Language Learners*," Miami-Dade College Symposium;
- Quarterly Conference of the Florida School Board Attorneys Association (FSBAA), Tampa, FL, "*Hurricane Policies and Lessons Learned*;"
- Quarterly Conference of the Florida School Board Attorneys Association (FSBAA), Gainesville, FL (upcoming), "*School Clinics, Telemedicine and Health Care Issues for Schools*;"
- Guest lecturers at local law schools regarding Education Law; and
- Forums and seminars with local judges and attorneys regarding public schools and Education law.

} Added

Trainings

The SBAO attorneys also provide trainings on a regular basis and upon request on a variety of issues.

- SBAO provided a workshop to the Diversity Equity and Excellence Advisory Committee on the history of (a) desegregation of public schools in Florida and Miami-Dade County and (b) the DEEAC.
- SBAO provided a basic contracts training to the Academics Department.

- An SBAO attorney has become a Diversity & Inclusion “Certified Trainer” who will facilitate interactive training presentations to District employees on the School Board’s Business Diversity Commitment and Initiatives.
- SBAO provided training on the sunshine law, public records and ethics laws to the Attendance Boundary Committee (ABC), the Diversity Equity and Excellence Advisory Committee (DEEAC), the Charter School Application and Contract Review Committees, the Family Community Involvement Advisory Committee, the Ethics Advisory Committee, and the SBE/MBE and M/WBE Advisory Committee.
- SBAO provided training to new ESE teachers on Saturday, February 27, 2018, at Miami-Central High School, entitled “*The Role of Teachers in ESE Due Process Cases*”.

Trademark and Licensing Program

In a collaborative effort with the Office of the Superintendent, School Operations and Procurement, the SBAO assisted in the District’s establishment a multi-tiered Trademark and Licensing program specifically aimed at both legally protecting the District’s marks, but also ensuring the continued fair use of these marks. The new revenue generating structure delineates rules for three specific areas of use: the school site level (PTA and booster clubs); local Miami-Dade vendors; and a web-based platform for national sales. Additionally, the SBAO continues to register trademarks and to enforce trademark use through cease and desist letters and individual contracts with vendors.

Collaborative Partnerships

The SBAO provides significant legal assistance and guidance to staff involved in the District’s development of multiple collaborative partnerships with other government and private entities to provide greater access to educational opportunities to students and parents, including, but not limited to, implementing the Board’s new policy enabling public-private partnerships and unsolicited proposals, such as the SEED residential project.

Policy Updates

Within the last year, the SBAO provided substantial assistance to the Board and District staff of multiple departments in recommending thirty-three (33) new and amended Board bylaws and policies to the Board, including but not limited to, those addressing changes in Board governance, bylaws, and processes, attendance boundaries, controlled open enrollment, magnet schools, and the student progression plan.

In addition, in conjunction with the Superintendent’s Office, the SBAO is currently facilitating the Board’s annual review of policy revisions. The SBAO is again bringing new and amended policies to conform to statutory changes for the Board’s consideration.

PILLARS

EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES

The SBAO represents the School Board, the Superintendent and the District in general business issues.

General Liability/Tort

SBAO attorneys handle the vast majority of all general liability claims and lawsuits brought against the District (claims and lawsuits seeking monetary damages for personal injuries and property damages). During 2017, 166 notices of claims (pre-suit notices of personal injury claims required by Florida Statute §768.28) and 47 general liability lawsuits were received and processed by the SBAO.

At present, SBAO attorneys are defending in-house 118 lawsuits filed against the District. This represents approximately 97% of all lawsuits presently pending against the District. Furthermore, the SBAO supervises all lawsuits assigned to outside attorneys. There are currently 4 litigated matters involving specialized areas of legal practice which have been assigned to outside counsel.

The utilization of SBAO attorneys in the defense of the numerous claims and lawsuits filed against the District continues to result in substantial cost savings to the District. See **Exhibit A, General Liability Attorneys' Fees**, attached. Furthermore, outside general liability defense counsel legal fees continue to remain at historic lows. From 2004-2009, the District spent an average of \$1,400,000 annually in outside counsel fees compared to 2017 costs of \$243,822. See **Exhibit D, Attorneys' Fee Comparisons**, attached. In addition, monetary payouts on tort and general liability claims remain low, further resulting in reductions in tort and general liability claim reserves.

