

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

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><b>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</b></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>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
<p>a. Provides timely legal counsel on potential legal issues which may impact the 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>	<p>Comments:</p> <p>General Counsel consistently provides legal direction, to Board, in a timely fashion and provides legal strategy based on input from the Board. GC provides appropriate direction, to the Board, regarding how to address legal problems and keeps the Board informed throughout legal processes. Legislative issues are also timely presented to the Board. The Board is provided written responses, as requested, as well as when the Board requires additional feedback on law or legislative issues.</p>			

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

Standard/Indicators	Scoring Rubric			
<b>Standard 2. COMPETENCY</b>  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: General Counsel continues to demonstrate competence in this area. GC assists the Chair in assuring that Board meetings are held in accordance with Robert's Rules			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
<b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b>  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: General Counsel continues to oversee her department effectively with appropriate staffing and use of outside counsel. Management of outside counsel is an on-going area for improvement to ensure timeliness of cases as well as costs associated with these cases. There are concerns regarding appropriate support of District Staff and the Board from within GC's office in specific areas. More guidance and direction should be provided to ensure the best approach with our bargaining groups.			
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  
2019-2020**

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.			<b>X</b>	
a. Interacts with others in a courteous manner.	<p>Comments: General Counsel brings integrity to her department. She offers a great level of attention and care to detail which affords her trust by the Board. There is room to improve communication with our bargaining units, as we always look for find a positive resolution to challenge questions and negotiations. GC provides effective communication to the Board, but we look to her to ensure that her message is on point and allows the Board to contemplate items with direction specific to legal content.</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  
2019-2020

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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:

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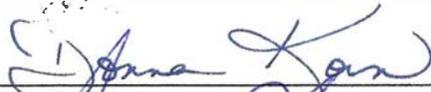
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Overall 2.75 Effective

\*Average of all Standards

  
Board Member Signature

6/22/2020  
Date

  
General Counsel Signature

6-24-20  
Date

**The School Board of Broward County, Florida  
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2019-2020**

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Standard/Indicators	Scoring Rubric			
<p><b>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</b></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>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	√			
a. Provides timely legal counsel on potential legal issues which may impact the District.	<p>Comments: Ms. Myrick is very proficient. She gives sound advice. She has a good grasp on the Board's Vision</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.				
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**The School Board of Broward County, Florida  
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2019-2020**

Standard/Indicators	Scoring Rubric			
<p><b>Standard 2. COMPETENCY</b></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
	√			
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	<p>Comments: I appreciate Ms. Myrick's knowledge of government law.</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><b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b></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
		√		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.	<p>Comments: I am not aware of any staff issues in Ms. Myrick's department. She does an excellent job managing staff.</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  
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	√			
a. Interacts with others in a courteous manner.	<p>Comments: Ms. Myrick demonstrates professionalism. She acknowledges the need for outside expertise on some matters. She maintains a professional demeanor at all times.</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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Highly Effective (3.400-4.000)	Performance consistently exceeds expectations. Performance demonstrates outstanding aptitude and proficiency.
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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:

Ms. Myrick is a great School Board Attorney. She is always responsive to my inquiries. She provides sound legal advice. She is moral and operates with integrity.

Overall 3.75

\*Average of all Standards

*Dr. Rosalind Osgood*

6/30/20

Board Member Signature

Date

*[Signature]*

6-30-20

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<b>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</b>  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.	Comments:  Ms. Myrick neglected to oversee the Bond Oversight Committee members Ethic's Training. Thus, permitting new members to forget the required training and, in addition, existing members have not completed training since 2016. Ms. Myrick needs to designate responsibility for each committee (on an annual basis) by submitting a form verifying that every member on their committee has completed their Ethic's Training.  Page 7 of the General Counsel's Report, states, "Safety and security continues to be the important issue, working with all law enforcement agencies and the Department of Juvenile Justice." An executed, mutually agreed contract regarding PROMISE is needed to resolve the problem of BCPS being able to report incidents to Prevention Web without the incidents counting towards the student's Civil Citation.  Ms. Myrick coordinated the 2019/2020 Ethic's Training for the School Board.  Feedback from the Broward Teacher's Union President, Anna Fusco stated, "Ms. Myrick has strong personal opinions which she struggles with differentiating from her professional opinions. Her bias on many matters seeps into her legal advice and opinions as it relates to many district situations and official business. Ms. Mryick does not know labor law and her continued spoken points prove this to be true." See Exhibit "A".  On 12/10/2019, Douglas Griffin, Esquire was asked questions regarding an II-1 Item. Mr. Douglas could not substantiate the allegations clearly. When planning for these types of items that come before the Board, there should be extensive collaboration between Human Resources, the Special Investigative Unit and the General Counsel. Going forward, Ms. Myrick needs to make sure whoever investigates an allegation is an expert and they should be able to answer the Board Members' questions appropriately. Additionally, communication failures between SIU and the GC's office occurred during an employee Medicare fraud case.  Continued on Separate Sheet....			
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.				
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				X
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments:  Please see separate sheet.			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
<b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b>  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:  School Board attorneys need to be recognized for their due diligence with grant contracts. They are encouraged to aggressively pursue educational grants.  The District School Safety Portal Agreement with the Florida Department of Education was signed by Superintendent Runcie on June 11, 2020. See attached Exhibit "D" and the Executive Order Number 19-45 as Exhibit "E". For the 2020/2021 school year, Ms. Myrick needs to ensure that the threat assessment teams are able to use the School Safety Portal to its fullest extent possible.  Ms. Myrick has yet to negotiate the final law enforcement agency's contract in order for that school to have a real-time video feed from school surveillance cameras contract with BCPS. At this point, there should be a 100% compliance!			
b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.				
c. GCO staff are accessible to Board Members.				
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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:</p> <p>During a 5/5/2020 Special Meeting, Ms. Myrick failed to follow the CDC Guidelines regarding social distancing and failing to cover her mouth/nose. This was seen again during the 6/9/2020 meeting. See Exhibit "F".</p> <p>Ms. Myrick drafted a letter to the Florida Office of the Attorney General. During a School Board Workshop she falsely claimed that Mrs. Alhadeff (who was not present during the Workshop) had written the letter, thereby misleading the Board members. This insinuation that Mrs. Alhadeff falsified a document on the General Counsel's letterhead was damaging to Mrs. Alhadeff's reputation and questioned her credibility to the public watching the Workshop and to her colleagues. At the next School Board Meeting, Mrs. Alhadeff had to defend herself against Ms. Myrick (who works for the School Board). A simple phone call to Mrs. Alhadeff during the Workshop could have resolved this situation. Ms. Myrick apologized, but the damage had been done.</p> <p>The BCPS Department's Directory does not contain a link to the Legal Department on the Browardschools.com website. As stated on last year's review, you cannot communicate effectively with the public if no one knows your phone number or email address. There should be a Broward County School Board web page with history, staff listings, contact us, duties, meet the attorneys, board reports and forms.</p> <p>When announcing the names of the Marjory Stoneman Douglas High School victims preceding a closed door meeting, proper pronunciation of their names needs to occur.</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.				
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i. Demonstrates respect for the legal system and those who serve it, including judges, other attorneys and public officials.				
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Unsatisfactory (1.000-1.449)      X	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:

Ms. Myrick should apply the best conflict resolution strategies effectively prior to litigation.

Ms. Myrick needs to be held accountable for not following the terms set forth in her Employment Agreement.

After speaking with Ms. Myrick, she has admitted she has no intention of completing her Certificate in Education Law in 2020 or 2021.

Overall 1.25  
 \*Average of all Standards

  
 Board Member Signature

6/22/20  
 Date

  
 General Counsel Signature

6/29/2020  
 Date

PLEASE SEE BJM'S COMMENTS, WHICH ARE ATTACHED

## Response to Ms. Alhadeff's comments on BJM evaluation dated June 22, 2020

### Standard 1. ACCESSIBILITY/ RESPONSIVENESS/ EFFECTIVENESS (Needs Improvement)

**Comment No. 1:** Ms. Myrick neglected to oversee the Bond Oversight Committee Members Ethic's Training. Thus, permitting new members to forget the required training and, in addition, existing members have not completed training since 2016. Ms. Myrick needs to designate responsibility for each committee (on an annual basis) by submitting a form verifying that every member on their committee has completed their Ethic's Training.

