



ADDED ITEM

AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-07-21 10:05 - Regular School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	HH. OFFICE OF THE GENERAL COUNSEL
DEPARTMENT	Office of the General Counsel

Special Order Request	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Time		
Open Agenda	<input checked="" type="radio"/> Yes	<input type="radio"/> No

ITEM No.:

HH-1

TITLE:

Litigation Challenging U.S. Department of Education Interim Final Rule, Providing Equitable Services to Students and Teachers in Non-public Schools

REQUESTED ACTION:

Authorize the Superintendent and the General Counsel to enter into an Agreement with the litigation group of Munger, Tolles & Olson LLP ("MTO"), Sothern Poverty Law Center, ("SPLC"), and Education Law Center ("ELC") to represent The School Board of Broward County, Florida in litigation against U.S. Department of Education and Secretary Betsy De Vos related to the July 1, 2020 Interim Final Rule on Equitable Services and the CARES Act.

SUMMARY EXPLANATION AND BACKGROUND:

On July 1, 2020, the US Department of Education issued an interim final rule (IFR) authorizing and in certain circumstances directing Local Education Authorities to use an alternate method to determine proportional share based on total enrollment in private schools, reasoning that the CARES Act did not mandate a "a rigid application of Section 117 of the Elementary and Secondary Education Act of 1965 (ESEA).
See supporting docs for continuation of Summary Explanation and Background.

SCHOOL BOARD GOALS:

Goal 1: High Quality Instruction Goal 2: Safe & Supportive Environment Goal 3: Effective Communication

FINANCIAL IMPACT:

Representation will be provided on a Pro Bono basis and as such, there is no financial impact to the District.

EXHIBITS: (List)

(1) Summary Explanation and Background

BOARD ACTION:

APPROVED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Barbara J. Myrick, Esq.	Phone: 754-321-2050
Name:	Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Barbara J. Myrick - General Counsel

Approved In Open Board Meeting On: JUL 21 2020

By: _____
School Board Chair

Signature

Barbara J. Myrick
7/20/2020, 2:46:32 PM