THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

FRIDAY, DECEMBER 12, 2025 12:00 PM
Kathleen C. Wright Building
600 Southeast Third Avenue, Board Room
Fort Lauderdale, Florida 33301

AGENDA FOR SPECIAL SCHOOL BOARD MEETING

SPECIAL SCHOOL BOARD MEETING CAN BE VIEWED VIA LIVE STREAM OVER THE INTERNET ON THE DISTRICT'S WEBSITE (www.browardschools.com).

School Board meetings will be held with Board Members being physically present and via electronic communication. This advertised Special School Board Meeting will be accessible virtually. **Public Written Agenda Comments - Members of the public may submit public written comments by selecting the eComments tab at the following District webpage: https://www.browardschools.com/Page/55263. Public Written Agenda Comments must be submitted no later than 1:00 p.m. the day before the published date of the School Board Meeting or Workshop. Anonymous comments will not be accepted; therefore, written comments must include the person's name, city of residence, and zip code. Written agenda comments may not exceed a maximum of twenty-two hundred and fifty (2250) characters.** Pursuant to School Board Policy 1020, the public may speak a total of twelve (12) minutes during any single meeting, not including committee reports. Additionally, in the event a large group of individuals (ten (10) or more) sign-up to speak on any one agenda item, the Board Chair has the authority to adjust the time limit for each speaker to speak less than the three (3) minutes usually permitted or limit the overall time speakers will be heard on that item.

Free guest parking is available at the southeast 3rd Avenue parking lot on all School Board meeting dates.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

ADDED / CHANGED ITEMS

CLOSE AGENDA

PURPOSE OF MEETING

For The School Board of Broward County, Florida to conduct official business of the District, and any other items the Board deems necessary.

SUPERINTENDENT'S RECOMMENDATION(S)

1. **General Counsel Interviews**
   Conduct the interviews for four General Counsel finalists, select one for the position, and determine a date for the Employment Agreement. District-wide

   Executive Summary.pdf
   Resumes.pdf

ADJOURNMENT

The School Board of Broward County, Florida, prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, genetic information, marital status, national origin, race, religion, sex or sexual orientation. The School Board also provides equal access to the Boy Scouts and other designated youth groups. Individuals who wish to file a discrimination and/or harassment complaint may call the Director, Equal Educational Opportunities/ADA Compliance Department & District's Equity Coordinator/Title IX Coordinator at 754-321-2150 or email eeo@browardschools.com.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act Amendments Act of 2008, (ADAAA) may call Equal Educational Opportunities/ADA Compliance Department at 754-321-2150 or email eeo@browardschools.com. Language Interpretation/Translation Services are available for the public upon request to the Bilingual/ESOL Department by emailing ESOLRequests@browardschools.com.

Any person who decides to appeal any decision made at a meeting(s) announced by this Notice with respect to any matter considered at such meeting(s) will need a record of the proceedings and for such purpose may need that a verbatim record of the proceeding is made, which records testimony and evidence upon which the appeal is to be based.

Telephone conferencing or other telecommunications technology may be used in conducting this public meeting to permit absent Board Members to participate in discussions, to be heard by other School Board Members and the public, and to hear discussions taking place during the meeting.

Notice is hereby given that two or more Board Members of The School Board of Broward County, Florida, may be participating.

Status: ORIGINAL

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

2025-12-12	Special School Board Meeting
CATEGORY:	H. Human Resources
DEPARTMENT:	Human Resources

Agenda Item Number:	1.
Consent or Open Item:	Consent
Special Order:	NO
Time for Special Order:	

TITLE:

General Counsel Interviews

REQUESTED ACTION:

Conduct the interviews for four General Counsel finalists, select one for the position, and determine a date for the Employment Agreement. District-wide

RATIONALE:

For the Requested Actions, Background/History, Alignment to the 2027 Goals and Guardrails, Measurable Outcome (s)/Returns on Investment, Financial Impact, and Rationale, please see Executive Summary.

EXHIBITS:

- Executive Summary
- Resumes

FINANCIAL IMPACT:

The Salary and compensation will be negotiated.

STRATEGIC PLAN ALIGNMENT:

Student Focus Outcomes

N/A

OR • **Business Operations**

BOARD ACTION:

(For Official School Board Records Only)

SOURCE OF ADDITIONAL INFORMATION

Name:	Dr. Ernie Lozano	Phone:	754-321-1840
Name:		Phone:	

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Senior Leader & Title

Dr. Ernie Lozano, Chief Human Resources Officer

Signature

Dr. Ernie Lozano, Chief Human Resources Officer Dec 3, 2025

Electronic Signature

Approved in Open Board Meeting On: December 12, 2025

By: School Board Chair

Form $4189 Revised 7/24

HH/JJS

For more information, please contact:

Name: Dr. Ernie Lozano
Title: Chief Human Resources Officer
Phone: 754-321-1840

EXECUTIVE SUMMARY
General Counsel Interviews

Board Meeting Date: December 12, 2025

Recommended Action:
The Board will interview the four General Counsel finalists and select one for the position and determine the date to consider and approve the Employment Agreement for the selected candidate.

Is it Statutorily Required? Yes, Florida Statute 1001.42(12)

District-zone Impact: District-wide

Impact if the Board Voted Yes or No
- If the Board votes "Yes": A final candidate will be selected for the General Counsel position.
- If the Board votes "No": A General Counsel candidate will not be selected.