**Response:** It is the staff liaison's responsibility to ensure Advisory Committee member's complete required training, it is not my responsibility or the responsibility of the GC's Office.

**Comment No. 2:** Page 7 of the General Counsel's Report, states, "Safety and security continues to be the important issue, working with all law enforcement agencies and the Department of Juvenile Justice." An executed, mutually agreed contract regarding PROMISE is needed to resolve the problem of BCPS being able to report incidents to Prevention Web without the incidents counting towards the student's Civil Citation.

**Response:** Both I and/or Assistant General Counsel Hofstetter have attended each Eliminating the Schoolhouse to Jailhouse Committee meeting and the Committee has not been able to agree to language for a PROMISE Program Agreement. Updating the Agreement for the PROMISE program is not the responsibility of the GC Office.

**Comment No. 3:** Ms. Myrick coordinated the 2019/2020 Ethic's Training for the School Board.

**Response:** No response.

**Comment No. 4:** Feedback from the Broward Teacher's Union President, Anna Fusco stated, "Ms. Myrick has strong personal opinions which she struggles with differentiating from her professional opinions. Her bias on many matters seeps into her legal advice and opinions as it relates to many district situations and official business. Ms. Myrick does not know labor law and her continued spoken points prove this to be true." See Exhibit "A".

**Response:** My evaluation is intended to be the opinions of Board Members, not third parties.

**Comment No. 5:** On 12/10/2019, Douglas Griffin, Esquire was asked questions regarding an 11-1 Item. Mr. Douglas could not substantiate the allegations clearly. When planning for these types of items that come before the Board, there should be extensive collaboration between Human Resources, the Special Investigative Unit and the General Counsel. Going forward, Ms. Myrick needs to make sure whoever investigates an allegation is an expert and they should be able to answer the Board Members' questions appropriately. Additionally, communication failures between SIU and the GC's office occurred during an employee Medicare fraud case.

**Response:** As the General Counsel, I have no responsibility in the process of the investigations. There was no failure to communicate between SIU and the GC's office in this case.

**Comment No. 5:** The General Counsel's office continues to positively execute the Law Clerk Program and the Clinical Program for applicants coming from local law schools. It is recommended to implement senior high school legal internship opportunities.

**Response:** Working with our middle school law magnet program began in the 19/20 school year and I will reach out to our high school law magnet program for next school year.

**Comment No. 6:** The Deputy General Counsel proactively resolved 30 matters prior to litigation. I would encourage all attorneys to resolve future cases through communication and compromise prior to litigation.

**Response:** As the Legal Service Annual Report states all attorneys in the GC's Office have worked proactively to resolve cases prior to litigation.

## **Standard 2. COMPETENCY**

### **(Unsatisfactory)**

**Comment No. 1:** Pursuant to Ms. Myrick's Employment Agreement with BCPS, she was required to complete and receive a Certificate in Education Law (See Exhibit "B", Page 3) within two (2) years from the signing of her Employment Agreement (June 2016). Four (4) years later, this has not been completed, thereby rendering her in breach of the Employment Agreement. According to the General Counsel's job description in the Evaluation, it clearly states, "performance will be evaluated in accordance with the School Board approved employment contract." See Exhibit "C", Page 2.

**Response:** As explained to Ms. Alhadeff during our evaluation meeting, there were mitigating circumstances as to why the clause in my Employment Agreement has not been fulfilled.

**Comment No. 2:** Ms. Myrick's staff did not demonstrate effective knowledge of public records law when they failed two Broward County Public School students by permitting their names to be viewed as an attachment to a document without the proper redaction. Thereby violating the Family Educational Rights and Privacy Act (FERPA).

**Response:** There was not a violation of Public Records laws and/or FERPA in this circumstance.

**Comment No. 3:** Ms. Myrick failed to hold any Legal Committee Meetings for 2019-2020 school year. This was due in part when the April 2020 meeting was not advertised and subsequently had to be canceled. Ms. Myrick did not make the meetings a priority. A Teams meeting should have been scheduled.

**Response:** A Legal Services Committee meeting was scheduled for December 2019 that had to be cancelled due to a family emergency. The April meeting was scheduled, and the GC's office provided necessary information to the office that advertises all committee meeting and I was not informed until the day before the meeting that no committee meetings for April were advertised.

## **Standard 3. MANAGEMENT AND LEGAL SERVICES**

### **(Unsatisfactory)**

**Comment No. 1:** School Board attorneys need to be recognized for their due diligence with grant contracts. They are encouraged to aggressively pursue educational grants.

**Response:** It is not the responsibility of the GC's Office to pursue educational grants, the District has a Grants Department for that work.

**Comment No. 2:** The District School Safety Portal Agreement with the Florida Department of Education was signed by Superintendent Runcie on June 11, 2020. See attached Exhibit "D" and the Executive Order Number 19-45 as Exhibit "E". For the 2020/2021 school year, Ms. Myrick needs to ensure that the threat assessment teams are able to use the School Safety Portal to its fullest extent possible.

**Response:** Neither the GC's Office nor do I have supervisory authority over school threat assessment teams.

**Comment No. 3:** Ms. Myrick has yet to negotiate the final law enforcement agency's contract in order for that school to have a real-time video feed from school surveillance cameras contract with BCPS. At this point, there should be a 100% compliance!

**Response:** The GC's Office cannot force a municipality to sign any agreement.

**Comment No. 4:** Due process for staff needs to have more checks and balances. For example, changes in the documentation of due process forms to permit date and signatures of the "accused" after each step is completed. With budget constraints, Ms. Myrick needs to look to reduce outside counsel services by more effectively using in-house attorneys.

**Response:** As explained to Ms. Alhadeff during our evaluation meeting, the process of the investigations is not my responsibility or the responsibility of the GC's Office. *Also see Standard 1, Comment No. 5, above.*

#### **Standard 4. PROFESSIONALISM**

##### **(Unsatisfactory)**

**Comment No. 1:** During a 5/5/2020 Special Meeting, Ms. Myrick failed to follow the CDC Guidelines regarding social distancing and failing to cover her mouth/nose. This was seen again during the 6/9/2020 meeting. See Exhibit "F".

**Response:** I follow CDC Guidelines at all times, regarding the wearing of face masks.

**Comment No. 2:** Ms. Myrick drafted a letter to the Florida Office of the Attorney General. During a School Board Workshop she falsely claimed that Mrs. Alhadeff (who was not present during the Workshop) had written the letter, thereby misleading the Board members. This insinuation that Mrs. Alhadeff falsified a document on the General Counsel's letterhead was damaging to Mrs. Alhadeff's reputation and questioned her credibility to the public watching the Workshop and to her colleagues. At the next School Board Meeting, Mrs. Alhadeff had to defend herself against Ms. Myrick (who works for the School Board). A simple phone call to Mrs. Alhadeff during the Workshop could have resolved this situation. Ms. Myrick apologized, but the damage had been done.

**Response:** The letter had actually been drafted by Mr. Vignola, which I forwarded to Ms. Alhadeff. I have previously apologized to publicly and privately to Ms. Alhadeff.

**Comment No. 3:** The BCPS Department's Directory does not contain a link to the Legal Department on the BrowardSchools.com website. As stated on last year's review, you cannot communicate effectively with the public if no one knows your phone number or email address. There should be a Broward County School Board web page with history, staff listings, contact us, duties, meet the attorneys, board reports and forms.

**Response:** I will follow the collective Board's guidance on this issue.

**Comment No. 4:** When announcing the names of the Marjory Stoneman Douglas High School victims preceding a closed-door meeting, proper pronunciation of their names needs to occur.

