

Office of Superintendent of Schools  
Board Meeting of May 8, 2013

April 26, 2013

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

**SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING  
MATTER: Yseult Charles v. School Board Miami Dade County,  
Florida and Martha Montaner, Case No. 12-24161-CIV- O'Sullivan**

This lawsuit was served on the School Board on November 30, 2012. On April 22, 2013, the individually named defendant/employee was also served. The plaintiff alleges that the defendants discriminated against her on the basis of her national origin when she was demoted. In accordance with the District's established practice, the defendant/employee has formally requested that the School Board provide her with legal representation. The acts alleged in the plaintiff's Complaint arose out of and in the course of the performance of 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.(2012), this item requests authorization for the provision of legal representation for the defendant/employee in this lawsuit. In the interim, the Board Attorney's office will be filing the necessary documents with the Court to protect the Defendants' legal interests.

**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 *Yseult Charles v. School Board Miami Dade County, Florida and Martha Montaner, Case No. 12-24161-CIV- O'Sullivan*.

**G-4**