Background/History
At the Special School Board Meeting on November 18, 2025, the Board reviewed the six qualified candidates and approved four candidates to be interviewed. Each Board member will conduct a one-on-one interview on December 11, 2025. The public interviews will be held on December 12, 2025, from 12:00 PM – 5:00 PM.

Alignment to 2027 Goals and Guardrails
Business Operations

Measurable Outcome(s)/Return on Investment
Expedites the process of hiring a General Counsel to the Broward County School Board.

Financial Impact, Funding Source & Budget Status

TBD – Salary and compensation to be negotiated.

ACTION	DATE	Budgeted in Current FY Yes/No	Funding Source (s)	AMOUNT	TERM (months)
Original spending authority request	N/A				
First Amendment/Renewal – additional spending authority	N/A				
Second Amendment/Renewal – additional spending authority	N/A				
Total Agreement Amount	N/A	—	—		

Is this a multi-year contract? Yes / No

TBD

Procurement Method N/A

Impact on Schools N/A

If there is an impact on schools, how will schools be selected/prioritized?

N/A

If Applicable: Was a Survey Conducted? What Were the Results?

N/A

If Applicable: Technology/Capital Expected Lifecycle/Replacement Cycle

N/A

If Applicable: Additional Backup:

N/A

Kathy Dupuy-Bruno, Esq., B.C.S.

PROFESSIONAL SUMMARY:

Board Certified Specialist in Education Law with nearly three decades of legal and leadership experience across school, public-sector, and private practice. As General Counsel to a large Florida district, I provide strategic legal guidance to an elected School Board, oversee a team of attorneys and legal staff, and ensure lawful, ethical governance in a complex educational environment. My practice combines policy acumen, sound judgment, and collaborative leadership to strengthen public trust and organizational integrity.

CERTIFICATIONS AND SPECIAL TRAINING

- Board Certified Specialist in Education Law, Florida Bar
- SREF Education Facilities, Florida Department of Education
- Qualified Supreme Court Arbitrator
- Trained Supreme Court Family Law and Circuit Civil Mediator
- Trained Collaborative Attorney
- Florida Bar Leadership Academy Class XIII Fellow

EDUCATION:

The Washington College of Law, American University
Juris Doctor, May 1998
Clinical Experience: Community & Economic Development Clinic

St. John's University
Bachelor of Arts, May 1995

BAR MEMBERSHIPS:

- United States Court of Appeals for the 11th Circuit, February 2021
- United States Middle District of Florida, January 2006
- Supreme Court of the State of Florida, October 2003
- District of Columbia Court of Appeals, July 2001
- Court of Appeals of Maryland, December 1999

PROFESSIONAL ASSOCIATIONS:

- Member, Florida School Board Attorneys Association
- Member, Council of School Attorneys
- Member, National School Attorneys Association
- Member, Lee County Bar Association
- Member, Education Law Committee, Florida Bar

LEGAL PRESENTATIONS:

- Speaker, National Spring Law Conference, Council of School Attorneys: 2023 & 2024
- Speaker, Joint State Conference of the Florida School Board Association and the Florida Association of District Superintendents: 2020, 2023, & 2024
- Speaker, Florida School Board Attorneys Association: 2024

EXPERIENCE:

The School Board of Lee County — ***4/2020 to present***
Fort Myers, FL — ***School Board Attorney and General Counsel for the District***

- Provided legal opinions and advice to the School Board and administration on governance, academic services, operations, business services, and human resources. This included public records, sunshine law, student enrollment, special education, discipline/expulsion, procurement, employment/labor, EEOC/OCR, and Title IX, whistleblower and retaliation investigations, construction, transportation, maintenance, and school facilities.
- Attended all School Board meetings, briefings, and workshops, offering legal advice, handling public comments, and serving as Parliamentarian.
- Coordinated and supervised litigation and administrative actions involving the School Board. Oversaw the work of outside counsel, attended litigation events as needed, coordinated discovery, and managed settlements. Provided regular updates on litigation progress and advised on risk management.
- Conducted in-service training for the School Board and administration on legal matters. Organized seminars and individual training sessions for Board members and employees, focusing on reducing claims and ensuring legal compliance. Provided annual training on new legislation and helped create compliance processes.
- Drafted and reviewed policies and resolutions, including completing a Neola policy conversion.
- Informed the Board, Superintendent, and staff about changes in statutes, rules, regulations, and court decisions, advising on their impact on district policies and operations.
- Prepared or approved contracts and Interlocal Agreements for the School Board.
- Requested opinions from the Attorney General's Office and Florida Commission on Ethics, responded to complaints from Federal and State agencies, and advised on ethics and compliance issues.
- Reviewed and advised on internal and external audits in collaboration with auditors.
- Assisted with charter school applications and provided general representation on charter school matters.
- Managed and evaluated the legal department's clerical, technical, and legal support staff, including Assistant School Board Attorneys. Oversaw daily operations and budget.
- Monitored whistleblower hotline complaints, assigning cases for investigation and conducting reviews as needed.
- Trained Board Advisory Committees on sunshine and public records laws.
- Assisted in preparing and reviewing agenda items for school board action meetings.
- Advised Board Members and the Superintendent on governance issues and conflict resolution.