Added

Workers' Compensation

Commencing in early 2017, the SBAO extensively expanded its in-house workers' compensation law practice. At present, SBAO attorneys are handling in excess of 150 litigated workers' compensation claims that were filed against the District. During 2017, 63 new litigated workers' compensation claims have been assigned to SBAO attorneys. This represents approximately 75% of all litigated workers' compensation claims filed against the District during 2017.

The utilization of the SBAO in the legal defense of the numerous workers' compensation claims filed against the District each year will result in significant cost savings for the District. Legal fees paid to outside workers' compensation defense counsel decreased significantly from \$2,824,769 in 2016 to \$2,276,825 in 2017. These savings to the District are even more substantial when compared to costs of \$4,300,000 in 2008 and \$4,100,000 in 2009. See **Exhibit D, Attorneys' Fee Comparisons**, attached. We anticipate that outside workers' compensation defense counsel legal fees will be further reduced in the coming months. See **Exhibit B, Worker's Compensation Attorneys' Fees**, attached. This is a notable achievement given that National Council of Compensation Insurance (NCCI) and many insurance carriers have reported significant

Added

increases in workers' compensation expenses, including legal fees and claims, due to recent Florida Supreme Court decisions.

Construction, Planning, and Facilities

The SBAO assisted District staff and community stakeholders in revising Board procedures related to construction and procurement, as well as revising existing construction and professional service form contracts of the District, including the Miscellaneous CM-at-Risk, Architect/Engineer, and Building Code Consultant contracts. The SBAO is also working closely with the Office of Procurement Management Services to provide assistance with the Contractor Disciplinary Review Committee.

The SBAO is actively assisting Facilities in developing a Guaranteed Energy Performance Contract that will ultimately fund capital improvements through energy saving initiatives. Once in effect, the construction project will be energy efficient and the District will utilize the stream of income from the savings to repay the costs of the project, including the costs of the initial investment. This is a means of updating District facilities solely based on the savings from utilizing new energy efficient means.

The SBAO assists and attends the Goal Setting Committee Meetings, Contractor Prequalification Committee Meetings and the Small/ Micro and Minority/ Women Business Enterprise Advisory Committee Meetings, to provide legal assistance in the implementation of Board policies. The SBAO continues to be strongly committed to working with the Office of Economic Opportunity, Office of Procurement Management Services and Office of School Facilities to develop policies and procedures to increase the participation of minority firms and vendors.

To ensure that staff and community members are aware of the new/revised construction policies implemented by the School Board, the School Board Attorney provided a presentation at the "On-Boarding Session" for new hires and at various committee meetings where members of the community were present. The SBAO participated in the Diversity Inclusion Training Program and now has an in-house attorney that is a Certified Trainer in Diversity and Inclusion.

Even with the increase in construction services necessary due to the General Obligation Bond Issues, the District's legal cost for claims and bid protests continue to reach historic lows. From 2004-2009, the District spent approximately an average of about \$2,700,000 annually on outside counsel fees compared to \$18,209.00 in 2017. See Exhibit C, Total Construction-Related Attorneys' Fee Expenditures, attached, and Exhibit D, Attorneys' Fee Comparisons, attached.

} Revised

Real Estate and Complex Commercial Transactions

During the period covered by this Report, the SBAO provided extensive support in the area of complex real estate transactions, including the real estate closings involving a

property exchanges and leases, with the SBAO providing representation from contract negotiations thorough the closings of Board-owned properties. SBAO also provided legal representation relating to interlocal agreements with the County and municipalities; numerous leases and facilities use agreements, including management and lease agreements with SEED and KIPP, and agreements for public park spaces; and ongoing representation relating to School Site and Educational Facilities Planning including without limitation mitigation agreements by and among the School Board, Local Governments and Developers in compliance with school concurrency.

In addition, the SBAO continues to provide legal services and opinions regarding a variety of School Board financing arrangements, and also works with and assists District staff in the review and drafting of documents related to numerous partnerships with local municipalities, governmental and private entities, to improve the services provided to employees and students, such as the 20-1500 project involving the ten acre School Board Administration (SBAB) complex.

As a result of the significant involvement of SBAO in-house counsel in these complicated real estate transactions (e.g., negotiation and drafting of contracts, ground leases and associated documents, conducting title examinations, rendering Opinions of Title, platting analysis, preparation and representation at Closings, etc.) substantial savings were realized and the risk of liability for the Board was substantially reduced. The SBAO continues to work diligently with District Facilities and Procurement staff on a number of projects considered by the District for possible recommendation to the School Board.