**Response:** I always strive to not make mistakes when speaking in public.

**(Overall) COMMENTS:**

Ms. Myrick should apply the best conflict resolution strategies effectively prior to litigation. See response to Comment 6 in Section 1 above

Ms. Myrick needs to be held accountable for not following the terms set forth in her Employment Agreement.

After speaking with Ms. Myrick, she has admitted she has no intention of completing her Certificate in Education Law in 2020 or 2021. See response to Comment 1 in Section 2 above.

**The School Board of Broward County,  
Florida Evaluation of the General Counsel  
2019-2020**

**CONTINUED:**

**Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS**

The General Counsel's office continues to positively execute the Law Clerk Program and the Clinical Program for applicants coming from local law schools. It is recommended to implement senior high school legal internship opportunities.

The Deputy General Counsel proactively resolved 30 matters prior to litigation. I would encourage all attorneys to resolve future cases through communication and compromise prior to litigation.

**Standard 2. COMPETENCY**

Pursuant to Ms. Myrick's Employment Agreement with BCPS, she was required to complete and receive a Certificate in Education Law (See Exhibit "B", Page 3) within two (2) years from the signing of her Employment Agreement (June 2016). Four (4) years later, this has not been completed, thereby rendering her in breach of the Employment Agreement. According to the General Counsel's job description in the Evaluation, it clearly states, "performance will be evaluated in accordance with the School Board approved employment contract." See Exhibit "C", Page 2.

Ms. Myrick's staff did not demonstrate effective knowledge of public records law when they failed two Broward County Public School students by permitting their names to be viewed as an attachment to a document without the proper redaction. Thereby violating the Family Educational Rights and Privacy Act (FERPA).

Ms. Myrick failed to hold any Legal Committee Meetings for 2019-2020 school year. This was due in part when the April 2020 meeting was not advertised and subsequently had to be canceled. Ms. Myrick did not make the meetings a priority. A Teams meeting should have been scheduled.

**Standard 3. MANAGEMENT AND LEGAL SERVICES**

Due process for staff needs to have more checks and balances. For example, changes in the documentation of due process forms to permit date and signatures of the "accused" after each step is completed.

With budget constraints, Ms. Myrick needs to look to reduce outside counsel services by more effectively using in-house attorneys.

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- + New Folder
- Notes

**From:** Fusco, Anna <afusco@btuonline.com>  
**Sent:** Wednesday, June 17, 2020 5:29 PM  
**Subject:**

**CAUTION: This email originated from an external source. Use caution when replying, clicking links, or opening attachments.**

Ms. Myrick has strong personal opinions which she struggles with differentiating from her professional opinions. Her bias on many matters seeps into her legal advice and opinions as it relates to many district situations and official business. Ms. Myrick does not know labor law and her continued spoken points prove this to be true.

Anna Fusco

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**Sent:** Monday, June 15, 2020 5:08:34 PM  
**To:** Fusco, Anna <afusco@btuonline.com>  
**Cc:** Lori K. Alhadeff <lorialhadeff@browardschools.com>  
**Subject:**

EXHIBIT "A"

## EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT ("Agreement") is made and entered into as of this 15<sup>th</sup> day of June 2016 by and between

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**  
(hereinafter referred to as "THE SCHOOL BOARD"),  
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

**WHEREAS**, THE SCHOOL BOARD is responsible for retaining the GENERAL COUNSEL for THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA; and

**WHEREAS**, THE SCHOOL BOARD has offered and MYRICK has agreed to be employed by THE SCHOOL BOARD in such capacity, and on the terms and conditions provided herein, giving her time, energy and ability to the furtherance of THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA.

### **WITNESSETH:**

NOW THEREFORE, in consideration of the Premises and the mutual agreements herein provided, THE SCHOOL BOARD and MYRICK hereby agree as follows:

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

**2. EMPLOYMENT AND TERM.** THE SCHOOL BOARD hereby employs MYRICK as GENERAL COUNSEL, and MYRICK hereby accepts and agrees to such

employment, for a term commencing June 16, 2016 and ending June 30, 2018 (“Original Term”), unless terminated earlier as provided in this Agreement. The terms and conditions of employment shall be renewed and automatically extended for one (1) year at the end of each year of this Agreement (“Extension Term”) beginning in May of 2017, if the evaluation of GENERAL COUNSEL by THE SCHOOL BOARD, as set forth in Section 6, below, is satisfactory. This provision is subject to the termination provisions set forth in Section 5, Termination, below. For purposes of this Agreement, “Term of this Agreement” shall mean the Original Term and an Extension Term, if any.

**3. DUTIES.**

A. The GENERAL COUNSEL shall perform all duties as set forth in the Job Description for General Counsel as approved by THE SCHOOL BOARD, and which may be lawfully required of her by THE SCHOOL BOARD, which shall include, but not be limited to, the examination of land titles, acquisition of real property, including condemnation suits, advice and consultation with the various departments, preparation of legal opinions for THE SCHOOL BOARD, drafting contracts, and the representation of THE SCHOOL BOARD in litigation and at administrative hearings. The GENERAL COUNSEL shall make assignments of the legal work of THE SCHOOL BOARD to the attorneys assisting her and shall direct the activities of such attorneys. The GENERAL COUNSEL shall oversee the services rendered by outside counsel and be responsible for coordinating services and assessing the scope and performance of services rendered by outside counsel.

B. The GENERAL COUNSEL shall be responsible for the selection, hiring, and supervision of such in house attorneys as may be necessary for the proper handling of the legal work of THE SCHOOL BOARD, subject to the approval of THE SCHOOL BOARD. Presently,

there are five (5) attorneys employed in-house under the supervision of the GENERAL COUNSEL devoting full time to the legal work of THE SCHOOL BOARD.

C. Insofar as the school system's demands for legal services exceed the capacity of the GENERAL COUNSEL and her staff, the GENERAL COUNSEL, with the approval of THE SCHOOL BOARD, shall have the right to engage outside counsel to handle specific cases, types of cases, or items of legal business, the compensation for which shall be approved and paid by THE SCHOOL BOARD. The GENERAL COUNSEL will not direct any business of THE SCHOOL BOARD to any company or corporation in which she or any member of her family has an interest.

D. THE SCHOOL BOARD shall furnish the GENERAL COUNSEL with stenographic services, office supplies and equipment, abstract costs, court costs, and adequate office space to maintain and properly staff the Offices of the General Counsel as those needs shall from time to time be required, maintain legal research technology, legal books and publications, and, where necessary, authorize out-of-county travel for the GENERAL COUNSEL.

E. During the term of employment hereunder, the GENERAL COUNSEL shall not render services to anyone other than THE SCHOOL BOARD and shall devote full time to School Board business.

F. The GENERAL COUNSEL will 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 Agreement.

G. As a condition of employment, the GENERAL COUNSEL shall remain a member of the Florida Bar in good standing.

**4. COMPENSATION.** For all services rendered by the GENERAL COUNSEL pursuant to this Agreement, THE SCHOOL BOARD shall pay to and provide for the GENERAL COUNSEL the salary, and other benefits described in this Agreement.

A. Salary. The GENERAL COUNSEL will receive an annual salary of \$200,000.00 subject to additional increases as described below, less appropriate deductions for employment taxes and income tax withholding. Such salary shall be paid in accordance with THE SCHOOL BOARD's normal payroll procedures for administrative employees.

During each year of the term of this Agreement, the GENERAL COUNSEL'S salary shall be increased by the percentage of salary increase provided to other 12-month administrative employees of THE SCHOOL BOARD. Each such increase to the GENERAL COUNSEL's salary shall become effective as of the date of THE SCHOOL BOARD's approval of the increase applicable to its 12-month administrative employees.

B. Retirement. In addition to the salary provided in Paragraph A above, the GENERAL COUNSEL may continue to participate in the Florida Retirement System, as provided for in Chapter 121, Florida Statutes, as may be amended, and all other retirement programs for which she is or may become eligible during the term of this Agreement. THE SCHOOL BOARD shall take whatever action necessary to maintain the position of GENERAL COUNSEL as Senior Management Service Class in the Florida Retirement System.

