



# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:  
**H-1**

MEETING DATE	2020-08-04 10:05 - Special School Board Meeting
AGENDA ITEM	ITEMS
CATEGORY	H. 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 type="radio"/> Yes <input checked="" type="radio"/> No

**TITLE:**

First Amendment to Employment Agreement between The School Board of Broward County, Florida and Barbara J. Myrick

**REQUESTED ACTION:**

Approve the First Amendment to Employment Agreement between The School Board of Broward County, Florida and Barbara J. Myrick.

**SUMMARY EXPLANATION AND BACKGROUND:**

Paragraph 3(F) of the Employment Agreement between the School Board and Barbara J. Myrick requires the General Counsel to "...endeavor to obtain Florida Bar Certification in Education Law as soon as possible, but no later than two (2) years after the effective date of this Employment Agreement."  
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:**

There is no financial impact to the District.

**EXHIBITS: (List)**

(1) Summary Explanation and Background (2) First Amendment to Employment Agreement

**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

Signature

*Barbara J. Myrick*  
7/28/2020, 6:27:07 PM

Approved In Open Board Meeting On:

**AUG 04 2020**

By:

*Dana K...*  
School Board Chair

**SUMMARY EXPLANATION AND BACKGROUND CONTINUED**

During the General Counsel's evaluation meetings with individual Board Members, she brought to their attention the actions she undertook and the circumstances that prevented her from obtaining the Education Law Certification. Given that the provision is outdated, the Board Chair suggested an amendment be brought forth to address same.

Based upon the above and given the fact that the Agreement does not require certification, the General Counsel is requesting that this provision be removed from the Employment Agreement. The General Counsel is not going to apply in August 2020 to take the certification exam in March 2021, as she cannot commit to the large amount of time required to study and prepare given the numerous priority issues the School Board and District are currently addressing and the numerous topics<sup>1</sup> tested on the exam.

All other provisions of the agreement remain in full force and effect.

*End of Document*

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<sup>1</sup> K-12 (Student): Article IX, Florida Constitution; Student Rights and Responsibilities (Ch. 1002); Educational records, including FERPA; Accommodating Children with Special Needs – Section 504 and IDEA; Due process – student discipline; Civil Rights (substantive law and procedural law); First Amendment (Speech, Press, Assembly, Petition, Religion/Establishment, Clause); Educational Choices, including charter schools (Chapter 1002); K-12 (Employee): Code of Ethics Chapter 112; Chapter 6B-1 Code of Ethics of the Ed. Profession in Florida; Public Employee Discipline - Due process & Chapter 1012; Civil rights (Substantive and Procedural Laws); Public Employees and First Amendment Rights; Criminal Background Screening; Employment law – Federal (Title VII (discrimination, retaliation, sexual harassment), ADA, ADEA, FMLA, Equal Pay Act, Section 1981, etc.); Labor Relations – Chapter 447: Copyright (17 USC 114 et seq.); Whistleblower – Chapter 112; Qualified Immunity (federal law); K-20 (Governance and Compliance): Government in the Sunshine – Chapters 119 and 286; Code of Ethics – Chapter 112, Section 8, Article II; Section 768.28, Fla. Stat.; Florida Constitution Article IX; Educational Facilities (Chapter 1013); Administrative Procedure Act (Chapter 120); K-20 Governance (Chapter 1001, 1002); Risk Management/Torts (Chapter 284); Higher Education: Admissions and Title IV Financial Aid; Student Evaluation and Dismissal; Faculty Tenure and Promotion; Federal Grants and Contracts Compliance; False Claims Act (31 USC 3729 et seq.); and, Ethics/Rules Regulating the Florida Bar.

**FIRST AMENDMENT TO  
EMPLOYMENT AGREEMENT**

THIS FIRST AMENDMENT TO EMPLOYMENT AGREEMENT is made and entered into as of this 14<sup>th</sup> day of August 2020, by and between

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**

(hereinafter referred to as "SBBC"),  
a body corporate and political subdivision of the State of Florida,  
whose principal place of business is  
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

**BARBARA J. MYRICK**

(hereinafter referred to as "MYRICK" or  
"GENERAL COUNSEL")  
whose principal place of business is  
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

**WITNESSETH:**

WHEREAS, SBBC and MYRICK entered into an Employment Agreement, dated on or about June 15, 2016 (hereinafter "Employment Agreement"); and

WHEREAS, the parties mutually desire to amend the Employment Agreement.

NOW THEREFORE, in consideration of the premises and mutual agreements herein provided, the parties hereby agree as follows:

1. **RECITALS.** The foregoing recitals are true and correct and incorporated herein by reference.

2. **DUTIES.**

This First Amended Employment Agreement eliminates paragraph 3(F) of the Employment Agreement, which requires the General Counsel to endeavor to obtain Florida Bar

Certification in Education Law as soon as possible, but no later than two (2) years after the effective date of her Employment Agreement.

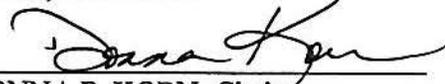
3. **OTHER PROVISIONS IN EFFECT.**

Except as expressly provided herein, all other portions of the Employment Agreement as amended remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Fort Lauderdale, Broward County, Florida, this 4<sup>th</sup> day of August, 2020.

**For SBBC**

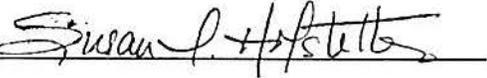
THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

By   
DONNA P. KORN, Chair

ATTEST

  
ROBERT W. RUNCIE, Superintendent of  
Schools

APPROVED AS TO FORM AND LEGAL  
CONTENT

By 

For GENERAL COUNSEL

By: *Barbara J. Myrick*  
BARBARA J. MYRICK

Witnesses

*Susan J. Hefelt*  
*Zefiryna M. GraneK*  
STATE OF FLORIDA )  
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me by means of  physical presence  
or  online notarization, this 23rd of July, 2020 by BARBARA J. MYRICK,  
who is personally known to me or who has produced \_\_\_\_\_ as  
identification.

[Notary Seal]



ZEFIRYNA M. GRANEK  
Commission # GG 951328  
Expires April 25, 2024  
Bonded Thru Budget Notary Services

*Zefiryna M. GraneK*  
Signature - Notary Public

ZEFIRYNA M. GRANEK  
Notary's Printed Name

My Commission Expires: APRIL 25<sup>th</sup>, 2024