

The School Board of Broward County, Florida
 Evaluation of the General Counsel
 2018-2019

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a ✓ in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
Standard 1: ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.		X		
a. Provides timely legal counsel on potential legal issues which may impact the District.	Comments: Ms. Myrick is always accessible to me as a Board Member, and provides timely legal counsel. Ms. Myrick's communications to the Board, both oral and written, are concise and understandable in form and manner. Ms. Myrick provides useful legal counsel during Board meetings. I encourage Ms. Myrick to consider ramifications to the board corporate when opinions are provided and decisions are made, and ensure all board members are fully aware of such matters. Ms. Myrick has provided guidance and assistance as it relates to my current role as chair and with parliamentary procedure. Ms. Myrick supports and provides training for the Board and staff as needed. I appreciate Ms. Myrick's assistance in collaborating with FSBA to facilitate a board workshop on meetings. I encourage the GCO to continue providing education/in-service trainings to District employees on varying legal issues/areas that may impact the District. As significant changes occur through new legislation regarding safety and curriculum, I encourage Ms. Myrick to collaborate with the Legislative Affairs office and the Public Information Office to ensure pertinent changes in the law and legislative issues are communicated both internally and externally to assist in reducing gaps of knowledge across the organization and community. With an increased number of legal matters, related to safety and security, legislative changes, and MSD litigation, I encourage Ms. Myrick to increase regular updates to Board Members.			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
j. Provides and/or supports training programs for the Board and staff as needed.				
k. Works with Board committees or other school related organizations as needed or directed.				

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Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments: I appreciate Ms. Myrick's knowledge of Government in the Sunshine laws, and encourage General Counsel to continue to receive follow up from staff to ensure all meetings, including committee meetings, are properly noticed. Additionally, I encourage Ms. Myrick to work with the Superintendent's Cabinet members to ensure District employees responsible for scheduling and facilitating meetings are provided annual training on meeting advertisement legal requirements as well as District protocols and procedures. Ms. Myrick demonstrates knowledge regarding administrative law and procedures. I appreciate Ms. Myrick's continued efforts to collaborate with GCOs across the state and nationally to address pertinent education issues. I encourage Ms. Myrick to continue to attend conferences and meetings to stay informed.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
Standard 3. MANAGEMENT AND LEGAL SERVICES This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	Comments: I commend Ms. Myrick's ability to position District staff and outside counsel to benefit the needs of the District. General Counsel Office staff are accessible to Board Members and respond to			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				

The School Board of Broward County, Florida
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<p>c. GCO staff are accessible to Board Members.</p>	<p>inquiries based on their areas of expertise.</p>
<p>d. Refers work to outside counsel as appropriate and manages services as needed.</p>	<p>As stated in previous evaluations, I commend Ms. Myrick's integration of the GCO into all aspects of the organization, as it is reflective of her mission. Having</p>
<p>e. Organizes the GCO and in-house attorneys to provide effective and efficient services.</p>	<p>GCO attorneys working closely with both Cabinet and departments is a proactive measure that benefits the Board, and is a positive, proactive measure. As the SMART program continues to be an area of concern with delays, I encourage the GCO to work with appropriate Facilities and Construction Department personnel to ensure vendors are being held to terms of contracts, and appropriate actions are taken in a timely manner.</p> <p>I encourage Ms. Myrick to decrease utilization of outside council where appropriate and align resources to address the legal needs of the District. Understanding that the GCO currently is and will continue to manage litigation related to the MSD tragedy utilizing outside council, it is imperative that usage of outside council for other matters be reviewed and redirected, if appropriate, to be handled in house. I am hopeful the addition of a position with the GCO will help facilitate this and I look forward to Ms. Myrick's utilization of this requested position.</p>

**The School Board of Broward County, Florida
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Standard/Indicators	Scoring Rubric			
Standard 4. PROFESSIONALISM	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.		X		
a. Interacts with others in a courteous manner.	<p>Comments: Ms. Myrick operates with integrity and professionalism. She has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board. Ms. Myrick maintains confidentiality of privileged attorney-client matters.</p>			
b. Effective in communicating with the public, when necessary and as appropriate.				
c. Projects a positive image to others on behalf of The School Board.				
d. Operates with integrity and professionalism.				
e. Demonstrates perseverance, attention and care to detail.				
f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.				
g. Maintains confidentiality of privileged attorney-client matters.				
h. Avoids situations which may be construed as a conflict of interest.				
i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.				

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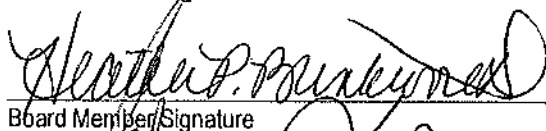
Scoring Rubric:

School Board Members will consider the General Counsel's attainment of each performance standard. School Board Members should not rate each indicator on the evaluation, but rather, consider the indicators in determining the overall rating for each performance standard.

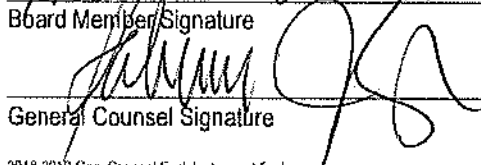
Rating	Description
Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
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Needs Improvement (1.450-2.449)	Performance inconsistently meets expectations. Performance needs attention and development. If this rating is used, specific reference to the performance concerns must be indicated.
Unsatisfactory (1.000-1.449)	Performance is consistently unacceptable. Performance does not adequately meet expectations to fulfill responsibilities. If this rating is used, specific reference to the performance concerns must be indicated. A written plan, including a timeline, for improving the performance indicator(s) may be requested by the School Board.