Transportation

The SBAO continues to provide legal assistance to the District's Department of Transportation and its staff in a wide ranging capacity. This includes reviewing and approving all contracts for the rental of District vehicles, all contracts for the payment of private or parental transportation, and the vigorous defense of any breach of contract claims brought against the District. The SBAO remains an active participant in the Accident Review Committee, which examines every accident that involves District vehicles. As always, the SBAO is actively pursuing recovery in any situation where a District vehicle was damaged as a result of third-party negligence. In addition, the SBAO provides general liability and tort defense for this department.

Office of Risk and Benefits Management Support

The SBAO provides extensive legal support to the Office of Risk and Benefits Management. This includes legal analysis and recommendations required for administration of the District's self-insured general liability and workers' compensation programs. Furthermore, the SBAO provided legal guidance for issuance of RFPs for various insurance products, the drafting of insurance and risk and safety contracts, and

legal reviews to ensure compliance with applicable laws, regulations and contractual obligations. The SBAO also works with the Office of Risk and Benefits Management staff to process and maximize recovery of funds for the District in insurance fraud investigations and claims, property damage, motor vehicle accident claims, and in healthcare plan subrogation claims brought against third parties. Earlier this year, the SBAO also began providing legal support to the Office of Risk and Benefits Management's Accident Review Committee which assesses all motor vehicle accidents involving District owned vehicles.

The SBAO further provides legal counsel to District staff and Gallagher Bassett Services and defends in-house litigated claims in areas such as general liability, workers' compensation, personnel, employment discrimination, and insurance subrogation. The SBAO provides legal advice and recommendations on claims handling strategies in order to reduce costs and prevent otherwise unnecessary litigation expenditures. SBAO attorneys are immediately assigned to work collaboratively with Gallagher Bassett Services claim representatives on all pre-suit claims involving alleged sexual assaults, fatalities, or other serious claims having potentially a high financial exposure.

Contracts

The SBAO has updated all of the District's standard form agreements and uploaded them to the online District forms bank and continues to assist staff in ensuring that the Board's best interests are reflected in agreements. Agreements were finalized for: (i) the Summer Youth Internship Program; (ii) Construction Technology Training Cohorts at D.A. Dorsey Technical Center and at South Dade Technical College for the purpose of protecting the District from exposure to liabilities; (iii) The City of Sunny Isles Beach Address Verification Agreement; (iv) an Agreement with Nike; (v) an agreement with AG Youth Hospitality Project for the implementation of the Hospitality and Culinary Program at Miami Beach Senior High School which gives students who are interested in a career in Culinary Arts an opportunity to enroll in career oriented courses, and, (v) in collaboration with Miami Bayside Foundation, Inc. and the City of Miami drafted, negotiated and executed an Agreement for the Marine Service Technology Program at Lindsey Hopkins Technical College to better educate the local workforce and assist in developing the maritime industry.

The SBAO continues to advise District staff and the Board on the negotiation of management and facilities agreements with District-managed charter schools, interlocal agreements, school concurrency, professional services, construction, academics, information technology, intellectual property and third-party service providers, including the drafting of agreements, performing review of titles and real estate closings and matters relating to procurement.

In addition, the SBAO continues to provide legal review of all standard form contracts. Since July 1, 2017, a total of 1,345 contracts (not including charter school related contracts) were drafted and reviewed. The average review turnaround time is 0.5 – 1 day on standard agreement forms and 0.5 – 2.5 days on non-form agreements.

HIGHLY EFFECTIVE TEACHERS, LEADERS & STAFF

Personnel Matters & Employment Litigation

During fiscal year 2016-2017, while the SBAO continued to provide extensive legal advice and representation in employee disciplinary matters, there was a dramatic increase in the number of employee matters and cases handled by the SBAO. Since January 1, 2017, the three in-house personnel and employment attorneys handled fifty-three (53) cases at different stages of litigation, including cases at state and federal courts and the Division of Administrative Hearings (DOAH). From pre-litigation defense through trials, appeals, dismissals, summary judgment, or settlement, the interests of the District have been vigorously defended. The case distribution was as follows:

State, Federal, and Appellate Courts	21
DOAH	25
Pre-Litigation Defense	7

Twenty-two (22) of these cases have been closed, which included the completion of seven (7) evidentiary hearings or trials before DOAH and resolution of eight (8) cases at federal and state levels, in addition to reducing the District's liability exposure through aggressive pre-litigation defense. During the same period, the SBAO conducted:

Legal Reviews	202
Duty Calls	329

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT

The SBAO has been instrumental in assisting the District with new laws enacted by the Child Care and Development Block Grant (CCDBG), which prescribes health and safety requirements for child care providers. Pursuant to the CCDBG, the Florida Legislature recently amended state laws governing screenings, licensing and inspections. These amendments went into effect on July 1, 2016. The SBAO researched and analyzed the CCDBG, the amended Florida Statutes and the Florida Legislative sessions to ensure that the District has a thorough comprehension of the requirements. Not only has the SBAO served as the liaison on behalf of the District with the Florida Office of Early Learning and the Department of Children and Families (DCF), but it has also attended numerous meetings within the District to help devise compliance procedures related to the employment of new hires and current employees who are within the scope of the laws. Complete compliance is required by the District in order for it to continue to

receive its School Readiness Dollars, which affects the most vulnerable members of our community.

THE AMERICANS WITH DISABILITIES ACT AND THE FAMILY AND MEDICAL LEAVE ACT

In an effort to protect the District from potential litigation, the SBAO meets regularly with the Office of Professional Standards and the Office of Leave, Retirement, and Unemployment Compensation to provide District administrators with timely legal advice concerning individual employee cases. With the same intention, the SBAO collaborates with the ADA office and takes part in a taskforce that meets every month to discuss and decide individual employees' ADA cases.

OFFICE OF PROFESSIONAL STANDARDS

In order to better meet the District's needs, the SBAO participates in regularly scheduled Incident Review Team meetings so it can provide timely legal advice and guidance to administrators and District staff regard to employee disciplinary matters with the alternate goal of reducing the District's potential exposure to liability in these matters.

DISTRICT'S WEBSITE ACCESSIBILITY

SBAO is currently providing extensive legal advice to staff and communicating with the United States Department of Education, Office for Civil Rights (OCR) regarding the accessibility of the District's websites to students with disabilities. Additionally, SBAO has been collaborating with District staff to develop a comprehensive approach and appropriate guidelines to ensure that the District's website is accessible to all members of the community regardless of disability.

RELEVANT, RIGOROUS & INNOVATIVE ACADEMICS

The SBAO continues to provide extensive representation and advice in matters involving the federal Individuals with Disabilities Education Act (IDEA) to resolve disputes involving students with disabilities. Since the last report to the Board, the SBAO has worked with the Exceptional Student Education staff in handling the following cases and pre-suit matters brought by advocates, attorneys, and parents:

Florida Division of Administrative Hearings - 23
Circuit Court - 1
District Court of Appeal - 4
United States District Court - 2
Florida Supreme Court - 1
Pre-Litigation matters - 75

The SBAO has continued to assist District staff with responses to complaints filed with the United States Department of Education, Office for Civil Rights (OCR) and the

Florida Department of Education and in negotiating and implementing resolution agreements where warranted.

The SBAO assisted the Curriculum and Instruction staff in reviewing and updating the Student Progression Plan. Similarly, the SBAO continues to assist staff of K-12 and Adult Education programs on reviewing new legislative and updating current Board policies, including fundamental changes resulting from legislation.

SBAO attorneys also provided legal assistance to Student Services staff and schools regarding: crisis intervention at schools; the changing federal standards regarding transgender students; and School Board anti-discrimination and anti-bullying policies.

On a daily basis, the SBAO addresses a high volume of calls from Principals, Assistant Principals, Region staff, and District administration on daily operational issues concerning students. Attorneys answer calls and written correspondence on issues such as child custody matters, student records, court subpoenas, court orders, domestic violence restraining orders, academic accountability, extra-curricular activities, student discipline, school assignments, student rights and special education/accommodations.

Charter Schools

The SBAO provides extensive legal assistance related to charter schools in a variety of ways through charter school application reviews, legal opinions, contract negotiations, District charter management agreements, and many other legal matters relating to charter schools:

Review of Charter Applications	14
Review of Board Items	12
Charter contracts, including new, renewals and amendments	33

The SBAO also assisted the Chief Auditor and the staff involved in District charter management by providing legal advice and written opinions. Legal advice was also provided on an almost daily basis to Charter School Support and School Operations.

Over the past year, the SBAO regularly participated in statewide meetings and conference calls related to implementation of new state legislation, proposed state rules, and other issues related to Florida and national charter school law.

