

Office of Superintendent of Schools
Board Meeting of February 11, 2015

January 29, 2015

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

SUBJECT: PROVISION OF LEGAL REPRESENTATION IN THE FOLLOWING MATTER: Jose Yeyille v. The School Board Of Miami-Dade County, Alberto Carvalho, Lisa Robertson, Armandina Acosta-Leon, Asuncion Valdes, and Egna Rivas; U.S. District Court Case No. 14-24624-CIV-ALTONAGA/O'Sullivan

This lawsuit was filed in Federal court on December 8, 2014 and subsequently amended on January 26, 2015. The complaint lists the School Board, the Superintendent of Schools, and several school district employees as defendants in the matter. In his Amended Complaint, the Plaintiff, a substitute teacher, alleges, among other things, that he was discriminated against due to his race, age, and national origin in violation of the Civil Rights Act of 1965 and 42 U.S.C. § 1983, by being assigned to perform clerical duties after completing or fulfilling his responsibilities as a substitute teacher.

In accordance with the District's established practice, the individually named Defendants have formally requested that the School Board provide them with legal representation. The acts alleged in Plaintiff's Amended Complaint arose out of and in the course of the performance of assigned duties and responsibilities of the individually-named employees.

Pursuant to School Board Policies 6900, *Legal Services for Employees of the Board*, and 6905, *Defense and Indemnification of Board Members and Superintendent*, and § 1012.26 Fla. Stat. (2014), we are requesting that the School Board authorize the provision of legal representation for the individually named Defendants in the above-captioned lawsuit. In the interim, while the allegations against the individually-named Defendants do not appear to have any merit, 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 Superintendent and current School Board employees who are individually named as defendants in the case of Jose Yeyille v. Miami-Dade County Public Schools, Alberto Carvalho, Lisa Robertson, Armandina Acosta-Leon, Asuncion Valdes, and Egna Rivas, Case No. 14-24624-CIV-ALTONAGA/O'Sullivan.

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