Bruno & Prado, PLLC ***10/2009 to 4/2020***
Fort Myers, FL ***Managing Partner/Owner***

- Provided counsel to parents, students, and the Dependency Court on special education (ESE) issues for children in foster care. Attended IEP meetings, represented children in ESE conferences, and contributed to drafting IEPs, including goal setting and other critical components. Maintained familiarity with relevant legal standards.
- Advised claimants on workers' compensation matters and drafted persuasive motions, correspondence, and settlement agreements. Conducted discovery, including depositions, and represented clients in final hearings, mediations, and motion hearings. Proficient in administrative law.
- Represented clients in tort law cases, including automobile accidents, government tort actions, and school bullying. Settled numerous negligence cases and drafted legal documents such as motions, correspondence, and settlement agreements. Conducted discovery, including depositions, and maintained familiarity with federal and state legal standards.
- Provided legal representation in family law matters, including fathers' rights, divorce, child support, custody/visitation, property issues, UCCJA/PKPA, guardianships, grandparent visitation/custody, foster care/dependency, abuse and neglect, and domestic violence. Drafted legal documents, motions, and settlement agreements and advocated for clients in trials, hearings, mediations, and case management conferences.
- Served as an Attorney ad Litem and Guardian ad Litem in family law and dependency cases.
- Conducted investigations on behalf of the Court to support case resolution and legal proceedings.
- Managed daily office operations, overseeing legal staff and ensuring efficient office functioning.

Eraclides, Johns, Hall, Gelman, Johannessen, & Goodman ***09/2003 to 10/2009***
Fort Myers, FL ***Attorney***

- Represented insurance companies and employers in workers' compensation cases. Drafted persuasive motions, correspondence, settlement agreements, and other litigation documents. Conducted discovery, including depositions, and advocated for clients in final hearings, mediations, and motion hearings. Maintained a strong understanding of applicable legal standards.
- Counseled clients on tort law cases, including automobile accidents. Settled numerous negligence claims and drafted compelling motions, correspondence, and settlement agreements. Conducted discovery and maintained familiarity with federal and state legal standards.
- Provided legal counsel in family law cases, including fathers' rights, divorce, child support, custody/visitation, property disputes, UCCJA/PKPA issues, guardianships, grandparent visitation/custody, foster care, abuse and neglect, and domestic violence. Drafted persuasive legal documents and advocated for clients in trials, hearings, mediations, and case management conferences.

Law Office of Marion E. Baurley, PC ***06/2000-07/2002***
Washington, DC ***Attorney***

- Children advocacy boutique firm--counseled parents, students, and the Dependency Court on special education (ESE) issues for children in foster care. Attended IEP meetings, represented children in ESE conferences, and contributed to drafting IEPs, including goal setting and other critical components. Maintained familiarity with relevant legal standards. Served as Attorney Ad Litem. Assisted the managing partner with federal litigation related to IDEA.
- Counseled clients and litigated employment discrimination cases by investigating potential lawsuits, familiarizing myself with relevant legal standards, and labor laws. Drafted EEOC charge forms, attended EEOC mediations, and facilitated settlements.
- Advised clients and managed family law cases, including adoptions, divorce, custody, child support, etc. Handled cases involving fathers' rights, property disputes, UCCJA/PKPA issues, grandparent visitation, annulments, foster care, abuse and neglect, and domestic violence. Drafted persuasive judicial and appellate documents, motions, settlement agreements, and other litigation materials. Advocated in trials, hearings, mediations, and court appearances.
- Provided counsel and investigated tort law cases involving automobile accidents, medical malpractice, and product liability. Gained expertise in federal and state claims, as well as general torts. Settled numerous negligence actions, drafted compelling motions, correspondences, and settlement agreements, and managed discovery, including depositions.

Payne & Wright ***7/1998-6/2000***
Washington, DC ***Attorney***

- Provided comprehensive counseling on tort actions, including understanding legal standards, conducting discovery, and negotiating with adjusters.
- Advised on special education and Individualized Education Program (IEP) issues.
- Offered legal counsel in family law matters, including judicial and appellate reviews; drafted compelling and persuasive motions, correspondence, and other litigation documents.
- Prepared corporate documents for corporations and limited liability companies.
- Established and maintained 501(c)(3) tax-exempt organizations, including managing corporate record books.

PROFESSIONAL AWARDS AND RECOGNITIONS:

- Highlight Board Certification, Res Gestae Lee County Bar Assoc., 2024
- Certificate of Recognition, School Board of Lee County, 2024
- Featured in Women in the Law, Res Gestae Lee County Bar Assoc., 2024
- Legal Team Featured in Education Month, Res Gestae Lee County Bar Assoc., 2023
- Women in Action, Brunson Foundation, 2022
- Advocacy Award, Florida Statewide Guardian Ad Litem Program, 20th Judicial Circuit, 2016

COMMUNITY AWARDS AND RECOGNITIONS:

- Community Trailblazer Black History Month, Friendship Church of God, 2024
- Person of the Year, Lee Pitts Live, 2021
- Community Award, Black Girls Rock, 2019
- Dynamic Delta of the Year, Fort Myers Alumnae Chapter, 2017-2018
- Finer Womanhood Attorney Honor, Zeta Phi Beta, 2017
- Excellence in the Legal Profession Calendar, Alpha Kappa Alpha, 2012

THOMAS A. FALKINBURG

[redacted] [redacted]

EXPERIENCE

Trial Attorney, Assistant Director, & Attorney Advisor 2010 - present
U.S. Department of Justice, Columbia, SC

