

Office of Superintendent of Schools
Board Meeting of March 9, 2016

March 7, 2016

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

SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING MATTER: Susan Khoury v. The Miami-Dade County School Board and Gregory Williams, Case No. 16-cv-20680-RNS

The School Board was served with the lawsuit of *Susan Khoury v. The School Board*, on February 26, 2016, and the individually named employee was also served. In *Khoury*, the Complaint alleges, among other things, that the individually named Defendant unlawfully arrested and wrongly committed Plaintiff for a mental evaluation pursuant to Florida's Baker Act

In accordance with the District's established practice, the individually named Defendant is formally requesting that the School Board provide him with legal representation. The acts alleged in the *Khoury* Complaint arose out of and in the course of the performance of assigned duties and responsibilities of the individually named employee. A copy of the Complaint will be provided to the Board under separate cover.

Pursuant to School Board Policy 6900, *Legal Services for Employees of the Board* and § 1012.26 Fla. Stat. (2012), we are requesting that the School Board authorize the provision of legal representation for the individually named Defendant in the above-captioned lawsuit. In the interim, the Board Attorney's office will be filing the necessary documents with the Court to protect the School Board's legal interests.

This item does not appear on the published agenda. Good Cause exists to vary from the published agenda because this lawsuit was served after the publication of the agenda, and because the individually named Defendant, a police officer, requires immediate legal representation to protect his rights and 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 *Susan Khoury v. The Miami-Dade County School Board*, Case 16-cv-20680-RNS.

GOOD CAUSE

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