C. Expenses. THE SCHOOL BOARD shall establish a budget to pay or reimburse the GENERAL COUNSEL and members of her staff for their reasonable and necessary expenses incurred in the performance of their duties hereunder in accordance with applicable state law and SCHOOL BOARD policies and rules. Without limiting the generality of the foregoing, THE SCHOOL BOARD shall budget expenses for the GENERAL COUNSEL and for members of her

staff designated by her to attend professional and official meetings, seminars, continuing legal education programs, conventions, and other meetings and functions that the GENERAL COUNSEL deems relevant to the performance of their duties hereunder without further SCHOOL BOARD approval, and shall pay all membership fees and dues (including Bar dues) of the GENERAL COUNSEL and her staff in such professional organizations and associations as the GENERAL COUNSEL deems appropriate and in furtherance of the performance of their duties hereunder. The GENERAL COUNSEL and her staff may hold offices or accept responsibilities in such professional organizations and associations, provided that such responsibilities do not interfere with the performance of their duties to THE SCHOOL BOARD.

D. Employee Benefits. For each year of this Agreement, the GENERAL COUNSEL will be entitled to all benefits provided to the District's administrative employees, including pension contributions, health insurance, and vacation. The GENERAL COUNSEL's family will be eligible for these benefits in the same manner as are the families of other administrative employees of THE SCHOOL BOARD.

E. Other Benefits. The GENERAL COUNSEL shall have the right to participate in any benefit or program to which other 12-month administrative employees of THE SCHOOL BOARD are entitled, unless otherwise expressly set forth herein.

F. Vacation, Sick Leave, and Terminal Pay.

I. Vacation, Sick Leave, and Holidays. During the term of employment under this Agreement, the GENERAL COUNSEL shall be entitled to the same annual leave benefits as authorized by School Board policies for administrative employees on 12-month calendars. In addition, the GENERAL COUNSEL shall be entitled to sick leave as authorized by School Board policies for administrative employees on 12-month calendars. The GENERAL

COUNSEL shall be entitled to the same holidays as the 12-month administrative employees of THE SCHOOL BOARD.

2. Terminal Pay. Upon termination of employment, the GENERAL COUNSEL shall receive: (a) payment in a lump sum of accrued, but unused vacation time at the rates and up to the limits set forth in Board Policy 4480, as amended; and (b) payment in a lump sum of accrued, but unused, sick leave at the rates and up to the limits set forth in Board Policy 4305, as amended. These lump sum payments shall be in addition to any other amounts payable to the GENERAL COUNSEL upon termination of employment under this Agreement and applicable law.

**5. TERMINATION.**

A. Termination for Disability. THE SCHOOL BOARD shall have the right to terminate the GENERAL COUNSEL's employment hereunder in the event of her disability (as herein defined) to perform fully her duties hereunder. For purposes of this Agreement "Disability" is herein defined as the GENERAL COUNSEL's permanent and total disability such that the GENERAL COUNSEL is unable to perform her duties as GENERAL COUNSEL as set forth in Section 3. Duties, herein for a period in excess of six (6) consecutive months. Disability does not include any conditions (temporary or permanent) affecting her duties which otherwise may be ameliorated through reasonable accommodations as provided for in the Americans with Disabilities Act (ADA). In such event, THE SCHOOL BOARD shall pay GENERAL COUNSEL in full satisfaction of THE SCHOOL BOARD's obligations hereunder, a lump sum equivalent to her salary for twenty (20) weeks at the rate then in effect plus termination benefits set forth in Section 4F of this Agreement. The GENERAL COUNSEL agrees that THE SCHOOL BOARD shall have sole and absolute discretion to decide upon such

termination, and that in the event of such termination she waives all rights to contest or challenge THE SCHOOL BOARD's decision and will accept the benefits provided above in full satisfaction of THE SCHOOL BOARD's obligations hereunder and in full release of any and all claims against THE SCHOOL BOARD under this Agreement.

B. Payment in the Event of Death. In the event of the death of the GENERAL COUNSEL at any time during the term of this Agreement, THE SCHOOL BOARD shall pay to her surviving spouse, if any, or if the GENERAL COUNSEL does not have a surviving spouse, to the GENERAL COUNSEL's estate, an amount equal to the portion of the GENERAL COUNSEL's salary to which she was entitled through the date of her death, payable within one month of the date of her death, plus the termination benefits set forth in Section 4F together with such payments or benefits as are authorized by law or School Board policies.

C. Termination by Resignation. The GENERAL COUNSEL may resign during the term of this Agreement without the consent of THE SCHOOL BOARD upon ninety (90) days notice. In such case, she will receive the termination benefits set forth in Section 4F of this Agreement.

D. Termination Without Cause. During the first two (2) years of this Agreement, the GENERAL COUNSEL may be terminated without cause or any reason by THE SCHOOL BOARD upon thirty (30) days written notice to the GENERAL COUNSEL. In such case, the GENERAL COUNSEL shall be paid the balance due through the end of the Original Term of this Agreement or for six (6) months, whichever is a lesser time period, in addition to the termination benefits set forth in Section 4F of this Agreement. Thereafter, this Agreement may be terminated without cause or any reason by THE SCHOOL BOARD and upon five (5) months prior written notice to the GENERAL COUNSEL. In such case, the GENERAL COUNSEL will

be entitled to termination benefits set forth in Section 4F of this Agreement.

E. Termination for Unsatisfactory Performance. THE SCHOOL BOARD may dismiss the GENERAL COUNSEL during the term of this Agreement for the unsatisfactory performance of her duties after completion by THE SCHOOL BOARD of an evaluation conducted in accordance with the Evaluation Procedures set forth in Section 6 of this Agreement. THE SCHOOL BOARD shall be the sole determinant of the GENERAL COUNSEL's unsatisfactory performance. In such case, the GENERAL COUNSEL shall be entitled to the termination benefits set forth in Section 4F of this Agreement.

F. Termination for Cause. Aside from THE SCHOOL BOARD'S rights to terminate above, THE SCHOOL BOARD may dismiss the GENERAL COUNSEL for Cause. For purposes of this Agreement, "Cause" is herein defined and includes, but not limited to, the grounds set forth in Section 1012.33(4)(c), Florida Statutes, as may be amended or any successor provisions thereto. In the event THE SCHOOL BOARD intends to dismiss the GENERAL COUNSEL for cause, the SCHOOL BOARD shall provide the GENERAL COUNSEL with written notice of the specific grounds for such "cause" termination. Furthermore, the GENERAL COUNSEL shall have the right to contest such action pursuant to the Administrative Procedure Act, as is provided for in Chapter 120 of the Florida Statutes, as may be amended or any successor provision thereto. Should the GENERAL COUNSEL prevail in the administrative hearing, she shall be reinstated in good standing and awarded any back pay including any period for appeals. Should the SCHOOL BOARD prevail in such proceeding, the GENERAL COUNSEL shall be entitled to Terminal Pay as set forth in Section 4F of this Agreement.

6. ANNUAL EVALUATION. Commencing in May of 2017 and at least once a year thereafter, THE SCHOOL BOARD shall evaluate the GENERAL COUNSEL's

performance of her duties.

Evaluation Format and Procedures. THE SCHOOL BOARD and the GENERAL COUNSEL shall mutually develop an evaluation format and procedures acceptable to both parties to use in the evaluation of the GENERAL COUNSEL within 90 days of the date of this Agreement, or a date certain as mutually agreed to by the parties. THE SCHOOL BOARD shall then distribute these forms relating to legal services provided by the GENERAL COUNSEL to be completed by individual Board Members.