SAFE, HEALTHY & SUPPORTIVE LEARNING ENVIRONMENT

The SBAO continues to give lectures at various schools throughout the District and provide leadership and guidance to moot court teams in countywide and statewide competitions. The SBAO has been active within specific M-DCPS social science and legal programs acting as moot court judges for moot court competitions and on occasion even offering constructive criticism and instruction for teams prior to competitions. The SBAO continues to provide internship opportunities for high school students to gain experience working in an office and gaining a brief understanding of the legal field.

During this fiscal year, legal assistance was provided for four individual student discipline cases. In addition, the SBAO provides legal advice to District staff on various issues involving student discipline and student rights.

The SBAO's designated in-house attorney assists School Police in legal matters and serves as the SBAO's liaison. The SBAO provided School Resource Officers (SROs) with FDLE-required training in advanced criminal law and procedure, and post-academy orientation on important legal issues to new officers. This year, the SBAO successfully litigated all of its outstanding petitions for forfeiture of contraband seized by Schools Police during criminal investigations and acquired title to multiple vehicles for use or auction by Schools Police. The SBAO handled duty calls from SROs requesting assistance in school-related issues and provided legal review and advice to School Police regarding proposed contractual arrangements with other agencies, Public Records Requests and court orders regarding the sealing and expunction of criminal records.

The SBAO collaborated last year with other departments, including the Office of Intergovernmental Affairs, Grants Administration and Community Engagement and Schools Police, to provide legal review of over 150 bills proposed during the 2017 Florida Legislative Session affecting public schools and assisted in drafting suggested legislative amendments. The SBAO also reviewed and solicited opinions on HB 7069.

SBAO continues to work with the law schools at the University of Miami, St. Thomas University, Florida International University and Nova Southeastern University offering internships, externships and pro-bono opportunities. This partnership allows law students to work closely with practicing attorneys on a wide variety of legal matters while developing legal reading and writing skills in a practical setting.

INFORMED, ENGAGED & EMPOWERED STAKEHOLDERS

The School Board Attorney's Office served as Parliamentarian and provided legal assistance to the Attendance Boundary Committee (ABC) during this year's attendance boundary change process, the Diversity Equity and Excellence Advisory Committee, the Ethics Advisory Committee, and the SBE/MBE and M/WBE Advisory Committee.

The SBAO provided multiple and varied trainings throughout the year to staff and collaborated with staff to update policies across almost every area of School Board operations. See highlights section of this Report for details.

The ethics training was presented again last year by the SBAO allowing the School Board and the Superintendent to fulfill the annual state-required four hours of ethics training. The School Board Attorney invited Mr. Joseph Centorino, Executive Director, Miami-Dade County Commission on Ethics and Public Trust, and Ms. Radia Turay, Staff Attorney, Miami-Dade County Commission on Ethics and Public Trust, to present on Florida's ethics requirements and the sunshine law.

Referrals and Requests

The SBAO prides itself on its efficient relationship with school site and District administrators. This interaction with staff comes in the form of referrals, public records requests, and duty calls. Duty calls are often phone calls, faxes, and emails to our office regarding various school operations and student matters. These inquiries range from student contact cards to legal guidance pertaining to issues such as subpoenas.

Since January 1, 2017, the SBAO handled:

Board Member Referrals/Legal Reviews	394
Superintendent Referrals	167
Public Records Requests	57
Duty Call Entries	2500+
Creditor Rights/Garnishments	217

AWARDS AND RECOGNITIONS

The School Board Attorney is the first registered Parliamentarian to ever serve in the SBAO. He, along with two Assistant School Board Attorneys, are certified by the Florida Bar Board as specialists/experts in Education Law. The two Assistant School Board Attorneys have recently been re-certified as specialists in Education Law by the Florida Bar. In addition, he and several attorneys are recognized as statewide legal experts in their practices, and routinely provide a significant portion of the lectures and materials for the Education Law Certification preparation courses in the areas of Charter Schools, Student Rights, Instructional Materials, Student Discipline and Special Education. In addition, numerous attorneys in the SBAO are licensed to practice in multiple state jurisdictions as well as before the Federal Bar. Several professionals in the SBAO have received statewide recognitions and awards.

