

Office of School Board Attorney  
Walter J. Harvey, School Board Attorney

**SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING MATTER: Efren Grafals and Samantha Grafals, Individually and as Parents of R.G., a minor v. The School Board of Miami Dade-Dade County, Mayte Zayas and Bruce Berman Case No. 2020-CA-002925-CA 01**

The School Board was served with the lawsuit of Efren Grafals, et al. v. The School Board of Miami Dade-Dade County, et al. on February 24, 2020. The Complaint alleges negligent supervision, negligent hiring/retention, and vicarious liability (for battery) against the School Board, as well as conspiracy and battery against the individually named Defendants.

In accordance with the District's established practice, the individually named Defendants are formally requesting that the School Board provide them with legal representation. The acts alleged in the *Grafals'* Complaint arose out of and in the course of the performance of assigned duties and responsibilities of the individually named employees. A copy of the Complaint will be provided to the Board under separate cover.

Pursuant to School Board Policy 6900, *Legal Services for Employees of the Board* and § 1012.26 Fla. Stat. (2019), we are requesting that the School Board authorize the provision of legal representation for the individually named Defendant's in the above-captioned lawsuit. In the interim, the Board Attorney's office will be filing the necessary documents with the Court to protect the School Board's legal interests.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide or secure legal representation for the legal defense of the current School Board employees who are individually named as defendants in the case of Efren Grafals and Samantha Grafals, Individually and as Parents of R.G., a minor v. The School Board of Miami Dade-Dade County, Mayte Zayas and Bruce Berman, Circuit Court Case No. 20-002925-CA 24.