

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

**SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING MATTER: J.A.F., a minor, by and through his mother and next best friend v. Miami-Dade County Public Schools; Jose Arenas, individually and in his official capacity as an employee of Miami-Dade County Public Schools; and Angel Martinez, Circuit Court Case No. 18-034249 CA 30**

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This lawsuit was filed on October 9, 2018. Defendants were served with the Complaint on October 17, 2018. In the Complaint, the Plaintiff alleges that he was subjected to intentional and negligent infliction of emotional distress and assault and battery based upon his disability in violation of the Americans with Disabilities Act.

In accordance with the District's established practice, the individually named Defendant has formally requested that the School Board provide him with legal representation. The acts alleged in Plaintiff's Complaint arose out of and in the course of the performance of the assigned duties and responsibilities of the individually named 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, Jose Arenas, in the above-captioned lawsuit. In the interim, while the allegations against the individually named Defendant do not appear to have any merit, the School Board Attorney's office will be filing the necessary documents with the Court to protect the Defendants' legal interests.

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**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 Jose Arenas, who is individually named as a defendant in the case of *J.A.F., v. Miami-Dade County Public Schools; Jose Arenas, individually and in his official capacity as an employee of Miami-Dade County Public Schools; and Angel Martinez, Circuit Court Case No. 18-034249 CA 30.*

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