

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

SUBJECT: PROVISION OF LEGAL REPRESENTATION IN THE CASE OF: JOHN ANNESSER and JULIA ANNESSER v. CHRISTINA P. GUERRA, individually and as principal of Coral Reef Elementary School and MIAMI-DADE COUNTY PUBLIC SCHOOLS, Circuit Court Case No. 18-29544-CA-01

The School Board and the individually-named employee, a school principal, were both served with the above-referenced lawsuit on September 5, 2018. The complaint asserts two counts for declaratory relief due to incident involving the videotaping of a student in the classroom. Plaintiffs are requesting that the Court declare that the school principal did not have a right to videotape the student while under the care and supervision of one of the teachers at her school and to also declare that the parents have a right to videotape and/or record their meetings with school staff members over the education of their child.

In accordance with the District's established practice, the school district employee who is individually named as a Defendant in the case has formally requested that the School Board provide her with legal representation. The acts alleged in this complaint arose out of and in the course of the performance of the employee's assigned duties and responsibilities as a school district employee.

Pursuant to School Board Policy 6900, *Legal Services for Employees of the Board* and § 1012.26 Fla. Stat. (2018), we are requesting that the School Board authorize the provision of legal representation for the individually named Defendant in the above-referenced lawsuit. In the interim and in order to protect the interests of the District and the employee, the School Board Attorney's office has filed a response to the lawsuit in the form of a motion to dismiss.

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 employee who is individually named as a Defendant in the case of: *John Annesser and Julia Annesser v. Christina P. Guerra, and Miami-Dade County Public Schools*, Circuit Court Case No. 18-29544-CA-01.