7. ANNUAL REPORT. Commencing in May of 2017 and thereafter June 30 of each year during the Term of this Agreement, the GENERAL COUNSEL will provide to THE SCHOOL BOARD an annual report of legal services provided by the Office of the General Counsel. The SCHOOL BOARD and the GENERAL COUNSEL shall mutually develop the format for the annual report in conjunction with the design of the evaluation system as set forth in Section 6.

8. ENTIRE AGREEMENT. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

9. NOTICE. When any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. For the present,

the Parties designate the following as the respective places for giving notice:

To THE SCHOOL BOARD: Chair  
The School Board of Broward County, Florida  
600 Southeast Third Avenue  
Fort Lauderdale, Florida 33301

To MYRICK: Barbara J. Myrick  
The School Board of Broward County, Florida  
600 Southeast Third Avenue  
Fort Lauderdale, Florida 33301

**10. ASSIGNMENT.** This Agreement shall inure to the benefit of, and shall be binding upon, THE SCHOOL BOARD, its successors and assigns, and the GENERAL COUNSEL, her heirs and personal representatives, but may not be assigned by the GENERAL COUNSEL.

**11. SEVERABILITY.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, unlawful, unenforceable or void in any respect, the invalidity, illegality, unenforceability or unlawful or void nature of that provision shall not effect any other provision and this Agreement shall be considered as if such invalid, illegal, unlawful, unenforceable or void provision had never been included herein.

**12. APPLICABLE LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

**13. PARAGRAPH HEADINGS.** The paragraph headings contained herein are for reference only and shall not in any way affect the meaning or interpretation of this Agreement.

**14. AUTHORITY.** Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all.

IN WITNESS WHEREOF the parties hereto have hereunto signed their names and

affixed their seals at Fort Lauderdale, Broward County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**FOR THE SCHOOL BOARD**

(Corporate Seal)

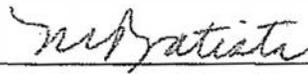
THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

ATTEST:

By \_\_\_\_\_  
Dr. Rosalind Osgood, Chair

\_\_\_\_\_  
Robert W. Runcie  
Superintendent of Schools

Approved as to Form and Legal Content:

  
\_\_\_\_\_

**FOR BARBARA J. MYRICK**

[Signature]  
Witness

[Signature]  
Barbara J. Myrick

Joanne C. Fritz  
Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me by BARBARA J. MYRICK who is personally known to me or who produced n/a as identification and who did/did not first take an oath this 8<sup>th</sup> day of June, 2016.

My Commission Expires:



JOANNE C. FRITZ  
MY COMMISSION # FF 946397  
EXPIRES: April 28, 2020  
Bonded Thru Budget Notary Services

Joanne C. Fritz  
Signature -- Notary Public

Joanne C. Fritz  
Notary's Printed Name

(SEAL)

\_\_\_\_\_  
Notary's Commission No.



**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

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**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.

General Counsel (cont.)

- 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



# Department of Education Announces the Florida Schools Safety Portal

August 1, 2019

FDOE Press Office

850-245-0413

[DOEPressOffice@fldoe.org](mailto:DOEPressOffice@fldoe.org)

## Department of Education Announces the Florida Schools Safety Portal

*~ Tool will aid in quickly providing students with intervention services ~*

**Tallahassee, Fla., August 1, 2019** – In response to Governor DeSantis' Executive Order 19-45, the Florida Department of Education (FDOE) announced that it has met the deadline of August 1, 2019, to establish an integrated data repository and data analytic resource. In coordination with the Florida Department of Law Enforcement, FDOE was required to provide a centralized integrated data portal to improve the threat assessment teams' access to timely information from a variety of data sources, including but not limited to those in § 1001.212(6), F.S. from the 2018 and 2019 legislative sessions and Executive Order 19-45.

The new Florida Schools Safety Portal (FSSP) enacts the Marjory Stoneman Douglas Commission's recommendation to improve access to timely, complete and accurate information by authorizing school threat assessment teams to swiftly identify, assess and provide intervention services for individuals whose behavior may pose a threat to themselves or others.

The FDOE developed the portal with the goal of improving school threat assessment teams' access to information from a variety of sources, including the Florida Department of Children and Families, Florida Department of Juvenile Justice, local law enforcement and social media. The FSSP will not be used to label students as potential threats, but rather is a tool to evaluate the seriousness of reported or identified threats and to assist in getting professional help when necessary.

"In February, I issued an executive order to ensure the safety of children in our schools and the Florida Schools Safety Portal is one of several steps my administration has taken to further this collaborative effort," **said Governor Ron DeSantis**. "We must dedicate the attention and resources

necessary to protect our students, teachers and school personnel. Access to timely, more accurate information will allow our law enforcement and threat assessment teams to respond and intercept possible threats, while also ensuring students in need of professional help get the necessary support.”

“Children, teachers and staff deserve to feel safe while they are at school,” **said First Lady Casey DeSantis.** “As the new school year begins, I am thankful we are identifying ways to intervene and get our kids meaningful help to hopefully prevent a tragic event.”

“School safety is our top priority and the Florida Department of Education is committed to protecting our students, staff and schools from harm,” **said Commissioner of Education Richard Corcoran.** “The Florida Schools Safety Portal will enable school threat assessment teams to keep children and district staff safe during their time on campus.”

“As the time for another school year approaches, the safety of students, along with that of all Florida citizens and visitors, remains a priority of FDLE,” **said Commissioner Rick Swearingen.** “We are committed to continue working with our partners to strengthen threat assessment capabilities and public awareness.”

“The Florida Schools Safety Portal allows us to work together to not only stop a potential threat from occurring but to also provide services to a young person in need,” **said Florida Department of Juvenile Justice Secretary Simone Marsteller.** “We will continue to work with our partners to improve school safety and provide students with a learning environment in which they feel supported and safe.”

“Inter-agency coordination and information sharing is vital in connecting Florida’s youth with the critical resources to intervene before a crisis,” **said Florida Department of Children and Families Secretary Chad Poppell.** “I applaud Governor DeSantis for his bold action to keep Florida’s schools safe and I look forward to continuing this important work with First Lady Casey DeSantis through the Hope for Healing behavioral health initiative.”

### **Frequently Asked Questions**

#### **What is a threat assessment team?**

Florida law requires all schools to have a threat assessment team that includes individuals with expertise in counseling, instruction, school administration and law enforcement. When formulating the law, the legislature recognized that threat assessment teams need information from many state and local agencies to best understand the needs of a particular individual.

#### **What information will be accessible through the portal?**

Only users already authorized to access criminal justice data will be able to access the information in the portal. Information that will be accessible through the portal includes:

- School Environmental Safety Incident Reporting and discipline information;
- FortifyFL information, an application that shows suspicious activity that has been reported;
- Social media monitoring data, which searches publicly available social media posts on a variety of sites for posts containing certain critical threat indicators;
- Baker Act admissions and reportable center data; and
- Law enforcement information; law enforcement officers will have access to law enforcement records through the Florida Criminal Justice Network.

### **Who has access to this data?**

Strict data governance and security measures safeguard the protection of all confidential education, health and law enforcement records, and ensures compliance with all applicable state and federal privacy requirements in accordance with rules adopted by the respective source agencies.

### **Can the data be saved?**

No, the data may only be viewed while using the portal; users are unable to download or share the information. The FSSP will not be used to label students as potential threats, but rather is a tool to evaluate the seriousness of reported or identified threats and to assist in getting professional help when necessary. The portal has internal and external controls to protect the information within the portal.

### **Highlights of the Florida Schools Safety Portal include:**

- The Florida Schools Safety Portal provides real-time access to information to quickly avert a reported or identified threat;
- Only users already authorized to access criminal justice data will be able to access the information in the portal;
- Information is temporarily displayed to authorized users for only 30 minutes;
- Authorized users will not be able to download or store information;
- The portal does not store information about students' race, religion, disability or sexual orientation;
- Access to data is governed by applicable state and federal privacy laws; and
- Threat assessment team members must undergo complete training and sign user agreements to obtain access to data.