COMMENTS:

Overall 3.0
*Average of all Standards


Board Member Signature

6/19/19
Date


General Counsel Signature

6-20-19
Date

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2018-2019**

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Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.		X		
a. Provides timely legal counsel on potential legal issues which may impact the District.	<p>Comments:</p> <p>General Counsel has effectively balanced the expanded legal work required within her department while remaining consistently responsive and in a timely manner, to the Board. She provides clear and competent direction to the Board. She serves on the Legal Services Committee and brings forward issues that she is requesting guidance from the Board. She has been proactive in staying abreast of legal and legislative issues. It is important that the Board be provided greater opportunity to give direction regarding specific decisions relating to sharing of information with the press and our community partners where discretion is available.</p>			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
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Standard/Indicators	Scoring Rubric			
<p>Standard 2. COMPETENCY</p> <p>This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.</p>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	<p>Comments:</p> <p>General Counsel has demonstrated competence in this area and has earned confidence from the Board. She takes pause, when necessary, to ensure that her legal direction is correct and comprehensive.</p>			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
<p>Standard 3. MANAGEMENT AND LEGAL SERVICES</p> <p>This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.</p>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	<p>Comments:</p> <p>General Counsel has taken a proactive role in ensuring that the Department is appropriately staffed. This year she is realigning financial resources to increase her staffing by one attorney while reducing outsourcing cases. Looking forward to this increasing the quality and efficiency of the production of work from the Department. Continued improvements in managing 3rd party monitoring of outsourced cases is an opportunity for additional improvement to expedite closing of cases.</p>			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

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<p>Standard 4. PROFESSIONALISM</p> <p>This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.</p>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. Interacts with others in a courteous manner.	<p>Comments:</p> <p>General Counsel brings a great deal of integrity to her Department. She is professional in public meetings as well as in all closed-door sessions in which the Board relies heavily on her for guidance. A concerted effort is necessary to improve how we communicate and not just what we are communicating. This is a critical issue as communication from our legal department is directly reflective of the Board. We need to ensure that the Board's intent to be transparent and open to working with the community, our partners, our employees and staff is apparent in all of our communication and is an area for improvement in this Department.</p>			
b. Effective in communicating with the public, when necessary and as appropriate.				
c. Projects a positive image to others on behalf of The School Board.				
d. Operates with integrity and professionalism.				
e. Demonstrates perseverance, attention and care to detail.				
f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.				
g. Maintains confidentiality of privileged attorney-client matters.				
h. Avoids situations which may be construed as a conflict of interest.				
i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.				

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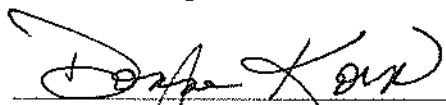
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COMMENTS:

Overall 3.0
 *Average of all Standards


 Board Member Signature

6/14/2019
 Date


 General Counsel Signature

6-19-2019
 Date

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a. Provides timely legal counsel on potential legal issues which may impact the District.	Comments: D. Ms. Myrick assists chair with Parliamentary duties. E. I brought to Ms. Myrick's attention, Fla. Statute 1001.42 and asked for her legal opinion. The attached Legal Opinion Regarding Auditor is her Memo stating that the organizational reporting structure for the Chief Auditor should stay the same with the Chief Auditor reporting directly to the Superintendent. I am waiting on an additional opinion of this Florida Statute from the Attorney General, Ashley Moody. H. Information only provided to me by Ms. Myrick on a need to know basis instead of proactive communication. J. As a new Board Member, Ms. Myrick made no effort to meet with me until this evaluation was provided. Mr. Vignola met with me to let me know about all of the ethics' rules. There should have been a comprehensive new School Board onboarding training provided by Ms. Myrick. K. May 6, 2019, was the only Legal Services Committee meeting for the year to which I am a committee member.			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
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Standard/Indicators

Scoring Rubric

Standard 2. COMPETENCY	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<p>This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.</p>				X
<p>a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.</p>	<p>Comments:</p> <p>A. Does not demonstrate effective knowledge of public records law as demonstrated in Broward County Case No. 18-1958CF 10A in which the Office of the General Counsel on behalf of the School Board, attempted to invoke contempt proceedings against the Sun-Sentinel involving a redacted report that was placed on the District's website. The Sun-Sentinel was able to copy the redacted pdf document and "paste" it into another file which removed the redaction. It is still unclear who is responsible for redacting the report. This contempt proceeding was done without the School Board Members' knowledge and frivolously cost taxpayer dollars. Instead, Board Members found out about this lawsuit by reading about it in the newspaper and not from communication from the General Counsel's Office.</p> <p>C. Ms. Myrick's Memo on March 19, 2019, states that the Promise Program does not meet the statutory definition of a Diversionary Program. State Attorney, Michael J. Satz disagrees and feels Promise is a Diversionary Program. Also, the MSD Commission stated that Promise is a Diversionary Program.</p>			
<p>b. Demonstrates knowledge regarding administrative law and procedures.</p>				
<p>c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.</p>				

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2018-2019**

Standard/Indicators

Scoring Rubric

Standard 3. MANAGEMENT AND LEGAL SERVICES	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.			X	
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	<p>Comments:</p> <p>C. GCO staff are accessible to Board Members.</p> <p>D. Excessive work referred to outside counsel for "2018-2019 = \$971,128 Projected". This additional work was due to the MSD tragedy. An additional in-house attorney was approved by the School Board, however, the MSD tragedy was a one-time event, costing the District additional money from outside counsel.</p> <p>If in-house attorneys are effective and efficient, why are we referring almost \$1,000,000.00 of taxpayer's money to outside counsel?</p> <p>E. Ms. Myrick should run the GCO and in-house attorneys more effectively and efficiently so that outside counsel is not needed for the 2019-2020 school year.</p>			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