The School Board Attorney has an "AV Preeminent rating (Highest Possible Rating in both legal ability and Ethical Standards)" by Martindale-Hubbell. He has also received several recognitions and awards since July 2011, including the South Florida Legal Guide's Top Lawyers, Top Lawyers in Florida, the Super Lawyers, and The Legacy Legal Leader Award recognition. The School Board Attorney also recently received several awards and certificates for his contributions to the local legal community.

The SBAO continues to participate in various community activities, including pro-bono activities at District schools, such as the law student seminars at local law schools on legal topics, and the Bench and Bar Committee. The School Board Attorney has served on several committees to select United States Magistrate Judges in the Southern District of Florida and was recently appointed by the Florida Governor to the 11th Judicial Circuit Nominating Committee, a prestigious appointment to a committee that screens and recommends judicial candidates to the governor for appointment to the local bench.

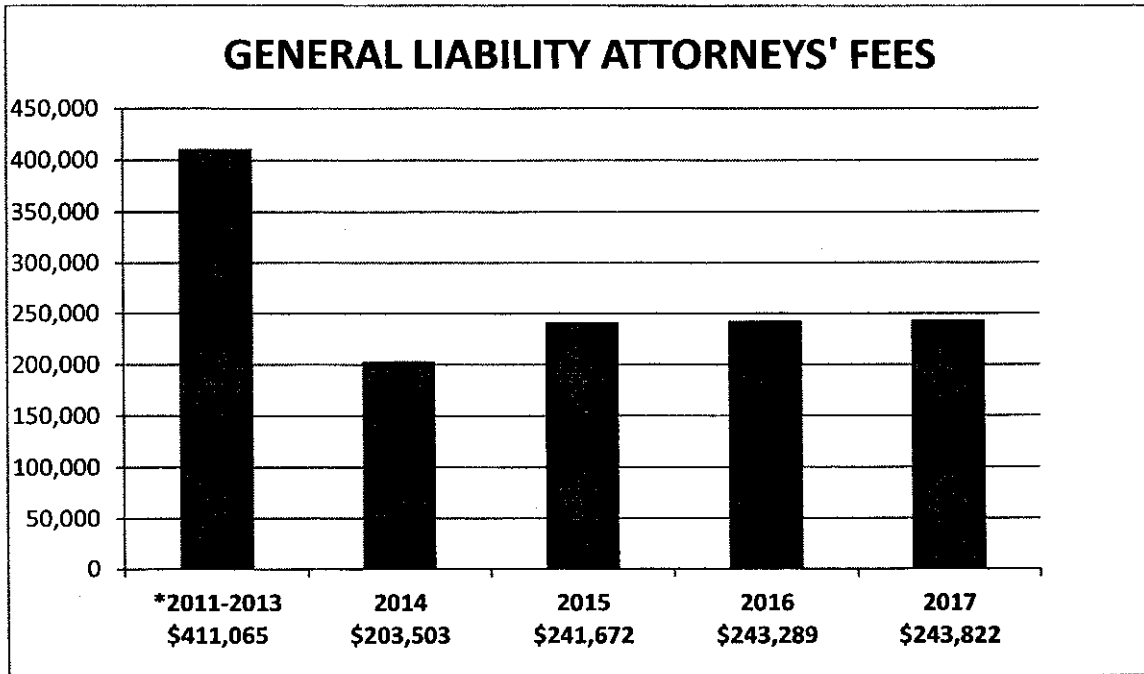
In addition, Mindy McNichols, Assistant School Board Attorney, was recently elected by her peers as Vice-President of the Florida School Board Attorneys Association, a professional network of over 400 school board attorneys statewide.

OFFICE COMPOSITION, FUTURE GOALS, COMPENSATION

The District's legal work has been handled by the SBAO in a competent and professional manner as evidenced by the high degree of success in litigation and other matters. With the support of the School Board, the organization of the SBAO has had a dramatic impact, leading to financial savings and favorable outcomes for the District. The attorneys have been organized into practice areas with designated specialties. See Exhibit E, Organization Chart, attached.

In order to meet the challenge of retaining experienced attorneys and support staff (paralegals) with our District, the School Board approved a revised salary schedule in April 2013. The implementation of this schedule has been cost-neutral and within the School Board Attorney's Office's budget, with the goal of greater flexibility to provide competitive salary adjustments for those SBAO employees that perform at a level that exceeds expectations. The attorneys remain on annual contracts with a managerial exempt benefits package.

EXHIBIT A



*Three year average.