***Read More News...***

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 19-45 (Ensuring the Safety of Our Children in Our Schools)

WHEREAS, on February 14, 2018, fourteen students and three staff members were murdered at Marjory Stoneman Douglas High School in Parkland, Florida; and

WHEREAS, following this massacre, the Florida Legislature passed Senate Bill 7026 during the 2018 Legislative Session and allocated significant financial resources toward improving the safety of Florida's schools; and

WHEREAS, Senate Bill 7026 (2018) established the Marjory Stoneman Douglas High School Public Safety Commission (the Commission) to "investigate system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents in this state and develop recommendations for system improvements"; and

WHEREAS, the Commission issued its Initial Report on January 2, 2019 advising that school safety in Florida can and must be improved, and outlining extensive recommendations to accomplish this objective; and

WHEREAS, implementing many of the recommendations requires an action of the Legislature, but some recommendations can be implemented through actions of the Executive Branch, particularly by the Department of Education and the Department of Juvenile Justice; and

WHEREAS, there is still confusion amongst some school district superintendents as to how to implement the requirements of Section 1006.12, Florida Statutes, regarding safe-school officers (school resource officers) and guardians, in a manner that best serves the safety of Florida's students; and

WHEREAS, pursuant to Section 1001.212(6)-(9), Florida Statutes, by December 1, 2018 the Department of Education was supposed to coordinate with the Department of Law Enforcement to provide a centralized, integrated data repository and data analytics resources to include access to timely school safety information, and this deadline has passed and yet the requirements have still not been met 75 days later, which is unacceptable; and

WHEREAS, we must dedicate the attention and resources necessary to improve safety at our schools.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, and all other applicable laws, do hereby issue the following Executive Order, to take immediate effect:

I hereby direct the Commissioner of Education and the Secretary of the Department of Juvenile Justice to ensure the following objectives are completed:

- A. The Department of Education shall conduct an immediate statewide audit of all 67 county school districts to ascertain any and all types of school-based discipline diversion programs in place, such as the "PROMISE" program. The audit should determine their requirements for eligibility and operations, their stated impact on school and public safety, their costs, and whether there is evidence to support their continuation, closure or regulation in law. The Department should direct the school districts to expeditiously provide all requested information.
- B. The Department of Education shall work in partnership with the Department of Juvenile Justice to review and analyze these programs. The assessment must, at a minimum, determine whether there is adequate information or evidence available to draw an informed conclusion about the efficacy of these programs and their impact

on school and public safety. The Departments shall further work together to develop best practices and consistent criteria for school-based discipline diversion programs.

The Department of Juvenile Justice shall complete a report on their findings related to these programs to be submitted to the Executive Office of the Governor and the Legislature, by July 1, 2019.

- C. The Commissioner of Education shall reopen and extend the application period for participation in the Coach Aaron Feis Guardian Program to April 1, 2019, allowing sheriffs who wish to participate in the program the opportunity to apply.
- D. The Department of Education shall develop best practices for school hardening and harm mitigation to be submitted to the Executive Office of the Governor and the Legislature by July 1, 2019. These best practices shall, at a minimum, incorporate a tiered approach to school hardening, ranging from basic harm mitigation strategies to more advanced security measures, as identified in the Marjory Stoneman Douglas High School Public Safety Commission's Initial Report.
- E. The Commissioner of Education shall immediately communicate to all school district superintendents how to implement compliance with Section 1006.12, Florida Statutes, regarding safe-school officers (school resource officers) and guardians.
- F. The Department of Education shall immediately take any and all steps necessary to implement Section 1001.212(6)-(9), Florida Statutes, to provide a centralized, integrated data repository and data analytics resources to include access to timely school safety information, by August 1, 2019, prior to the 2019-2020 school year, with the full support of the Departments of Children and Families, Law Enforcement

and Juvenile Justice, and the courts pursuant to requirements of Section  
1001.212(6)(a)-(e), Florida Statutes.

These actions will continue the process of ensuring the safety of our children in schools across  
the State of Florida.



IN TESTIMONY WHEREOF, I have hereunto set  
my hand and caused the Great Seal of the State of  
Florida to be affixed, at Tallahassee, this 13th day  
of February, 2019.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

2019 FEB 13 12:53 PM  
TALLAHASSEE, FLORIDA



# Coronavirus Disease 2019 (COVID-19)

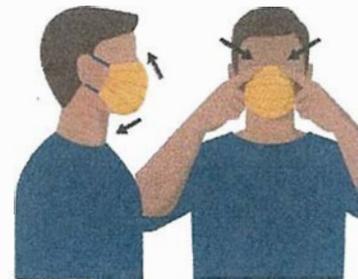
## How to Wear Cloth Face Coverings

Cloth face coverings are an additional step to help slow the spread of COVID-19 when combined with every day preventive actions and social distancing in public settings.

- **Who should NOT use cloth face coverings:** children under age 2, or anyone who has trouble breathing, is unconscious, incapacitated or otherwise unable to remove the mask without assistance
- **Cloth face coverings are NOT surgical masks or N-95 respirators.** Surgical masks and N-95 respirators must be reserved for healthcare workers and other medical first responders, as recommended in CDC guidance.

### Wear your Face Covering Correctly

- Wash your hands before putting on your face covering
- Put it over your nose and mouth and secure it under your chin
- Try to fit it snugly against the sides of your face
- Make sure you can breathe easily

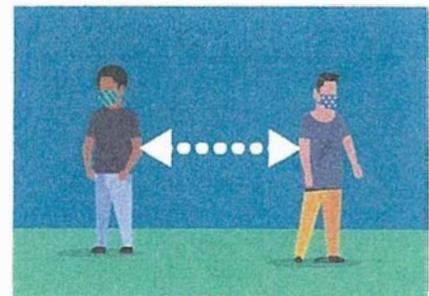


### Use the Face Covering to Protect Others

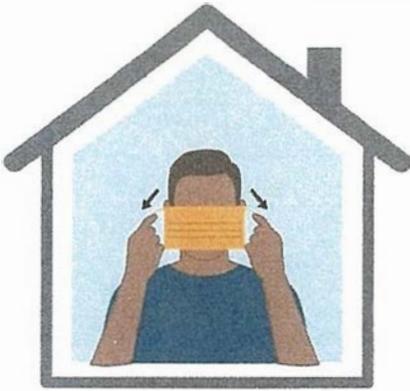
- Wear a face covering to help protect others in case you're infected but don't have symptoms
- Keep the covering on your face the entire time you're in public
- Don't put the covering around your neck or up on your forehead
- Don't touch the face covering, and, if you do, wash your hands

### Follow Everyday Health Habits

- Stay at least 6 feet away from others
- Avoid contact with people who are sick
- Wash your hands often, with soap and water, for at least 20 seconds each time
- Use hand sanitizer if soap and water are not available



## Carefully, When You're Home



- Untie the strings behind your head or stretch the ear loops
- Handle only by the ear loops or ties
- Fold outside corners together
- Place covering in the washing machine (learn more about how to wash cloth face coverings)
- Be careful not to touch your eyes, nose, and mouth when removing and wash hands immediately after removing.

