

Office of Superintendent of Schools  
Board Meeting of April 25, 2018

April 9, 2018

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

**SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING MATTER: Robbin Times-Dudley v. Frank MacBride, in his individual capacity and Miami-Dade County Public Schools, U.S. District Court Case No. 18-cv-20659-MGC; Bernd Rind v. Frank Morris, Circuit Court Case No. 18-0006984**

In accordance with the District's established practice, the school district employees who are individually named as Defendants in the above-referenced lawsuits have formally requested that the School Board provide them with legal representation. The acts alleged in these complaints arose out of and in the course of the performance of the employees' assigned duties and responsibilities as school district employees.

The School Board is a named-defendant only in the first lawsuit. The individually-named employees were personally served on March 13, 2018 and on April 5, 2018, respectively. The complaint in the first lawsuit asserts that the Plaintiff was subjected to discrimination and retaliation based upon her disability in violation of the Americans with Disabilities Act. In the second lawsuit, the Plaintiff alleges, among other things, that the Defendant, a school teacher, misled school district employees to prohibit the Plaintiff from visiting the school site where Plaintiff's wife is an employee.

Pursuant to School Board Policy 6900, *Legal Services for Employees of the Board* and § 1012.26 Fla. Stat. (2017), we are requesting that the School Board authorize the provision of legal representation for the individually named Defendants in the above-referenced lawsuits. In the interim, the School Board Attorney's office will be filing the necessary documents in the appropriate courts to protect the defendant employees' and the School Board's legal interests.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the office of the School Board Attorney to provide or secure legal representation for the legal defense of the current School Board employees who are individually named as defendants in the cases of *Robbin Times-Dudley v. Frank MacBride, in his individual capacity and Miami-Dade County Public Schools, U.S. District Court Case No. 18-cv-20659-MGC*, and *Bernd Rind v. Frank Morris, Circuit Court Case No. 18-0006984*.

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