- From 2015 to 2019 and from 2022 until the present, serve as an Office of Legal Education (OLE) Assistant Director assigned to the Medicaid Integrity Institute (MII) Team or more recently as an Attorney Advisor on the Civil Training Team. Duties include researching and analyzing appropriate law, policy, and regulations and other legal materials related to the program area and assessing the quality of instruction and instructors and recommending program improvements. When assigned to the MII Team was responsible also for managing the MII operations, including budget, course schedules, course delivery, testing, and MII staff supervision and rating.
- From 2019 until 2021, assigned to the OLE's Publications Team, which disseminates (online and in print) timely and accurate legal information to the entire Department of Justice. Responsibilities included recruiting authors to draft legal treatises, assisting in the drafting and editing process, and ensuring that publication deadlines are adhered to.
- From 2010 to 2015, assigned to the Civil Rights Division, Educational Opportunities Section, in Washington, DC and enforced federal civil rights laws, which prohibit discrimination on the bases of race, color, national origin, sex, disability, and religion by educational institutions throughout the nation.
- Responsible for all aspects of the investigative process, including requesting data from entities, analyzing all the evidence obtained, interviewing witnesses, and recommending meritorious cases for litigation.
- Appeared before the United States District Courts and conducted status conferences, evidentiary hearings, and filed various motions.
- Conducted numerous settlement conferences with a variety of educational entities and obtained comprehensive compliance agreements that addressed violations of Federal laws.

Supervisory General Attorney 2006 - 2010
General and Senior Attorney 1999 - 2006
U.S. Department of Education, Atlanta, Georgia

- Supervised and directed investigations by providing legal, investigative, and policy advice to as many as ten investigators and attorneys who were responsible for examining allegations of civil rights violations by institutions that receive Federal financial assistance. Responsible for assessing and rating the work performance of all the team members.
- Participated in the complaint investigation process, including interviewing witnesses, assessing factual issues and evidence, determining the legal sufficiency of investigative findings, and conducting legal research and writing related to the Department's enforcement duties.

- Presented speeches and seminars to entities regulated by the Department to ensure compliance with the Department's regulations.

Senior Attorney 1997 - 1999
Florida's Agency for Health Care Administration, Tallahassee, Florida
- Represented the Agency up to 50 times per year before state administrative forums and in the state trial and appellate courts on matters related to the Medicaid program, litigated in the federal trial and appellate courts, and assisted with the Agency's rule promulgation and contract procurement procedures.

Staff Attorney 1996 - 1997
United States District Court, Tallahassee, Florida
- Processed 100 civil filings per year that were assigned to the Magistrate Judge, including drafting appropriate reports, recommendations, and orders.

Assistant Attorney General 1993 - 1996
Florida's Office of the Attorney General, Tallahassee, Florida
- Represented the State of Florida in approximately 50 civil and criminal appellate matters per year and practiced in the Florida Supreme Court, the Florida First and Second District Courts of Appeal, the United States Court of Appeals for the Eleventh Circuit, the United States District Court, and the state trial courts.

BAR MEMBERSHIPS

The Florida Bar
The United States District Courts for the Northern, Middle, and Southern Districts of Florida
The United States Court of Appeals for the Eleventh Circuit

EDUCATION

Juris Doctor with Honors: University of Florida, College of Law, Gainesville, FL 1993— Graduated at approximately the top one third of class and served on the Florida Journal of International Law – Received a Book Award in the class of "Workers' Compensation and Other Employment Rights" and was invited to speak at the induction ceremony for newly-admitted Florida bar members after receiving one of the highest Bar examination scores during the July 1993 testing administration.

Bachelor of Arts: Political Science, University of Pennsylvania, Philadelphia, PA 1987

Kathelyn Jacques-Adams, Esq., B.C.S.

Board Certification:
Florida Bar Board Certified Specialist in Education Law

Bar Memberships:

- The Florida Bar *
- United States District Court for the Southern District of Florida Bar *
- United States Court of Appeals Eleventh Circuit Bar *

* ***Certificate of Good Standing - attached***

Education:

- **Nova Southeastern University Law School**, Fort Lauderdale, Florida

  Juris Doctor, May 1996
  Clinical Experience (Certified Legal Intern): Civil Litigation

- **Florida State University**, Tallahassee, Florida

  Bachelor of Science, June 1992; Major: Biology; Minor: Chemistry

Specialized Training:

- Parliamentary Procedure
- Florida Bar William Reece Smith, Jr. Leadership Academy Fellowship
- Mediation
- Juvenile Mediation

Specialized Experience/Skills:

- Extensive experience as attorney for various public/state agencies – *29 years*
- Extensive experience as attorney for school districts (K-12) – *15 years*
- Bilingual – Haitian Creole (Kreyòl); and French
- Parliamentary Procedure
- Proficient in legal research
- Proficient computer skills, and in computer software utilized for all legal matters

Professional Associations/Sections:

- Florida School Board Attorneys Association (FSBAA) - member
- Education Law Committee - member
- Real Property & Trust Section, Construction Law Institute - Committee member
- Broward County Bar Association - member
- Government Lawyer Section - member
- Business Law Section - member

Experience:

The School Board of Broward County, Florida

Assistant General Counsel - June 8, 2015 to present

- As requested by General Counsel, represented School Board at regular school board meetings, special meetings and workshops, wherein I provided legal advice, responded to questions, and served as Parliamentarian during those meetings. Managed and coordinated communication with all attorneys to ensure that I understood and had information and documentation necessary to provided legal advice and responded to School Board questions for each respective meeting.
- Legally reviewed thousands of a large variety of contracts/Agreements for all District department (e.g. Agreements for the procurement of commodities and services, Interlocal Agreements, Cooperative Agreements, etc.) for legal sufficiency and provided legal comments.
- Legally reviewed Notices of Terminations of Agreements for legal sufficiency and provided legal comments.
- Legally reviewed numerous School Board policies for legal sufficiency and provided legal comments.
- Legally reviewed Executive Summaries for School Board agenda items to ensure that it is consistent with Agreement provisions and provided legal comments.
- Attended Agenda Preparation Group (APG) meetings and provided legal support.
- Provided legal advice to District staff verbally, through Memorandums, and via email, on numerous types of education matters.
- Managed and supervised legal support staff member and provided evaluations yearly.
- Took the lead and regularly updated major revisions to the Standard Agreement Template, and Standard Amendment Template and managed coordination of obtaining all attorneys' written feedback for a finished product that is utilized by all departments for the procurement of commodities and services and contracting with outside parties.
- Created specialized Agreement template to suit District department needs (e.g. catalog computer software procurements, leases, easement agreements, releases, etc.).
- Conducted onboarding training for all contract attorneys hired in-house.
- Worked with District's Privacy Officer to draft all Agreement template provisions are FERPA and HIPAA compliant, update any and all language as needed, for the protection of education records.
- Conducted many live and virtual training sessions for District departments on the Agreement legal review process.
- Created and established Learning Across Broward (LAB) Training Course for the benefit of District staff, for purpose of allowing staff to earn in-service points for training on Agreement legal review process.
- Lead Counsel in non-jury litigation public records lawsuit in Circuit Court, wherein I argued hearings, counseled District staff, drafted and filed Motions, Reponses, Reply; served discovery (i.e. Interrogatories, Request for Production of Documents, etc.), issued subpoenas, took depositions; handled mediation.

- Co-Counseled in charter school litigation in Division of Administrative Hearings (DOAH) court regarding a charter school immediate termination matter wherein I drafted Motions, Responses, Replies; served discovery, solved discovery disputes, took depositions.
- Performed efficient legal research, as needed, for litigation matters, Agreement matters, and as needed to respond to District staff questions.
- Drafted Settlement and Full and Final Release Agreements for various pre-suit matters involving contract disputes, thereby avoiding timely and costly litigation.
- Resolved claims for damage on contractual matter without the need for litigation.
- Provided legal support to Qualifications Selection Evaluation Committee (QSEC) at QSEC meetings.

The School Board of Palm Beach County, Florida

Senior Counsel - January 2006 to June 2015

- Legally advised District school Principals and Assistant Principals and answered questions on daily urgent matters.
- Managed and supervised paralegal and legal secretary and provided evaluations yearly.
- Drafted, amended, and negotiated complex construction contracts (e.g. Construction Management at Risk, Design-Build, Architect, Novation Agreements, etc.) for the purpose of new construction and construction improvement of Elementary Schools, Middle Schools and High Schools.
- Drafted and amended other contracts as needed by District staff in other Departments.
- Drafted, amended, and provided legal opinions on various School Board policies and procedures.
- Drafted written legal opinions and legal advice for School Board and District Staff in Schools, Program Management, Maintenance, Construction Purchasing, Building and Diversity in Business Practices Departments.
- Lead Counsel on all complex construction litigation matters, and handled heavy and complex construction litigation before the School Board in its quasi-judicial role, Circuit Court, and Division of Administrative Hearings (DOAH) court.
- Lead Counsel on all bid protests before the DOAH court.
- Lead Counsel in construction matter involving debarment of Construction company, before the DOAH court.
- For all litigation cases filed on behalf of the School Board against construction companies, I drafted the complaint, and all motions; oral arguments on all hearings, conducted oral presentations at mediations, drafted Settlement Agreements, drafted Proposed Orders, drafted proposed Judgments; I hired , managed and prepared all experts; and ensured that they were appropriately paid.
- For all litigation cases filed against the School Board, I drafted the Answers, drafted cross complaints, drafted Motions, drafted discovery, performed oral arguments on all hearings, conducted oral presentations at mediations, drafted Settlement Agreements, drafted Proposed Orders, drafted proposed Judgments; I hired, managed and prepared all experts; and ensured that they were appropriately paid.
- For any litigation cases that required outside counsel, I managed all outside counsel, reviewed all of their invoices, and ensured that they were appropriately paid.

- For any DOAH litigation cases, I reviewed all DOAH judge invoices and ensured that they were appropriately signed off so that the DOAH judges were appropriately paid' I drafted all motions, performed oral arguments on all hearings, litigated trials before DOAH, drafted the Proposed Recommended Orders, and drafted the Final Orders.
- Settled major litigation cases and pre-suit matters.
- Co-counseled on Federal case, involving free speech litigation filed against the School Board. I drafted motions, drafted discovery, etc.
- Attended and provided legal support in Construction Oversight Review Committee (CORC) monthly meetings regarding all construction related matters in preparation for School Board agenda items.
- Performed efficient legal research for all litigation cases, and contractual matters.
- Provided training to District Staff on legal matters involving construction and procurement related matters.
- Participated in numerous interview selection committees for the hiring of leadership staff.