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<p>This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.</p>				X
<p>a. Interacts with others in a courteous manner.</p>	<p>Comments:</p> <p>A. During the June 11, 2019 Broward County Public School Board Meeting, it was observed that Ms. Myrick was disrespectful towards staff saying "as you should be" when the staff member apologized for a grammatical error.</p> <p>A & D. Ms. Myrick has disrespected the School Board Members by being on her cellular phone during closed door meetings. Wherein, Chair Brinkworth has had to stop the meetings until such time she was off of the phone.</p> <p>B. On Page 6 of the OGC Annual Report of Legal Services, it states that you are providing as much information as possible to our community partners. However, the BCPS Department's Directory does not contain a link to the Legal Department on the Browardschools.com website. You cannot communicate effectively with the public if no one knows your phone number or email address.</p> <p>B. School Board Members were advised if attending the MSD closed door parent meetings that they were not to speak and that there would be no violation of the Sunshine Law if the public officials did not converse. These meetings originally should have been Sunshined to have all School Board Members allowed to attend and speak. The Sun-Sentinel decided to take the School Board to Court on behalf of the public so that they could report on the school safety concerns of MSD parents. The Sun-Sentinel contended that the Sunshine Laws were designed to provide transparency. Ms. Myrick failed to allow effective communication with the public.</p> <p>D. On occasion, Ms. Myrick inappropriately acts as a 10th Board Member.</p> <p>I. Only until this year has there been an agreement with the Broward Sheriff's Office for real-time access to video during an incident.</p> <p>J. Nothing mentioned in the Annual Report of Ms. Myrick's ongoing continuing legal education for 2018-2019.</p>			
<p>b. Effective in communicating with the public, when necessary and as appropriate.</p>				
<p>c. Projects a positive image to others on behalf of The School Board.</p>				
<p>d. Operates with integrity and professionalism.</p>				
<p>e. Demonstrates perseverance, attention and care to detail.</p>				
<p>f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.</p>				
<p>g. Maintains confidentiality of privileged attorney-client matters.</p>				
<p>h. Avoids situations which may be construed as a conflict of interest.</p>				
<p>i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.</p>				
<p>j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.</p>				

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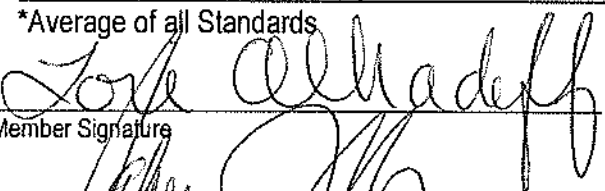
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COMMENTS:


See Attached.

Overall 1.5 – Needs Improvement

*Average of all Standards


 Board Member Signature

6/20/19
 Date


 General Counsel Signature

6-26-19
 Date

COMMENTS:

Ms. Myrick has been the General Counsel since June 16, 2016. Why are you just looking to review all School Board policies now? Why was this not addressed 3 years ago? Currently the District does not have a social media policy. For example, having specific policy around a school's staff Twitter account.

Emergency Code Policy and Code Red Policy should have been a policy at every school districtwide. Drafting and reviewing School Board policy is part of the General Counsel's job description (see attachment "GC Job Description"). Also, adhering to good safety procedures is also in the General Counsel's job description.

Ms. Myrick gave her legal opinion of why Dr. Lynch-Walsh did not qualify for the position as my Executive Secretary. I was advised by Ms. Myrick that if I were to email all School Board Members, I needed to have a disclaimer asking them not to respond back to my email in any fashion. In this email she stated, "Unfortunately, some School Board Members do not heed the warning and respond anyway. That is the risk that you take when you email all." This was the advice given by Ms. Myrick in an attempt to prevent me from speaking with my colleagues. Therefore, fearing that I would be violating the Sunshine Law, I never emailed my fellow School Board Members.


Part of the essential performance responsibility is to monitor work performed by outside counsel and to review, supervise, evaluate and approve work of legal staff from said outside counsel in a provision of legal services to the District. Ms. Myrick needs to work with appropriate staff to provide guidance and training to schools and staff at the start of each school year and continuously provide staff on the appropriate application of FERPA, HIPAA and other (often misunderstood) and over applied laws. Ms. Myrick needs to appropriately share information with key stakeholders, such as law enforcement.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE GENERAL COUNSEL

K.C. WRIGHT ADMINISTRATION BUILDING
600 SOUTHEAST THIRD AVENUE, 11TH FLOOR
FORT LAUDERDALE, FLORIDA 33301
Telephone: (754) 321-2050
Facsimile: (754) 321-2705

BARBARA J. MYRICK
GENERAL COUNSEL

MEMORANDUM

TO: Lori Alhadeff, Board Member
FROM: Barbara J. Myrick, General Counsel 
DATE: June 7, 2019
SUBJECT: Organizational Reporting Structure for Chief Auditor

BACKGROUND: Upon receiving an email to Mr. Moquin from Mrs. Alhadeff, of which I was copied, and subsequently being asked for a legal opinion by Mrs. Alhadeff, this Office research the statutory requirements regarding the organizational reporting structure for a school board's chief [internal] auditor.

