

Office of School Board Members
Board Meeting of August 4, 2008

Ms. Perla Tabares Hantman, Vice Chair

**SUBJECT: RETAINING SPECIAL COUNSEL TO ASSIST THE BOARD
REGARDING THE SCHOOL BOARD ATTORNEY AND THE
SUPERINTENDENT**

COMMITTEE: INNOVATION, EFFICIENCY AND GOVERNMENTAL RELATIONS

**LINK TO DISTRICT
STRATEGIC PLAN: IMPROVE STAKEHOLDER SATISFACTION**

In accordance with School Board Rule 6Gx13- 8A-1.05, the Board may hire a Special Counsel to assist the Board's attorney as it deems appropriate. Because the School Board Attorney has been placed on administrative leave, it is necessary to ensure that the Board has independent and appropriate legal counsel to protect its interests and guide the Board on how to proceed upon the conclusion of the Inspector General's investigative report.

In addition, in light of media reports and Board Member agenda item regarding the Superintendent's contract, Special Counsel is needed to independently ascertain legal and contractual compliance to guide the Board in any upcoming deliberations or vote on these matters.

Therefore, this item proposes that the Board retain Special Counsel for the purposes of assisting the School Board regarding the School Board Attorney in determining the direction the Board should be taking at the outcome of the Inspector General's investigation of the Board Attorney, and reviewing the legal and contractual compliance issues in the Board's deliberation and possible actions upon the Superintendent's contract in order to protect the Board's interests and limit any legal liability concerning its actions on these two matters.

**ACTION PROPOSED BY VICE CHAIR
PERLA TABARES HANTMAN:**

That The School Board of Miami-Dade County, Florida:

1. retain Special Counsel to assist the Board regarding the School Board Attorney's Office determining the direction it should be taking at the outcome of the Inspector General's investigation of the School Board Attorney and to review the legal and contractual compliance issues regarding the Superintendent's contract; and
2. extend the administrative leave of the School Board Attorney, with pay, until the time the Board determines to take further action.
3. should the Board Attorney voluntarily resign, the Board will not pursue any further action. Upon her voluntarily resignation, both parties agree to sign a mutual general release to that effect.

ADDED

**REVISED³
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