South Florida Water Management District (SFWMD)

Attorney - March 2000 to December 2005

- Lead counsel on complex construction litigation on heavy earthen projects in Circuit Civil Court.
- Lead counsel on environmental litigation matters in Circuit Civil Court.
- Lead counsel on some personal injury litigation matters in Circuit Civil Court.
- Lead counsel on various litigation before the Division of Administrative Hearings (DOAH).
- Lead counsel on some appellate litigation matters.
- For all litigation cases filed on behalf of the SFWMD against construction companies and permitees, I drafted the complaint, and all motions; oral arguments on all hearings, conducted oral presentations at mediations, drafted Settlement Agreements, drafted Proposed Orders, drafted proposed Judgments; I hired , managed and prepared all experts; and ensured that they were appropriately paid.
- For all litigation cases filed against the SFWMD, I drafted the Answers, drafted cross complaints, drafted Motions, drafted discovery, performed oral arguments on all hearings, conducted oral presentations at mediations, drafted Settlement Agreements, drafted Proposed Orders, drafted proposed Judgments; I hired, managed and prepared all experts; and ensured that they were appropriately paid.
- For any litigation cases that required outside counsel, I managed all outside counsel, reviewed all of their invoices, and ensured that they were appropriately paid.
- For any DOAH litigation cases, I reviewed all DOAH judge invoices and ensured that they were appropriately signed off so that the DOAH judges were appropriately paid' I drafted all motions, performed oral arguments on all hearings, litigated trials before DOAH, drafted the Proposed Recommended Orders, and drafted the Final Orders.
- Settled major litigation cases and pre-suit matters.
- Provided legal advice to diverse array of SFWMD staff/departments.

Florida Department of Environmental Protection (FDEP)

Senior Assistant General Counsel - June 1996 to March 2000

- As lead counsel, I litigated costs recovery actions in Division of Administrative Hearing (DOAH) court; and recovered a positive financial impact for the FDEP.
- Lead counsel on litigation cases regarding permitting matters in Circuit Civil Court throughout the state of Florida.
- For all litigation cases filed on behalf of the FDEP, I drafted the complaint, and all motions; oral arguments on all hearings, conducted oral presentations at mediations, drafted Settlement Agreements, drafted Proposed Orders, drafted proposed Judgments; I hired , managed and prepared all experts; and ensured that they were appropriately paid.
- For all litigation cases filed against the FDEP, I drafted the Answers, drafted cross complaints, drafted Motions, drafted discovery, performed oral arguments on all hearings, conducted oral presentations at mediations, drafted Settlement Agreements, drafted Proposed Orders, drafted proposed Judgments; I hired, managed and prepared all experts; and ensured that they were appropriately paid.
- For any litigation cases that required outside counsel, I managed all outside counsel, reviewed all of their invoices, and ensured that they were appropriately paid.
- For any DOAH litigation cases, I reviewed all DOAH judge invoices and ensured that they were appropriately signed off so that the DOAH judges were appropriately paid' I drafted all motions, performed oral arguments on all hearings, litigated trials before DOAH, drafted the Proposed Recommended Orders, and drafted the Final Orders.
- Settled litigation cases and pre-suit matters.
- Lead counsel on some appellate litigation matters.
- Drafted Appellate Answer Brief.
- Legally reviewed Consent Orders.
- Negotiated terms of Consent Orders.
- Aided in creating policy and procedures of handling enforcement cases.
- Aided in promulgating Rules for the FDEP.

Nova Southeastern University, Civil Law Clinic

Certified Legal Intern - January 1996 to June 1996

- As Certified Legal Intern, I possessed the authority to fully practice law with attorney supervision until the date I was admitted to the Florida Bar.
- Prepared for and argued motions at hearings on various legal transactional and litigation cases such as SSI, TPR, Kinship custody, etc.
- Prepared for environmental and TPR trial.
- Participated in TPR trial.
- Conducted depositions.
- Drafted pleadings such as Memorandum of Law
- Interviewed clients.
- Kept accurate time sheets.
- Managed an 18-client caseload.
- Closed 6 cases.

Relevant Experience During Law School:

Broward County Attorney's Office

Law Clerk - September 1994 to December 1994

- Worked closely with attorney, Anthony Musto, Esq.
- Performed general legal research.
- Drafted and edited diverse array of legal documents.

Nova Southeastern University

Goodwin Research Assistant - September 1994 to March 1996

- Worked closely with environmental law attorney, Richard Grosso, Esq.
- Drafted discovery questions.
- Researched specific questions.
- Drafted memorandums of law for 1000 Friends of Florida clients and friends.
- Edited diverse array of legal documents/pleadings.

Nova Southeastern University, Juvenile Justice Mediation Program

Juvenile Mediator - March 1994 to March 1996

- Participated in training as a mediator/juvenile mediator.
- Counseled first time, misdemeanor and at-risk juveniles.
- Acted as juvenile mediator in mediation between juvenile and parent and/or victim.

Nova Southeastern University

Law Library Assistant - August 1993 to March 1996

- Managed circulation desk.
- Performed general research and legal research.
- Retrieved books on reserve.
- Re-shelved books.
- Sent faxes.
- Photocopied texts.