FINDINGS: For the previous ten (10) years, Florida Statutes have stated as one of the powers and duties of a district school board, is that they, "may employ an internal auditor to perform ongoing financial verification of the financial records of the school district. The internal auditor shall report directly to the district school board or its designee." Fla. Stat. 1001.42 (12) (l) (2018). (*Emphasis Added*)

The School Board has had an internal auditor since at least 1977 and has adhered to the above statute by approving the Organizational Chart on a yearly basis, which delineates the reporting structure of the Chief Auditor to the Superintendent, as The School Board's designee.

During the 2018 Legislative Session, this section of the statute was amended and language was added regarding the responsibilities of an internal auditor, with an implementation date of July 1, 2019 as follows:

Internal auditor.—May or, in the case of a school district receiving annual federal, state, and local funds in excess of \$500 million, *shall* employ an internal auditor. The scope of the internal auditor shall not be restricted and shall include every functional and program area of the school system.

1. The internal auditor shall to perform ongoing financial verification of the financial records of the school district, a comprehensive risk assessment of all areas of the school system

every 5 years, and other audits and reviews as the district school board directs for determining:

- a. The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse.
 - b. Compliance with applicable laws, rules, contracts, grant agreements, district school board-approved policies, and best practices.
 - c. The efficiency of operations.
 - d. The reliability of financial records and reports.
 - e. The safeguarding of assets.
 - f. Financial solvency.
 - g. Projected revenues and expenditures.
 - h. The rate of change in the general fund balance.
2. The internal auditor shall prepare audit reports of his or her findings and report directly to the district school board or its designee.
 3. Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is by law authorized to perform is subject to the provisions of s. 11.47(3) and (4).

Fla. Stat. 1002.42 (12) (1) (2019).
(Emphasis Added)

There is nothing in the 2018 statutory amendment and/or addition language that affects The School Board's reporting structure of the Chief Auditor, it simply makes it a requirement for a District the size of Broward to employ an internal auditor, where previously it was optional. Paragraph #2 above refers to the requirement that any reports prepared by the Chief Auditor should be given directly to the school board, not that the auditor organizationally reports directly to the school board.

Further, School Board Policy 1002.1 OFFICE OF THE CHIEF AUDITOR, most recently amended in 2010, states the Chief Auditor shall report to the Superintendent administratively and shall be accountable to The School Board and the Audit Committee. Additionally, the policy states that all completed audit reports MUST be presented to the Audit Committee for review and transmission to The School Board and Superintendent. Although approved nine (9) years ago, Policy 1002.1, is aligned with the new requirements of Florida Statute 1002.42 (12) (1) (2019).

If you have any questions or wish to discuss further, please do not hesitate to contact me.

c: All School Board Members
Robert W. Runcie, Superintendent of Schools
Joris Jabouin, Chief Auditor
Jeffery Moquin, Chief of Staff

Myrick\BOARD\Alhadef\Statutory requirements regarding Auditor.docx



THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
JOB DESCRIPTION

POSITION TITLE: General Counsel
JOB CODE: A-017
CLASSIFICATION: Exempt
SALARY BAND: N/A
CONTRACT TERM: As Negotiated
REPORTS TO: The School Board of Broward County, Florida
CONTRACT YEAR: 244 Day Calendar

POSITION GOAL:

Protect the legal interests of the Broward County School District by overseeing and monitoring legal services provided for the school district by the Office of the General Counsel and by outside attorneys.

ESSENTIAL PERFORMANCE RESPONSIBILITIES:

The General Counsel shall carry out the performance responsibilities listed below.

- Supervise Deputy General Counsels, Assistant General Counsels, Law Clerks, and Clerical Staff of the Office of the General Counsel.
- Have overall responsibility for the provision of legal advice to and representation of The School Board and supervision and direction of all legal and support staff assigned to the Office of the General Counsel.
- Provide legal services in highly complex legal matters, including preparation of cases for trial, presentation of cases, and the rendering of opinions upon significant legal matters.
- Represent The School Board at School Board meetings, committee meetings, and other official functions.
- Work collaboratively with, but not limited to, school, area, and district personnel, to safeguard the legal interests of the school district by performing a wide variety of duties, including provision of professional legal services for all departments, divisions and offices of the school district.
- Draft and/or review board policies, contracts, deeds, and other legal documents.
- Direct legal research and preparation of legal opinions for The School Board, Superintendent, departments, divisions and offices of the school district.
- Coordinate and direct investigations of claims and complaints by/or against The School Board, as appropriate.
- Represent The School Board in litigation filed by/or against The School Board, including but not limited to administrative proceedings, court proceedings, civil matters and constitutional issues.
- Coordinate and monitor work performed and services billed by outside counsel in preparing, planning, and representing The School Board in litigation.
- Recommend changes in policies and procedures to ensure compliance with applicable Federal and State laws and Department of Education regulations.
- Recommend budget, expenditures, amounts to be allocated, and amendments thereto when necessary, for the effective operations of the Office of the General Counsel.
- Coordinate and provide in-service training on legal matters which pertain to the overall administration of the school system.
- Provide legal advice to school district officials, as needed, with regard to legal issues arising in the course of district operations.
- Review, supervise, evaluate and approve work of legal staff, including Deputy General Counsels, Assistant General Counsels and outside counsel in the provision of legal services to the district.
- Direct and assist in the acquisition of land for The School Board through negotiation or condemnation proceedings.
- Select and make recommendations to The School Board for the hiring and termination of Deputy General Counsels, Assistant General Counsels and other legal and support staff.
- Provide The School Board with an annual report of legal services provided by the Office of the General Counsel.

