

Office of Superintendent of Schools
Board Meeting of November 20, 2019

November 4, 2019

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

SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING MATTER: Ernesto Aguila, as father of Ryle Aguila v. Garibaldy Sanchez and Miami-Dade County Public Schools, Circuit Court Case No. 19-17334 CA 01

On June 20, 2019, this lawsuit was served on the School Board. In their complaint, the Plaintiffs allege claims of assault and battery against the individually named Defendant, who is a current employee of the school district, and claims of vicarious liability, negligent hiring and negligent retention against the District. The acts alleged in 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. (2019), 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 Defendant'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 School Board employee who is individually named as a Defendant in the case of *Ernesto Aguila, as father of Ryle Aguila v. Garibaldy Sanchez and Miami-Dade County Public Schools*, Circuit Court Case No. 19-17334-CA01.

G-1