

THE BROWARD COUNTY SCHOOL BOARD, FLORIDA

ROBERT W. RUNCIE,

Petitioner,

vs.

CASE NO.: _____

MICAH HARRELL,

Respondent.

_____ /

AGREED FINAL ORDER

Petitioner, Robert W. Runcie, (“Runcie”), Superintendent of Schools and Respondent, Micah Harrell (“Harrell”) (collectively, the “Parties”) by and through their undersigned counsel, hereby move for entry of this Agreed Final Order in this case and in support state the following:

1. The Agreed Final Order hereby incorporates the Amended Administrative Complaint filed with the Broward County School Board (“BCSB”).
2. The Parties agree in its entirety to this Agreed Final Order.
3. The agency is the Broward County School Board (“BCSB”), Florida, located at 600 Southeast Third Avenue, Fort Lauderdale, Broward County, Florida 33301.
4. The Petitioner is Robert W. Runcie, who is the Superintendent of Schools of Broward County, Florida.
5. Harrell was an employee of the BCSB and was employed as a guidance counselor issued in accordance with Section 1012.33 and/or 1012.335, Florida Statutes.
6. On or about September 3, 2020, the State of Florida permanently revoked Harrell’s teaching license/certificate.
7. Pursuant to Section 6A-5.056 F.A.C., “just cause” includes, but is not limited to incompetency. “Incompetency” means the inability, failure or lack of fitness to discharge

the required duty as a result of inefficiency or incapacity.

8. The Parties agree since Harrell's teaching license/certificate was permanently revoked, Harrell's is legally incompetent to do his job with the BCSB. Harrell, through his permanent license revocation and conduct detailed in the Amended Administrative Complaint, has violated Florida Statute §1012.33 and/or §1012.335 and Rule 6A-5.056(3)(a) of the Florida Administrative Code.
9. The Parties agree Harrell is no longer legally capable to perform his employment required duties as a result of inefficiency.
10. The Parties agree there are no material facts in dispute.
11. This case is currently set for hearing before the BCSB on September 22, 2020. The Parties respectfully request the September 22, 2020, hearing date be cancelled as this Agreed Final Order shall resolve the case.
12. The Parties agree that Harrell's file with BCSB will be flagged as "termination" and "non-rehire" status.
13. The Parties request BCSB enter this Agreed Final Order.
14. Harrell, by agreeing to this Agreed Final Order, voluntarily waives his right to appeal BCSB's Final Order.

Respectfully submitted,

/s/ Andrew B. Carrabis
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/s/ Robert F. McKee
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Attorney for Petitioner, Robert W. Runcie

Attorney for Respondent,
Micah Harrell

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FINAL ORDER

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, having received and reviewed the record and Agreed Final Order, and being fully advised in the premises:

IT IS THEREUPON ADJUDGED that:

1. THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA adopts and accepts the Agreed Final Order in its entirety.
2. Mr. Harrell is hereby terminated from his employment with the SCHOOL BOARD OF BROWARD COUNTY, FLORIDA.

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this _____ day of September, 2020.

THE SCHOOL BOARD OF BROWARD COUNTY,
FLORIDA

By: _____
DONNA P. KORN, CHAIR

FILED IN OFFICIAL SCHOOL BOARD RECORDS,
THE _____ DAY OF SEPTEMBER, 2020.

SUPERVISOR, OFFICIAL SCHOOL
BOARD RECORDS

Copies furnished to:

ROBERT W. RUNCIE, Superintendent of Schools
Office of the Superintendent
The School Board of Broward County, Florida
600 Southeast Third Avenue - 10th Floor
Fort Lauderdale, Florida 33301

ANDREW B. CARRABIS, ESQ.
The School Board of Broward County, Florida
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