- Perform and promote all activities in compliance with equal employment and non-discrimination policies of The School Board of Broward County, Florida.
- Participate in the training programs offered to enhance the individual skills and proficiency related to the job responsibilities.
- Review current developments, literature and technical sources of information related to job responsibilities.
- Ensure adherence to good safety procedures.
- Follow Federal and State laws, as well as School Board policies.
- Perform other duties as assigned, consistent with the goals and objectives of this position, by The School Board of Broward County, Florida or designee.

MINIMUM QUALIFICATIONS & EXPERIENCE:

- An earned Doctor of Jurisprudence degree from an accredited law school.
- A minimum of ten (10) years of progressively more responsible work experience in the field related to the title of the position.
- Experience with education and district school board law.
- Experience supervising a team of attorneys addressing legal issues across multiple subject areas.
- Admission to and member in good standing of the State Bar of Florida.
- Computer skills as required for the position.

PREFERRED QUALIFICATIONS & EXPERIENCE:

- Admission to the General Bar of the United States District Court for the Southern District of Florida; admission to the Bar of the United States Court of Appeals for the Eleventh Circuit.
- Experience as an attorney for a public agency.
- Bilingual skills.

SIGNIFICANT CONTACTS – frequency, contact, purpose, and desired end result:

Act on behalf of the Broward County School District, as the senior legal representative for The School Board in litigation filed by/or against The School Board, including but not limited to, administrative proceedings, court proceedings, civil matters and constitutional issues.

PHYSICAL REQUIREMENTS:

Light work: Exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force as frequently as needed to move objects.

TERMS OF EMPLOYMENT:

Salary, benefits, and/or contract amount shall be paid consistent with the School Board approved employment contract. Length of the work year and hours of employment shall be those established by the School Board.

EVALUATION:

Performance will be evaluated in accordance with the School Board approved employment contract.

Board Approved: 7/16/96

Board Approved: 02/17/2010

Board Adopted: 04/20/2010

Board Approved: 6/15/2016

Board Adopted: 7/26/16

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a ✓ in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.		X		
a. Provides timely legal counsel on potential legal issues which may impact the District.	Comments: Ms. Myrick is always accessible and responsive. She also researches issues on behalf of the Board and seeks outside opinions if necessary.			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
j. Provides and/or supports training programs for the Board and staff as needed.				
k. Works with Board committees or other school related organizations as needed or directed.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<p>This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.</p>		X		
<p>a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.</p>	<p>Comments:</p> <p>Mrs. Myrick must continue to ensure that the District complies with all Sunshine and Public Meeting Laws. She is not directly responsible for the advertisements of meetings; however, her role is to ensure all laws are complied with on behalf of the Board. She must create an accounting system to monitor staff charged with these responsibilities.</p>			
<p>b. Demonstrates knowledge regarding administrative law and procedures.</p>				
<p>c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.</p>				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard 3. MANAGEMENT AND LEGAL SERVICES	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.		X		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	<p>Comments:</p> <p>Ms. Myrick needs to balance her responsibility as the General Counsel to the Board with her role as an advisor to District Administration.</p>			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 4. PROFESSIONALISM	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<p>This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.</p>	X			
a. Interacts with others in a courteous manner.	<p>Comments:</p> <p>It is imperative that Ms. Myrick ensures that all laws and statutes are followed on behalf of the Board. She should continue to ensure that the General Counsel's Office monitors compliance of policies and statutes as they pertain to District Operations, bids and contracts, and Safety.</p>			
b. Effective in communicating with the public, when necessary and as appropriate.				
c. Projects a positive image to others on behalf of The School Board.				
d. Operates with integrity and professionalism.				
e. Demonstrates perseverance, attention and care to detail.				
f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.				
g. Maintains confidentiality of privileged attorney-client matters.				
h. Avoids situations which may be construed as a conflict of interest.				
i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

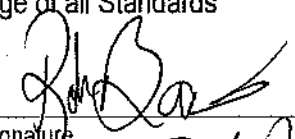
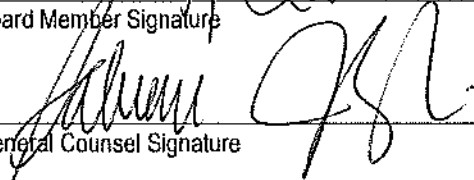
Scoring Rubric:

School Board Members will consider the General Counsel's attainment of each performance standard. School Board Members should not rate each indicator on the evaluation, but rather, consider the indicators in determining the overall rating for each performance standard.

Rating	Description
Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
Effective (2.450-3.399)	Performance consistently meets expectations. Performance demonstrates skillful competence and proficiency.
Needs Improvement (1.450-2.449)	Performance inconsistently meets expectations. Performance needs attention and development. If this rating is used, specific reference to the performance concerns must be indicated.
Unsatisfactory (1.000-1.449)	Performance is consistently unacceptable. Performance does not adequately meet expectations to fulfill responsibilities. If this rating is used, specific reference to the performance concerns must be indicated. A written plan, including a timeline, for improving the performance indicator(s) may be requested by the School Board.