**The School Board of Broward County, Florida**  
**Evaluation of the General Counsel**  
**2019-2020**

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.	<p>Comments:</p> <p>Ms. Myrick is always accessible to me as a board member and communicates issues of importance. She always provides timely information regarding potential legal issues. I believe Ms. Myrick is overzealous in assisting the Chair's parliamentary duties and interrupts public speakers and Board Members as opposed to supporting the Chair in the running of the meetings. Ms. Myrick has a confrontational relationship with the Broward Teachers Union and should continue to repair it. There were several instances where I shared possible illegal or unethical activity and I questioned whether she shared the information with the Superintendent. At one point, I asked Mr. Runcie if Ms. Myrick had informed him of a situation, and he said he had not spoken with her even though I explicitly asked her to. Ms. Myrick reported to me that she did have a conversation with him. They have contradicted each other on multiple occasions.</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  
 2019-2020

Standard/Indicators	Scoring Rubric			
<p><b>Standard 2. COMPETENCY</b>                      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
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	<p>Comments:</p> <p>Ms. Myrick must develop an effective communication and accountability system with the Cadre Attorneys, in house attorneys and the Special Investigative Unit. There have been numerous allegations of due process not being followed as it pertains to our employees and not all the information was shared with the Board. In one case, Ms. Myrick communicated that an employee should be dismissed and argued the case on behalf of the Superintendent and his staff; it is the Superintendent's recommendation, and he should present his case to the Board, not the Board's attorney. In another incident, in-house counsel contradicted each other during a board meeting as to whether the District was informed of the arrest of an employee and the subsequent conditions of his parole.</p> <p>In fact, the information presented by the attorneys was not correct; our attorney said he was not made aware of the arrest and that the Department of Education would not share information with him. I am not sure why our attorney would share this information with the Board because the Florida Department of Education reported that they were made aware of the arrest in Feb. 2016 by BCPS and provided written documentation demonstrating that our staff was aware of the arrest. Ms. Myrick must investigate the facts of this situation and where the break down occurred.</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.				

The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020

Of the 24 administrative complaints filed, one was upheld, nine were not challenged, three were settled, and four were overturned. I am to assume that five are still pending. Of the four that were overturned, one case was unsettling because there was little to no evidence to substantiate the claim that a teacher choked a student and the administrative law judge pointed out numerous holes in the case that should have been apparent to our legal staff. There must be better communication between our professional standards unit and our in-house attorneys. Ms. Myrick must establish a system of accountability in order to provide appropriate oversight.

**The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020**

<b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b>  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.  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.		X		
e. Organizes the GCO and in-house attorneys to provide effective and efficient services.	Comments:  Ms. Myrick must review cases sent to outside counsel on a continuous basis. We have spent over \$877,819 on outside counsel. I am particularly concerned about construction litigation that is years old, and I am curious to know if have paid more in attorney fees than the original claims. I have requested a list of open cases.			

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

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
			X	
a. Interacts with others in a courteous manner.	Comments:  At times, Ms. Myrick's frustration is quite apparent. She must always keep in mind that she is the Board's attorney and give the Board solid advice on the actions and recommendations of District Administration. I was deeply disturbed when she represented to the Board that she had nothing to do with writing a letter to the Attorney General on behalf of Ms. Alhadeff. In fact, she had no idea how the letter was written on her letterhead. Ms. Alhadeff was not at the meeting to defend herself and the public was left to question Ms. Alhadeff's credibility based on the public statements made by Ms. Myrick. At the subsequent meeting, Ms. Alhadeff revealed that Mr. Vignola helped draft the letter on her behalf and although Ms. Myrick apologized for her mistake the damage was done. As the Board's attorney, it is imperative that she represents her clients in a professional matter.			
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  
2019-2020

**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:

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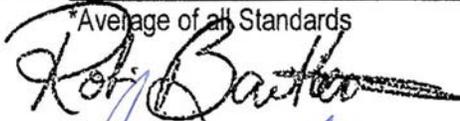
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Overall 2.25 = Needs Improvement

\*Average of all Standards



Board Member Signature

June 22, 2020

Date



General Counsel Signature

6-22-20

Date

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

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.		3		
a. Provides timely legal counsel on potential legal issues which may impact the District.	Comments See attached Comments			
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  
 2019-2020

Standard/Indicators	Scoring Rubric			
<b>Standard 2. COMPETENCY</b>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools		3		
a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.	Comments See attached comments			
b. Demonstrates knowledge regarding administrative law and procedures.				
c. Demonstrates knowledge regarding general school law and other areas of general law affecting District operations.				
<b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b>	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		3		
a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments	Comments see attached comments			
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  
 2019-2020

Standard/Indicators	Scoring Rubric			
<p><b>Standard 4. PROFESSIONALISM</b></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
<p>a Interacts with others in a courteous manner</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>Comments</p> <p>See attached comments</p>			
			2	

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

**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

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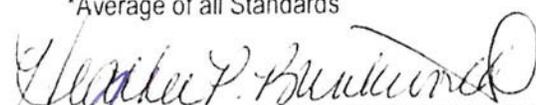
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Overall 2.75  
 \*Average of all Standards

  
 Board Member Signature

6/24/2020  
 Date

  
 General Counsel Signature

6/29/20  
 Date

### 1 Effective

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.

This year our district has navigated issues around hurricane closures, intake of displaced students, charter school compliance with state statute regarding safe school officers, and a pandemic, all requiring extensive legal guidance from the GCO. The GCO attorneys in the respective areas have been responsive to the Board and have provided legal guidance as requested. I encourage Ms. Myrick to continue working with the Legislative Affairs office and the Public Information Office to ensure rapidly changing conditions in response to emergencies are communicated both internally and externally.

Ms. Myrick supports and provides training for the Board and staff as needed. 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 this proactive measure mitigates future concerns.

I applaud the efforts of the GCO to conduct a comprehensive policy review. It is long overdue to ensure outdated and overlapping policies are addressed. I encourage the GCO to bring any policy review forward expeditiously as needed to address immediate concerns.

### 2 Effective

I appreciate Ms. Myrick's knowledge of Government in the Sunshine laws, administrative law and procedures. I encourage Ms. Myrick to continue to work collaboratively with GCOs in Florida and in large urban districts across the nation to address areas of common concern and to attend appropriate conferences and meetings to stay informed.

### 3 Effective

I commend Ms. Myrick's ability to position District staff and outside counsel to benefit the needs of the District. I encourage Ms. Myrick to review the district's expenditures on outside counsel to determine if the workload and expenditure level is temporary or if the GCO would benefit from additional in house council as a cost saving measure.

General Counsel Office staff are accessible to Board Members and respond to inquiries based on their areas of expertise. Past concerns over length of time to review legal contracts to my knowledge have been mitigated.

I continue to see and appreciate the results of Ms. Myrick's integration of the GCO into all aspects of the organization as it is reflective of her mission. I have received feedback both from departments and the Superintendent that the proactive measure of having GCO attorneys working closely with staff serves as a benefit to the organization's productivity. I reiterate my comment from previous evaluations regarding delays in the SMART program and the importance of continued collaboration 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.

#### 4 Needs Improvement

Ms. Myrick operates with integrity, demonstrates respect for the legal system and maintains confidentiality of privileged attorney-client matters. I encourage Ms. Myrick to seek to improve the working relationship with the Broward Teachers Union, as collaboration and mutual respect are key to addressing issues regarding employee matters.

Additionally, I encourage Ms. Myrick to ensure the GCO maintains a positive working relationship with all members of the Board. In one particular instance this year Ms. Myrick did not accurately represent interactions between her office and a board member. Ms. Myrick and her staff must work to ensure responses are accurate and when questions arise, a thorough review is accomplished prior to public statements being made.