Activities/Achievements:

Volunteer Professional Organizations:

- Craig S. Bernard American Inns of Court LN – past member
- Tallahassee Barrister Legal Association - Secretary – 2000; and past member
- Comprehensive Aids Program (CAP) Board of Directors - past Board Member

Volunteer Organizations:

- Den Leader of Weblow II Cub Scout Den - Pack 274
- Past Den Leader Weblow I and Bear Cub Scout Dens - Pack 274
- Past Worthy Matron of Divine Light Chapter No. 130 Order of Eastern Star
- North Ridge Hospital volunteer (6 years) – over 500 hours

Law School Achievements:

- Interviewed with Cable News Network (CNN) 3/96 regarding legal representation of indigent clients
- Moot Court member 1996 (argued on)
- F. Lee Bailey moot court team member 1996
- Chief Student Defender (Honor Court) 1995-96
- Vice-President of Student Bar Association 1995-96
- Craig S. Bernard American Inns of Court LIV 1994-96 – past student member
- Black Law Student Association 1993-96 - member
- Nova Southeastern Client Counseling Competition team member 1995 (third place regional winner)

The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0110949
Kathelyn Marize Jacques-Adams
The School Board of Broward County, Florida 600
SE 3rd Ave Fl 11
Fort Lauderdale, FL 33301-3125

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **May 21, 1997**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 6th day of **November, 2025**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-379231

AO 136 (Rev. 10/13) Certificate of Good Standing

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

CERTIFICATE OF GOOD STANDING

I, Angela E. Noble, Clerk of this Court,

certify that Kathelyn Jacques-Adams, Bar # 0110949,

was duly admitted to practice in this Court on 04/12/2002, and is in good standing as a member

of the Bar of this Court.

Dated at West Palm Beach, Florida (Location) on 11/06/2025 (Date)

Angela E. Noble
CLERK

Angela E. Noble
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
By: K. Flowers
Deputy Clerk

United States Court of Appeals
Eleventh Circuit



David J. Smith
Clerk of Court

Peter F. Busscher
Chief Deputy Clerk

CERTIFICATE OF GOOD STANDING

I, **DAVID J. SMITH**, Clerk of Court for the United States Court of Appeals for the Eleventh Circuit, **DO HEREBY CERTIFY** that **Kathelyn Jacques-Adams** was duly admitted to practice in this Court on **November** 07, 2025, and is in good standing as a member of the bar of said Court.

Dated at Atlanta, Georgia on **November** 07, 2025.

DAVID J. SMITH, CLERK OF COURT

By: /s/ Julvonnia McDowell
Julvonnia McDowell, Deputy Clerk



KEVIN W. PENDLEY



EDUCATION: UNIVERSITY OF GEORGIA SCHOOL OF LAW

Athens, Georgia
Juris Doctor, May 1990

EMORY UNIVERSITY

Atlanta, Georgia
Bachelor of Arts, History and Political Science, May 1987

LEGAL EXPERIENCE:

SCHOOL BOARD of MANATEE COUNTY, FLORIDA

Bradenton, Florida
General Counsel, July 2024 to Present

Assistant Superintendent, chief legal officer, and senior management cabinet member for Manatee County schools, serving approximately 43,000 PreK through grade 12 students with an approximate capital and operations budget of $1.7 billion. The general counsel serves as the principal legal advisor to the Superintendent of Schools and oversees management of the Office of General Counsel, responsible for supervision of the offices of risk management and workers' compensation, and associated administrative staff. Responsibility for providing legal advice to all cabinet departments; oversight and case management of outside litigation; collective bargaining with instructional and service unions; contract negotiations, acquisition, and procurement of public works facilities; provides consultation and direction for exceptional student education; and other duties as assigned. Supervisory responsibilities for legal department consisting of risk management attorney, workers' compensation specialist, and administrative staff.

SCHOOL BOARD OF VOLUSIA COUNTY, FLORIDA

DeLand, Florida
General Counsel, June 2020 to July 2024

Chief legal officer and senior management cabinet member for Volusia County schools, a public school district serving over 63,000 PreK through grade 12 students with an approximate capital and operations budget of $1.1 billion. The general counsel serves as the principal legal advisor to the Superintendent of Schools and oversees management of the Office of General Counsel responsible for supervision of paralegal services, ADA Legal Compliance Officer, and administrative staff. Responsibility for providing legal advice in areas of labor and employment law/public employer collective bargaining; Florida legislative propositions and revisions of statutory and regulatory laws, rules, and ordinances; drafting, amendment, rulemaking for all School Board policies; negotiation of interlocal agreements and contracts with 17 municipal governments; oversight and coordination of outside litigation counsel encompassing 12 law firms and assigned counsel; real estate acquisition and sales; public works operations, facilities management; provides consultation and direction for exceptional student education; and other duties as assigned. Supervisory responsibilities for legal department consisting of attorney compliance officer, paralegal, workers' compensation specialist, and administrative staff.

RESOLUTIONS IN SPECIAL EDUCATION, INC.

Naples, Florida
Partner, February 2016 to June 2020

Counsel to Florida School Boards in matters involving students with disabilities. Provided representation in matters before the Florida Division of Administrative Hearings, state, and federal courts in cases exclusively devoted to Exceptional Student Education, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. Lecturer and presenter at state-wide conferences and in-service training seminars.

GRANT FRIDKIN PEARSON, P.A.
Naples, Florida
Special Counsel, September 2011 to February 2016
Civil litigation practice serving public and private entities and individuals in matters of insurance, education, employment, and land use law. Head of Education Law practice section responsible for the representation of public and private educational institutions in litigation/dispute resolution, business and commercial transactions, contracts, personnel actions, discrimination and regulatory compliance. Supervisory responsibility for one paralegal professional and shared administrative staff.