COMMENTS:

Overall 3.25 - Effective
 *Average of all Standards

Board Member Signature 
 General Counsel Signature 

Date 6/18/2019
 Date 6-19-2019

The School Board of Broward County, Florida
 Evaluation of the General Counsel
 2018-2019

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a ✓ in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.	<div style="border: 1px solid black; padding: 5px; display: inline-block;">3.5</div>			
a. Provides timely legal counsel on potential legal issues which may impact the District.	Comments: General counsel (GC) is extremely accessible and provides prompt responses on potential legal issues impacting the District. Her sincere desire to provide guidance in identifying problematic issues is greatly appreciated.			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
j. Provides and/or supports training programs for the Board and staff as needed.				
k. Works with Board committees or other school related organizations as needed or directed.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	3.5			
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments: GC has continued to demonstrate the knowledge necessary to perform her duties and effectively represent the District's interests.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
Standard 3. MANAGEMENT AND LEGAL SERVICES This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	3.0			
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	Comments: GC should continue to monitor the legal services provided by the cadre attorneys to ensure services continue to be provided in the best interest of the District. Dialogue should be held with the Board if Legal services have the potential to conflict with Board sentiment. Other than legal sufficiency review, "expanded review" of board items dealing with agreement/contracts may prove beneficial to the District and the School Board.			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 4. PROFESSIONALISM	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.	3.5			
a. Interacts with others in a courteous manner.	<p>Comments:</p> <p>GC communicates the realities of the District's legal challenges and provides guidance on viable options.</p> <p>When necessary, General Counsel should research issues brought up during meetings prior to providing a public response.</p>			
b. Effective in communicating with the public, when necessary and as appropriate.				
c. Projects a positive image to others on behalf of The School Board.				
d. Operates with integrity and professionalism.				
e. Demonstrates perseverance, attention and care to detail.				
f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.				
g. Maintains confidentiality of privileged attorney-client matters.				
h. Avoids situations which may be construed as a conflict of interest.				
i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

Scoring Rubric:

School Board Members will consider the General Counsel's attainment of each performance standard. School Board Members should not rate each indicator on the evaluation, but rather, consider the indicators in determining the overall rating for each performance standard.

Rating	Description
Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
Effective (2.450-3.399)	Performance consistently meets expectations. Performance demonstrates skillful competence and proficiency.
Needs Improvement (1.450-2.449)	Performance inconsistently meets expectations. Performance needs attention and development. If this rating is used, specific reference to the performance concerns must be indicated.
Unsatisfactory (1.000-1.449)	Performance is consistently unacceptable. Performance does not adequately meet expectations to fulfill responsibilities. If this rating is used, specific reference to the performance concerns must be indicated. A written plan, including a timeline, for improving the performance indicator(s) may be requested by the School Board.

COMMENTS

The General Counsel should continue to be engaged and provide guidance during Board Workshops and Board Meetings on matters with legal implications.

Overall 3.375
 *Average of all Standards


 Board Member Signature

6/20/19
 Date


 General Counsel Signature

6-20-19
 Date

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a √ in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<p>This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.</p>	√			
a. Provides timely legal counsel on potential legal issues which may impact the District.	<p>Comments:</p> <p>Ms. Myrick is very effective. She provides sound advice. She is also exceptional when it comes to ensuring that the Board's voice is represented well.</p>			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
j. Provides and/or supports training programs for the Board and staff as needed.				
k. Works with Board committees or other school related organizations as needed or directed.				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	√			
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments: Ms. Myrick is very knowledgeable of governmental law.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
Standard 3. MANAGEMENT AND LEGAL SERVICES This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		√		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	Comments: I feel that Ms. Myrick does a great job managing staff. However, I also feel that we could restructure and have more in-house attorneys. This would reduce the amount of money we pay for outside counsel in some areas.			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 4. PROFESSIONALISM	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<p>This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.</p>	√			
a. Interacts with others in a courteous manner.	<p>Comments:</p> <p>Ms. Myrick is very professional. She maintains her professionalism under pressure. Her legal opinion is not influenced by culture.</p>			
b. Effective in communicating with the public, when necessary and as appropriate.				
c. Projects a positive image to others on behalf of The School Board.				
d. Operates with integrity and professionalism.				
e. Demonstrates perseverance, attention and care to detail.				
f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.				
g. Maintains confidentiality of privileged attorney-client matters.				
h. Avoids situations which may be construed as a conflict of interest.				
i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

Scoring Rubric:

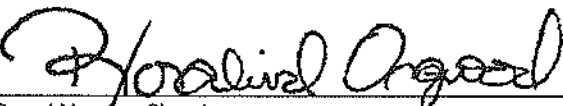
School Board Members will consider the General Counsel's attainment of each performance standard. School Board Members should not rate each indicator on the evaluation, but rather, consider the indicators in determining the overall rating for each performance standard.

Rating	Description
Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
Effective (2.450-3.399)	Performance consistently meets expectations. Performance demonstrates skillful competence and proficiency.
Needs Improvement (1.450-2.449)	Performance inconsistently meets expectations. Performance needs attention and development. If this rating is used, specific reference to the performance concerns must be indicated.
Unsatisfactory (1.000-1.449)	Performance is consistently unacceptable. Performance does not adequately meet expectations to fulfill responsibilities. If this rating is used, specific reference to the performance concerns must be indicated. A written plan, including a timeline, for improving the performance indicator(s) may be requested by the School Board.