Includes police liability claims which are covered under the District's insurance policy with Lexington Insurance, and therefore may be subject to reimbursement by the insurance carrier.

EXHIBIT B

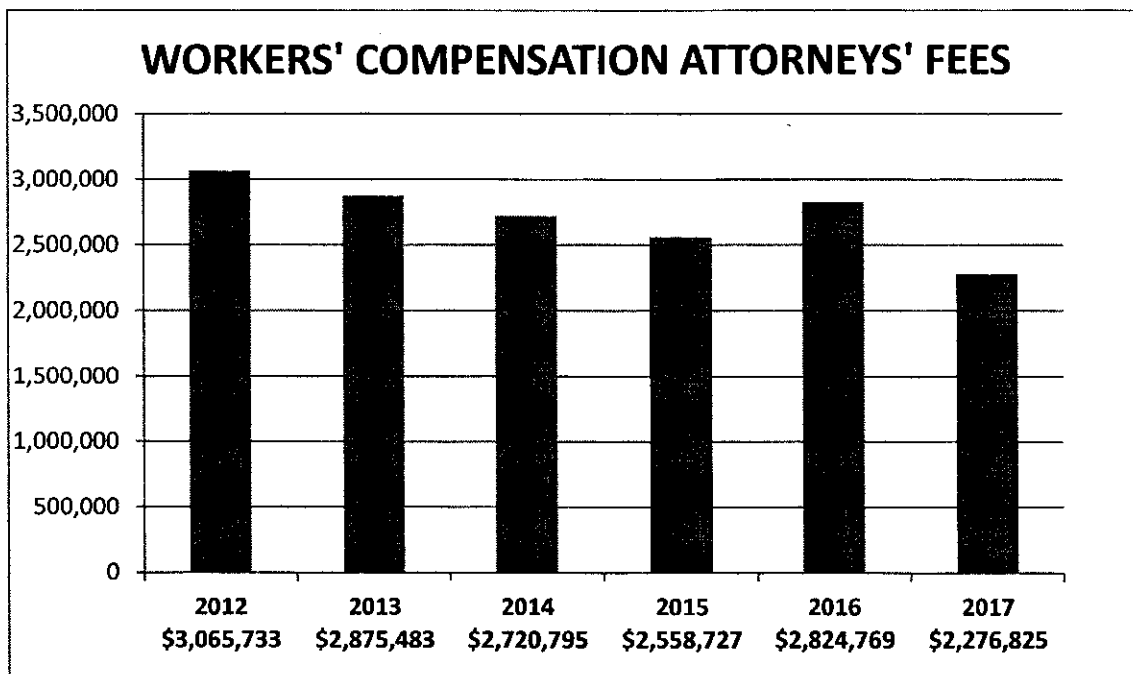
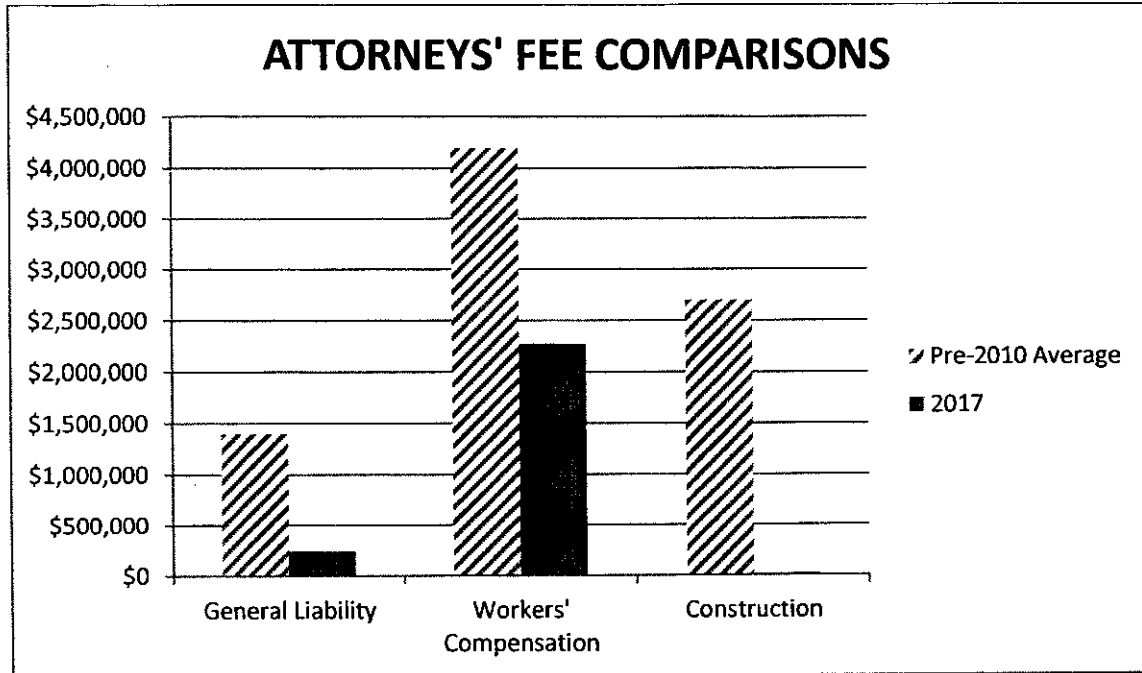


