

Office of Superintendent of Schools
Board Meeting of November 20, 2007

November 16, 2007

Office of School Board Attorney
JulieAnn Rico, Board Attorney

**SUBJECT: REQUEST AUTHORIZATION TO MAKE OFFER OF JUDGMENT IN
THE CASE OF SHEILA MITCHELL v. THE SCHOOL BOARD OF
MIAMI-DADE COUNTY, FL., U.S.D.C. CASE NO. 06-21663 CIV-
GOLD/TURNOFF**

In June 2006, the above-referenced lawsuit was filed against the School Board. Plaintiff's complaint includes discrimination and hostile work environment claims based on race. Plaintiff's complaint is grounded on the assertion that she was transferred by the school principal in retaliation for having filed a grievance alleging discriminatory conduct. Plaintiff has also filed a claim for defamation.

The federal trial in this matter is set for the two-week period commencing on December 24, 2007. It is anticipated that the trial will be quite lengthy due to the abundance of factual issues that have been raised in this litigation and because of the numerous witnesses that are expected to testify.

Upon consultation with the Superintendent's Office, and with its approval, the attorney's Office is requesting the School Board to authorize the School Board Attorney to make an offer of judgment in an amount not to exceed forty thousand dollars (\$40,000). A memorandum providing the background and summary of the case, along with the legal basis for the proposed offer of judgment has been forwarded to the Board under separate cover.

RECOMMENDED: That the School Board of Miami-Dade County, Florida authorize the School Board Attorney to make an offer of judgment in an amount not to exceed forty thousand (\$40,000), in the case of *Sheila Mitchell v. The School Board of Miami-Dade County, Florida*, U.S.D.C. Case No. 06-21663 CIV-GOLD/TURNOFF.

REPLACEMENT

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