COMMENTS:

N/A

Overall 3.75
 *Average of all Standards


 Board Member Signature

6/11/2019
 Date


 General Counsel Signature

6-12-19
 Date

The School Board of Broward County, Florida
 Evaluation of the General Counsel
 2018-2019

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a ✓ in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
<p>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</p> <p>This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.</p>	<p>Highly Effective 4 points</p>	<p>Effective 3 points</p>	<p>Needs Improvement 2 points</p>	<p>Unsatisfactory 1 point</p>
<p>a. Provides timely legal counsel on potential legal issues which may impact the District.</p>	<p>Comments:</p> <p>As General Counsel, Ms. Myrick continues to provide quality legal services. She has added an attorney for contract development, review, and negotiation which has help to assist staff with over 200 contracts and to ensure her office is more responsive and efficient. Additionally, Ms. Myrick is continuing the law clerk program in which students receive academic credit for their service; therefore resulting in additional support to her office. These among other attributes enable Ms. Myrick to successfully meet the needs of the Board and District.</p>			
<p>b. Provides effective solutions to potential legal problems that may impact the District.</p>				
<p>c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.</p>				
<p>d. Assists Chair with his/her parliamentary duties.</p>				
<p>e. Keeps the Board informed of pertinent changes in the law and legislative issues.</p>				
<p>f. Provides useful legal counsel during Board meetings.</p>				
<p>g. Is accessible to Board Members.</p>				
<p>h. Communicates with Board Members in oral and written form in a concise and understandable manner.</p>				
<p>i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.</p>				
<p>j. Provides and/or supports training programs for the Board and staff as needed.</p>				
<p>k. Works with Board committees or other school related organizations as needed or directed.</p>				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	X			
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments: Ms. Myrick informs and educates her colleagues, the Board and District staff on education law and many other topics, including professional ethics. She is actively involved in the SLT meetings to be aware of major issues and provide a legal perspective to staff.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
Standard 3. MANAGEMENT AND LEGAL SERVICES This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	X			
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	Comments: Ms. Myrick ensures that staff in the Office of the General Counsel and cadre counsel represents the District in litigation, particularly litigation arising under construction, those related to special education laws, and employment statutes and regulations. For the 2018-19 fiscal year, 2% of damages have been awarded for the total amount litigated and she has maintained a decreasing trend in expenditures on outside counsel.			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
<p>Standard 4. PROFESSIONALISM</p> <p>This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.</p>	<p>Highly Effective 4 points</p>	<p>Effective 3 points</p>	<p>Needs Improvement 2 points</p>	<p>Unsatisfactory 1 point</p>
<p>a. Interacts with others in a courteous manner.</p>	<p>Comments:</p> <p>Ms. Myrick is knowledgeable and effectively communicates issues concerning the School Board of Broward County. She provides the services of the legal function of our District and contributes to our overall success.</p>			
<p>b. Effective in communicating with the public, when necessary and as appropriate.</p>				
<p>c. Projects a positive image to others on behalf of The School Board.</p>				
<p>d. Operates with integrity and professionalism.</p>				
<p>e. Demonstrates perseverance, attention and care to detail.</p>				
<p>f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.</p>				
<p>g. Maintains confidentiality of privileged attorney-client matters.</p>				
<p>h. Avoids situations which may be construed as a conflict of interest.</p>				
<p>i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.</p>				
<p>j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.</p>				
<p>X</p>				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

Scoring Rubric:

School Board Members will consider the General Counsel's attainment of each performance standard. School Board Members should not rate each indicator on the evaluation, but rather, consider the indicators in determining the overall rating for each performance standard.

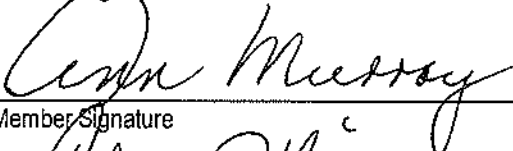
Rating	Description
Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
Effective (2.450-3.399)	Performance consistently meets expectations. Performance demonstrates skillful competence and proficiency.
Needs Improvement (1.450-2.449)	Performance inconsistently meets expectations. Performance needs attention and development. If this rating is used, specific reference to the performance concerns must be indicated.
Unsatisfactory (1.000-1.449)	Performance is consistently unacceptable. Performance does not adequately meet expectations to fulfill responsibilities. If this rating is used, specific reference to the performance concerns must be indicated. A written plan, including a timeline, for improving the performance indicator(s) may be requested by the School Board.

COMMENTS:


Overall, Ms. Myrick is functioning well and has earned a highly effective rating for his 2018 – 2019 annual evaluation.

Overall Highly Effective

*Average of all Standards


 Board Member Signature

6-11-19
 Date


 General Counsel Signature

6-11-19
 Date

The School Board of Broward County, Florida
 Evaluation of the General Counsel
 2018-2019

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a √ in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. Provides timely legal counsel on potential legal issues which may impact the District.	Mrs. Myrick communicates well with Board Members and is readily accessible. She seeks out the voice of the Board, when appropriate. Mrs. Myrick provides useful and timely counsel during Board meetings and on existing/potential legal issues.			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
j. Provides and/or supports training programs for the Board and staff as needed.				
k. Works with Board committees or other school related organizations as needed or directed.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	X			
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Mrs. Myrick demonstrates knowledge regarding general school law, administrative law and procedures, and Government in the Sunshine laws.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
Standard 3. MANAGEMENT AND LEGAL SERVICES This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	Mrs. Myrick continues to manage the General Counsel's Office (GCO) effectively despite the volume of work and activities of the GCO drastically changing, relative to MSD and HB7069 litigation. However, there are still opportunities to maximize in-house attorney outcomes in employment/labor and contracts, while reducing outside legal work expenditures.			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 4. PROFESSIONALISM	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<p>This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.</p>	X			
<p>a. Interacts with others in a courteous manner.</p>	<p>Mrs. Myrick interacts in a courteous manner with others and demonstrates respect for the legal system and those who serve it. She operates with integrity and professionalism in her role as an advocate and counselor to the School Board.</p>			
<p>b. Effective in communicating with the public, when necessary and as appropriate.</p>				
<p>c. Projects a positive image to others on behalf of The School Board.</p>				
<p>d. Operates with integrity and professionalism.</p>				
<p>e. Demonstrates perseverance, attention and care to detail.</p>				
<p>f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.</p>				
<p>g. Maintains confidentiality of privileged attorney-client matters.</p>				
<p>h. Avoids situations which may be construed as a conflict of interest.</p>				
<p>i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.</p>				
<p>j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.</p>				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**


Scoring Rubric:

School Board Members will consider the General Counsel's attainment of each performance standard. School Board Members should not rate each indicator on the evaluation, but rather, consider the indicators in determining the overall rating for each performance standard.