EXHIBIT C

TOTAL CONSTRUCTION-RELATED ATTORNEYS' FEE EXPENDITURES

FISCAL YEAR	# CASES/ CLAIMS	TOTAL ATTORNEYS' FEE EXPENDITURES
2004/2005	9	\$ 3,383,189.00
2005/2006	6	\$ 3,145,609.00
2006/2007	3	\$ 3,087,140.00
2007/2008	4	\$ 2,537,426.00
2008/2009	3	\$ 2,184,488.00
2009/2010	12	\$ 929,323.00
2010/2011	8	\$ 693,698.00
2011/2012	17	\$ 561,654.23
2012/2013	11	\$ 461,633.04
2013/2014	7	\$ 415,647.14
2014/2015	9	\$ 81,551.00
2015/2016	12	\$ 35,595.94
2016/2017	8	\$ 18,209.00

EXHIBIT D

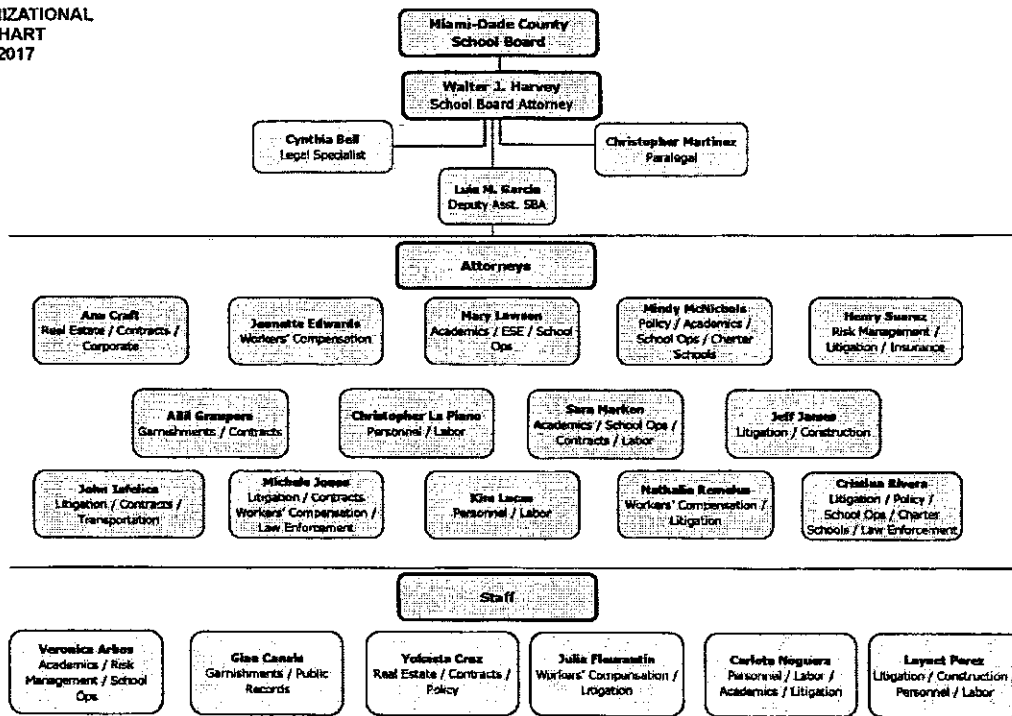


Added

EXHIBIT E

} Revised

ORGANIZATIONAL CHART 2017



RECOMMENDED:

That The School Board of Miami-Dade County, Florida: accept the December 2017 Report of the School Board Attorney.