



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE

AGENDA ITEM

CATEGORY

DEPARTMENT

Special Order Request
 Yes No

Time

Open Agenda
 Yes No

ITEM No.:

TITLE:

REQUESTED ACTION:

SUMMARY EXPLANATION AND BACKGROUND:

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

FINANCIAL IMPACT:

EXHIBITS: (List)

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Douglas G. Griffin	Phone: 7543212050
Name: Andrew B. Carrabis	Phone: 7543212050

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

Signature

Approved In Open Board Meeting On: **OCT 20 2020**
 By:
 School Board Chair

SUMMARY EXPLANATION AND BACKGROUND

Micah Harrell (“HARRELL”) is currently employed as a guidance counselor at Piper High School. On or about January 25, 2016, Orange County Circuit Judge Julie H. O’Kane, in and for the Ninth Judicial Circuit of Florida, issued an arrest warrant for HARRELL for the felony crimes of: (1) Medicaid Provider Fraud; (2) Conspiracy to Commit Medicaid Fraud; (3) Organized Scheme to Defraud; and (4) Criminal Use of Personal Identification Information. As part of his plea agreement with the State of Florida, HARRELL had the special conditions of no work which results in the billing of Medicaid and no access to the personal ID information of unrelated minors while on probation.

On or about September 3, 2020, the State of Florida permanently revoked HARRELL’s license/certification. The Parties, Superintendent Robert W. Runcie and HARRELL, agree that HARRELL is legally incompetent and inefficient to do his required job duties at the Broward County School Board (“School Board”).

The Administrative Counsel prepared the Administrative Complaint and notice was provided to HARRELL that a recommendation for his termination will be presented to the School Board on June 9, 2020. The Administrative Complaint was served on HARRELL on May 21, 2020, and he timely requested a hearing before the School Board.

Administrative Counsel and HARRELL’s attorney negotiated the attached Agreed Final Order and termination. HARRELL no longer wishes to contest the School Board’s recommended discipline to terminate his employment and has entered into an agreed order in the action proceeding before the School Board. An Agreed Final Order has been prepared in which the employee voluntarily waives his right to appeal the School Board’s Final Order.

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
ANDREW B. CARRABIS
Florida Bar No: 0089782
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/s/ Robert F. McKee
ROBERT F. MCKEE
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Attorney for Petitioner, Robert W. Runcie

Attorney for Respondent,
Micah Harrell

THE BROWARD COUNTY SCHOOL BOARD, FLORIDA

ROBERT W. RUNCIE,

Petitioner,

vs.

CASE NO.: _____

MICAH HARRELL,

Respondent.

_____ /

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 20th day of October ~~September~~, 2020.

THE SCHOOL BOARD OF BROWARD COUNTY,
FLORIDA

By: Donna Korn
DONNA P. KORN, CHAIR

FILED IN OFFICIAL SCHOOL BOARD RECORDS,

THE 20th DAY OF OCTOBER ~~SEPTEMBER~~, 2020.

[Signature]
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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ROBERT F. McKEE, ESQUIRE
Robert F. McKee, P.A.
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STATE OF FLORIDA, DIVISION OF
ADMINISTRATIVE HEARINGS
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060