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

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	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
<b>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</b> 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.		3.0		
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  
 2019-2020

Standard/Indicators	Scoring Rubric			
<p><b>Standard 2. COMPETENCY</b></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
<p>a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.</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>	<p>3.5</p> <p>Comments:                      General Counsel has continued to demonstrate the knowledge necessary to perform her duties and effectively representing the District's interests. The District has faced tremendous challenges in recent years and we continue to face challenges with the Pandemic. General Counsel and her team has managed to handle a multitude of difficult issues across a variety of subject areas.</p>			
<p><b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b></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
<p>a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.</p> <p>b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.</p> <p>c. GCO staff are accessible to Board Members.</p> <p>d. Refers work to outside counsel as appropriate and manages services as needed.</p> <p>e. Organizes the GCO and in-house attorneys to provide effective and efficient services.</p>	<p>3.0</p> <p>Comments:                      General Counsel 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 always be held with the Board if Legal services have the potential to conflict with Board sentiment. Other than legal sufficiency review, I firmly believe that "expanded review/guidance" of agreement/contracts, beyond just legal content, may prove beneficial to the District.</p>			

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

Standard/Indicators	Scoring Rubric			
<p><b>Standard 4. PROFESSIONALISM</b></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
		3.0		
a. Interacts with others in a courteous manner.	<p>Comments:</p> <p>General Counsel communicates the realities of the District's legal challenges and provides guidance on viable options. Counsel routinely communicates with this Board Member over the multitude of issues the District faces.</p> <p>When necessary, General Counsel should research issues brought up during meetings prior to providing a public response. Although a response at the meetings is appreciated, the additional time would allow Counsel the opportunity to conduct a more thorough review before sharing a 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  
 2019-2020

**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.

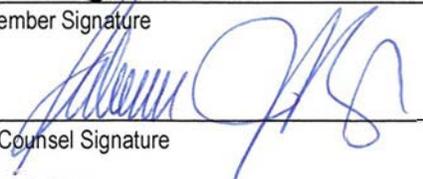
COMMENTS:

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

Overall 3.125  
 \*Average of all Standards

  
 Board Member Signature

06/18/20  
 Date

  
 General Counsel Signature

6-23-20  
 Date

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

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><b>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</b></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>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
		X		
<p>a. Provides timely legal counsel on potential legal issues which may impact the 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>	<p>Comments:</p> <p>Ms. Myrick is extremely responsive and readily accessible to the School Board. She provides timely counsel and effective solutions on legal issues. When seeking out the voice of the Board, Ms. Myrick must continue to ensure that her attorneys carry out the legal strategy developed.</p>			

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

Standard/Indicators	Scoring Rubric			
<p><b>Standard 2. COMPETENCY</b></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
<p>a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.</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>	Comments: Ms. Myrick is able to address substantive areas of the law that impact Broward County Public Schools through her knowledge regarding Government in the Sunshine Laws, administrative law and procedure, and general school law.			
<p><b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b></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
<p>a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.</p> <p>b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.</p> <p>c. GCO staff are accessible to Board Members.</p> <p>d. Refers work to outside counsel as appropriate and manages services as needed.</p> <p>e. Organizes the GCO and in-house attorneys to provide effective and efficient services.</p>	Comments: Ms. Myrick effectively manages the General Counsel's Office (GCO). She organizes the GCO to provide efficient services, bringing on internal staff this year to reduce future outside employment counsel costs.			

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

Standard/Indicators	Scoring Rubric							
<p><b>Standard 4. PROFESSIONALISM</b></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				
<p>a. Interacts with others in a courteous manner.</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>							
<p>Comments:</p> <p>In her role as an advocate and counselor to the School Board, Ms. Myrick operates with integrity and professionalism. She interacts with others in a courteous manner, communicates effectively, and demonstrates respect for the legal system and those who serve it.</p>								

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

**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:

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Overall 3.50  
 \*Average of all Standards

  
 Board Member Signature

06/25/2020  
 Date

  
 General Counsel Signature

6-25-20  
 Date

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

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><b>Standard 1. ACCESSIBILITY / RESPONSIVENESS / EFFECTIVENESS</b></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>	Highly Effective 4 points	Effective 3 points	Needs Improvement 2 points	Unsatisfactory 1 point
	X			
<p>a. Provides timely legal counsel on potential legal issues which may impact the 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>	<p>Comments:</p> <p>As General Counsel, Ms. Myrick continues to provide quality legal services. She emphasizes the importance of developing a working environment where her office is integrated with the Board, Superintendent and staff. Ms. Myrick encompasses many attributes, including such elements as: legal training, technical skills, professionalism, experience, judgment, customer service, and communication.</p>			

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

Standard/Indicators	Scoring Rubric			
<p><b>Standard 2. COMPETENCY</b></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			
<p>a. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.</p>	<p>Comments: Ms. Myrick represents and protects the legal interests of Broward Public Schools. She provides proficient legal guidance and representation to the District on a broad range of legal issues involving the District, its policies and programs, employees and students.</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>				
<p><b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b></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			
<p>a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.</p>	<p>Comments: Ms. Myrick ensures staff in the Office of the General Counsel represents the District in litigation. She supervises all litigation involving the District that is assigned to outside law firms under contract with the District and provides general legal advice to District Administration and the Board.</p>			
<p>b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.</p>				
<p>c. GCO staff are accessible to Board Members.</p>				
<p>d. Refers work to outside counsel as appropriate and manages services as needed.</p>				
<p>e. Organizes the GCO and in-house attorneys to provide effective and efficient services.</p>				

**The School Board of Broward County, Florida  
Evaluation of the General Counsel  
2019-2020**

Standard/Indicators	Scoring Rubric			
<p><b>Standard 4. PROFESSIONALISM</b></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			
<p>a. Interacts with others in a courteous manner.</p>	<p>Comments: Ms. Myrick 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>				

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

**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:

Ms. Myrick skillfully guided the Board through difficult issues regarding MSD, union negotiations, and various lawsuits this pass year. Overall, Ms. Myrick is functioning well and has earned a highly effective rating for her 2019 – 2020 annual evaluation.

Overall Highly Effective  
 \*Average of all Standards

  
 Board Member Signature

  
 General Counsel Signature

6/22/20  
 Date

6-23-20  
 Date

# Nora Rupert District 7

## The School Board of Broward County, Florida Evaluation of the General Counsel 2019-2020

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
		2.5		
a. Provides timely legal counsel on potential legal issues which may impact the District.	<p>Comments:</p> <p>The Office of the General Counsel operates at a fast pace and sometimes the information regarding litigation or representative issues is delayed. Thus, there are several instances of the resulting information being shared with Board Members from outside sources, rather than first from the General Counsel.</p> <p>It is important for all departments to recognize and seek out General Counsel's Office in all legal situations.</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  
 2019-2020

Standard/Indicators	Scoring Rubric			
<p><b>Standard 2. COMPETENCY</b></p> <p>This standard measures the General Counsel's ability to address substantive areas of the law that impact Broward County Public Schools.</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. Demonstrates knowledge regarding Government in the Sunshine laws, including public meetings and public records laws.</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>	<p>Comments:</p> <p>Ms. Myrick represents the district well as a member of the Florida School Board Attorneys Association (FSBAA) and the Florida Bar's Education Law Committee, and demonstrates knowledge regarding administrative law and general school law.</p>			
<p><b>Standard 3. MANAGEMENT AND LEGAL SERVICES</b></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>	<p>Highly Effective 4 points</p>	<p>Effective 3 points</p>	<p>Needs Improvement 2 points</p>	<p>Unsatisfactory 1 point</p>
<p>a. District staff are effectively prepared for trials, hearings, meetings, and depositions and supported in legal matters affecting their divisional departments.</p> <p>b. Attorneys and non-attorneys in the GCO are provided in-service opportunities.</p> <p>c. GCO staff are accessible to Board Members.</p> <p>d. Refers work to outside counsel as appropriate and manages services as needed.</p> <p>e. Organizes the GCO and in-house attorneys to provide effective and efficient services.</p>	<p>Comments:</p> <p>Ms. Myrick provides 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 be mindful of seeking Board input in all legal dealings.</p>			

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

Standard/Indicators	Scoring Rubric			
<p><b>Standard 4. PROFESSIONALISM</b></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>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>Comments:</p> <p>In the last year, the volume of legal issues has been daunting. While our in-house team has endeavored to react to high demands, even with almost \$900,000 for outside counsel, BCSB had difficulty keeping up. Perhaps it is time to look at our in-house and outside counsel to see if adding more in-house attorneys would be more efficient and economical.</p> <p>Ms. Myrick's office (Ms. Batista) has successfully made changes to the law clerk program to provide law school credit for their work with our Office of the General Counsel</p>			

The School Board of Broward County, Florida  
 Evaluation of the General Counsel  
 2019-2020

**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.

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COMMENTS:

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Overall 2.45  
 \*Average of all Standards

Nora Rupert  
 Board Member Signature

6/22/20  
 Date

[Signature]  
 General Counsel Signature

6-23-20  
 Date