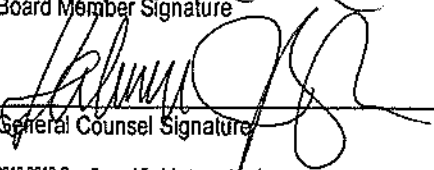
Rating	Description
Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
Effective (2.450-3.399)	Performance consistently meets expectations. Performance demonstrates skillful competence and proficiency.
Needs Improvement (1.450-2.449)	Performance inconsistently meets expectations. Performance needs attention and development. If this rating is used, specific reference to the performance concerns must be indicated.
Unsatisfactory (1.000-1.449)	Performance is consistently unacceptable. Performance does not adequately meet expectations to fulfill responsibilities. If this rating is used, specific reference to the performance concerns must be indicated. A written plan, including a timeline, for improving the performance indicator(s) may be requested by the School Board.

COMMENTS:

Overall 3.5
*Average of all Standards


Board Member Signature

6/26/19
Date


General Counsel Signature

6-26-19
Date

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

Directions: Use the scale identified for each standard to indicate the performance of the General Counsel. Indicate the rating by placing a \checkmark in the box under the appropriate column. The definition of each rating is found in the Scoring Rubric on Page 4. Use space associated with each standard, as needed, for specific comments.

Standard/Indicators	Scoring Rubric			
Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's timeliness and availability to School Board Members. It also addresses her ability to effectively counsel the Board and to provide them with leadership on legal issues.	2.6			
a. Provides timely legal counsel on potential legal issues which may impact the District.	<p>Comments:</p> <p>Ms. Myrick is a consummate professional with a tireless work ethic.</p> <p>The Office of the General Counsel operates at a fast pace, as myriad situations pop up so quickly.</p> <p>Sometimes, the information regarding litigation or representative issues is at a quick pace, and on several issues, the Board only found out about them via the Sun Sentinel, rather than from General Counsel.</p>			
b. Provides effective solutions to potential legal problems that may impact the District.				
c. Seeks out the voice of the Board, when appropriate, in the development of legal strategy.				
d. Assists Chair with his/her parliamentary duties.				
e. Keeps the Board informed of pertinent changes in the law and legislative issues.				
f. Provides useful legal counsel during Board meetings.				
g. Is accessible to Board Members.				
h. Communicates with Board Members in oral and written form in a concise and understandable manner.				
i. Identifies issues and provides reasonable alternative courses of action when addressing matters with the Board.				
j. Provides and/or supports training programs for the Board and staff as needed.				
k. Works with Board committees or other school related organizations as needed or directed.				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

Standard/Indicators	Scoring Rubric			
Standard 2. COMPETENCY This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	3.7			
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments: Ms. Myrick's legal educational expertise is much sought after in the state of Florida.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
Standard 3. MANAGEMENT AND LEGAL SERVICES This standard measures the General Counsel's management of the General Counsel's Office ("GCO"), as well as her oversight of in-house and outside litigation, and contracts with outside counsel.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		2.6		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	Comments: Ms. Myrick provides successful management of her in-house attorneys and their preparedness for trials, hearings, etc. In this fast-paced era of litigation, more care should be shown regarding the inclusion of Board Members in the process. General Counsel needs to remember to seek Board input in all legal dealings.			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
d. Refers work to outside counsel as appropriate and manages services as needed.				
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.				

**The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019**

Standard/Indicators	Scoring Rubric			
Standard 4. PROFESSIONALISM This standard measures the General Counsel's diligence, and professionalism in her role as an advocate and counselor for the School Board.	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	3.88			
a. Interacts with others in a courteous manner.	Comments: Ms. Myrick projects an image of consummate professionalism in all of her dealings.			
b. Effective in communicating with the public, when necessary and as appropriate.				
c. Projects a positive image to others on behalf of The School Board.				
d. Operates with integrity and professionalism.				
e. Demonstrates perseverance, attention and care to detail.				
f. Has the legal knowledge, skills, thoroughness and preparation that are reasonably necessary to represent the interests of the School Board.				
g. Maintains confidentiality of privileged attorney-client matters.				
h. Avoids situations which may be construed as a conflict of interest.				
i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
j. Engages in ongoing Continuing Legal Education Programs relevant to the performance of duties and in accordance with the Rules Regulating the Florida Bar.				

The School Board of Broward County, Florida
Evaluation of the General Counsel
2018-2019

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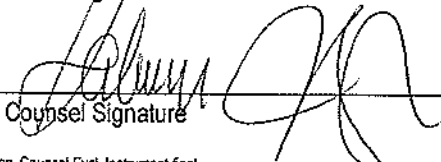
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COMMENTS:

Overall 3.12
 *Average of all Standards


 Board Member Signature

6-20-19
 Date


 General Counsel Signature

6-20-19
 Date