

Office of Superintendent of Schools
Board Meeting of September 7, 2016

August 24, 2016

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

**SUBJECT: PROVISION OF LEGAL REPRESENTATION IN THE CASE OF:
Michael Arrington v. Miami-Dade County Public School District,
Alberto Carvalho, Sean Gallagan, George W. Sands, et. al., U.S.
District Court Case No. 15-24141-CIV-MARTINEZ-GOODMAN**

This lawsuit was served on the School Board and Superintendent on July 15, 2016, the remaining individually-named Defendants (mainly current and former school district employees) have yet to be served, but are expected to be served with the lawsuit in the near future. The complaint alleges, among other things, that the Plaintiff, a former student, who is appearing *pro se* in this lawsuit, was not timely provided copies of his transcripts thus preventing his admission to a community college, that his Pell Grant awards were improperly disbursed, and that his car and house keys were stolen by an unknown student. All of the foregoing occurrences are alleged by Plaintiff to have been the result of discrimination based on Plaintiff's race.

Pursuant to School Board Policies 6900, *Legal Services for Employees of the Board*, 6905, *Defense and Indemnification of Board Members and Superintendent*, and § 1012.26 Fla. Stat. (2015), 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, the Board Attorney's office has filed a motion to dismiss the complaint to protect the School Board's legal interests and those of the individually-named Defendants that have already been served.

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 and former School Board employees who are individually named as Defendants in the case of *Michael Arrington v. Miami-Dade County Public School District, et. al.*, U.S. District Court Case No. 15-24141-CIV-MARTINEZ-GOODMAN.

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