

Office of Superintendent of Schools
Board Meeting of November 23, 2016

November 7, 2016

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

SUBJECT: PROVISION OF LEGAL REPRESENTATION IN THE CASE OF N.E.O., a minor, and Sandra Martinez, as guardian and individually v. Miami-Dade County Public School Board, Jesse J. McCrary Jr. Elementary School, Maria Calvet-Cuba, and JOHN DOE 1 and JANE DOE 2 Eleventh Judicial Circuit Court Case No. 16-019958 CA 01

This lawsuit was served on the School Board and Maria Calvet-Cuba on August 26, 2016. The complaint alleges, among other things, that the Plaintiff N.E.O. suffered injuries as a result of intentional act committed by a former School Board employee. Plaintiffs allege several counts of negligence against the School Board and Ms. Calvet-Cuba.

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 Defendant 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 and Ms. Calvet-Cuba's 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 Board employee who has been individually named as a Defendant in the case of *N.E.O, a minor, and Sandra Martinez, as guardian and individually v. Miami-Dade County Public School Board, Jesse J. McCrary Jr. Elementary School, Maria Calvet-Cuba, and JOHN DOE 1 and JANE DOE 2*, Eleventh Judicial Circuit Court Case No. 16-019958 CA 01