

Betsy H. Kaplan, Board Member

**SUBJECT: THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
RECONSIDER THE ACTION ON THE BOARD ATTORNEY'S
EMPLOYMENT AGREEMENT**

At the June 18, 2003 School Board meeting, the School Board considered and acted upon Agenda Item D-3 entitled "Request That The School Board of Miami-Dade County, Florida, Take Action on the Board Attorney's Employment Agreement".

At that time, this Board member voted on the prevailing side to retain the School Board Attorney as part of the action proposed in the agenda item. In accordance with Robert's Rules, this agenda item seeks to reconsider the vote taken at the June 18, 2003 Board meeting on Agenda Item D-3.

**ACTION PROPOSED BY
MS. BETSY H. KAPLAN:**

That The School Board of Miami-Dade County, Florida, reconsider its previous vote on Agenda Item D-3, School Board meeting of June 18, 2003, and take action on the Board Attorney's employment agreement as follows:

1. Determine that the Board Attorney's performance is unsatisfactory and vote to terminate the School Board Attorney; or
2. Determine that the Board Attorney's performance is unsatisfactory and vote to request that he accept the benefits set forth in paragraph IV of the employment agreement to continue his employment with the Board at the highest rank and level of compensation of any Senior Assistant School Board Attorney; or
3. If the Board Attorney does not elect to accept the benefits set forth in paragraph IV of his employment agreement, then vote to determine the effective date of his termination;
4. Finally, in accordance with the procedure for replacing the School Board Attorney adopted by the Board at the August 22, 2001 Board meeting, the Board should either appoint the Deputy Board Attorney as the Interim Board Attorney or appoint a permanent Board Attorney upon the determined effective date of the Board Attorney's termination.