

Ms. Perla Tabares Hantman, Chairman

**SUBJECT: MATTERS RELATED TO THE POSITION OF THE SCHOOL BOARD ATTORNEY**

**COMMITTEE: PERSONNEL, STUDENT, SCHOOL, & COMMUNITY SUPPORT**

**LINK TO STRATEGIC PLAN: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

At the regular School Board Meeting of August 5, 2009, the School Board of Miami-Dade County, Florida, adopted agenda item H-2, approving the School Board Attorney's employment agreement and officially employing Mr. Walter J. Harvey as its School Board Attorney, in accordance with the terms and conditions of his contract as approved therein. Since then, Mr. Harvey has served the School Board and the District with exceptional competence, utmost dedication, and authentic professionalism. Mr. Harvey's legal responsibilities have been multivariate, and in many respects, have expanded throughout the years. With the support of the Board, Mr. Harvey has hired, retained and managed highly competent attorneys, staff and outside counsel to provide a wide and expanded variety of legal services for the District, including such services as real estate development and commercial transactions, school construction, policy analysis, drafting and promulgation, academics and curriculum, student rights, charter schools, labor and employment, television, radio and broadband licensing and related services, general liability, tort, commercial litigation, legislation, workers' compensation, contract review and drafting, corporate governance and ethics, and Board and District-wide staff trainings.

For more than a decade, Mr. Harvey's knowledgeable counsel as School Board Attorney has proven crucial to the fulfilment of the duties and responsibilities of the School Board, particularly during challenging and uncertain times. Notwithstanding his excellent service to the Board, including achieving unprecedented savings to the District as steward of the legal department, the terms and conditions of Mr. Harvey's employment agreement with the School Board have remained unchanged since his hiring in 2009.

This agenda item seeks to authorize the Chair of the School Board to negotiate and execute an amendment to the School Board Attorney's employment agreement, providing for a compensation adjustment(which may include compensation in the form of non-salary benefits), that considers reasonable market value for a government attorney in Miami-Dade County with similar duties and responsibilities of those of the School Board Attorney and revising the title of School Board Attorney to include General Counsel for the School Board, which more accurately encompasses and reflects the broad variety of both new and existing duties and responsibilities currently performed by Mr. Harvey.

This Agenda Item has been reviewed and approved by the School Board Attorney's Office as to form and legal sufficiency.

**ACTION PROPOSED BY CHAIRMAN  
MS. PERLA TABARES HANTMAN:**

That The School Board of Miami-Dade County, Florida, to:

1. Authorize the Chair to negotiate and execute an amendment to the School Board Attorney's employment agreement, providing for a compensation adjustment, that considers reasonable market value for a government attorney in Miami-Dade County with similar duties and responsibilities of those of the School Board Attorney;
2. revise the title of School Board Attorney to include the General Counsel for the School Board, and
3. update the School Board Attorney's Employment Agreement, relevant Board Policies and procedures to reflect the title revisions for this position.