KEVIN W. PENDLEY, P.A.

STANCO, ROBINSON & PENDLEY, L.L.P.
Naples, Florida
Shareholder, April 2009 to September 2011
Solo Practitioner, January 2008 to April 2009
Contract Attorney, December 2006 to January 2008
Civil litigation practice in state and federal courts and before state administrative agencies in general civil litigation, contracts, and education law. Representation of public school boards in matters involving students with disabilities and tort liability. Consultant to school boards concerning compliance with state and federal regulations of the Individuals with Disabilities Education Act, Family Educational Rights and Privacy Act, Section 504 of the Rehabilitation Act, Title VII of the Civil Rights Act, and related legal issues. Conducted independent investigations into allegations of civil rights violations of public school personnel and officials while under contract with Vernis and Bowling of Southwest Florida. Merged practice with an established Washington, D.C.-based insurance defense and civil litigation law firm in April 2009 to form Stanco, Robinson & Pendley, LLP. Expanded services to include trust and estate planning, commercial litigation, creditor's rights, and surety and bond defense for major insurance and surety concerns throughout the Eastern and middle-Atlantic region. Appointed outside legal services counsel to School Board of Collier County, Florida (August 2010). Supervisory responsibility for one paralegal and one administrative assistant.

ATLANTA INDEPENDENT SCHOOL SYSTEM, OFFICE OF THE GENERAL COUNSEL
Atlanta, Georgia
Assistant General Counsel, September 2004 – October 2006
Senior Attorney, December 2001 – September 2004
Represented Atlanta Public Schools in all matters concerning students with disabilities before state administrative agencies and in state and federal courts. Provided legal counsel, guidance and interpretation to school system administration and board of education concerning compliance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, No Child Left Behind Act, Section 1983 of the Civil Rights Act of 1965, and various state and federal laws impacting public education. Responsible for management and direction of all compliance and litigation concerning charter schools within the district. Shared supervisory responsibility for 2 litigation paralegals within the legal department.

THE WEATHERLY LAW FIRM
Atlanta, Georgia
Senior Associate (November 1997 – December 2001)
National special education and disabilities law practice representing public school agencies in federal district courts and before administrative agencies. Experience included interpretation, application, and analysis of the

IDEA (1997), Section 504 and the Americans with Disabilities Act as well as related state and federal regulations. Extensive and intensive experience in all phases of trial and hearing preparation and presentation.

JONES, DAY, REAVIS & POGUE
Atlanta, Georgia
Contract Attorney (March 1997 – November 1997)
Products liability defense practice representing tobacco products manufacturer. Coordinated discovery and trial preparation with local counsel as member of national counsel trial team in civil actions. Member of RJ Reynolds Tobacco Company trial team in defense of state attorneys general actions in Florida, Texas and Mississippi.

KING & SPALDING
Atlanta, Georgia
Special Assignment Attorney (August 1995 – March 1997)
Products liability defense practice representing tobacco products manufacturer. Supervised twenty attorneys and four paralegals in document production project reviewing in excess of 20 million tobacco manufacturing records in compliance with discovery requests for warehousing in Minneapolis, Minnesota. Liaison with local counsel and national defense trial team. Responsible for maintenance of document production discovery budget and management of weekly administrative reports to senior litigation team members regarding privilege review and document production. Supervisory responsibility as Team Leader for up to 16 contract attorneys and 10 paralegals at client's on-site document production facility in Louisville, Kentucky.

BOYCE EKONOMOU & ATKINSON
Atlanta, Georgia
Associate (April 1993 – July 1995)
Civil litigation practice in federal and state courts and before state administrative agencies in areas of civil rights, labor and employment and municipal government litigation. Special Assistant Attorney General, State of Georgia.

FREEMAN & HAWKINS
Atlanta, Georgia
Associate (March 1991 – April 1993)
Civil practice in products liability, insurance defense, professional malpractice and commercial litigation in state trial and appellate courts and federal district court.

DOUGLAS JUDICIAL CIRCUIT
Douglasville, Georgia
Judicial Law Clerk (June 1990 – March 1991)

Judicial clerkship in state trial court. Primarily responsible for motions practice, case review, trial preparation, and legal research for two (2) circuit court judges. Caseload included both civil and criminal law matters. Developed and systematized motions review procedures with clerk of courts to streamline motion review and presentation of proposed orders to reduce backload of pending motions.

BAR
ADMISSIONS: **State Bar of Georgia**, Member in Good Standing (1990 – present)
The Florida Bar, Member in Good Standing (2007 – present)

CERTIFICATION:
The Florida Bar, Board of Legal Education and Specialization,

Board Certified Specialist, Education Law
June 1, 2016 – May 31, 2026
Board Member, Education Law Certification Committee, (2022-2028)

RATING: AV®, Peer Review Rated by Martindale-Hubbell Legal Directory

REPORTED CASES:
In re: Student with a Disability, 111 LRP 62339 (Fla. SEA 2011)
Fisher v. Atlanta Public Schools, 349 F.3d 1309 (11th Cir. 2003)
School Board of Collier County v. K.C., 285 F.3d 977 (11th Cir. 2002)
K.H. v. Atlanta Public Schools, 103 LRP 17304 (Ga. SEA 2002)
In re: Marietta City Schools, 34 IDELR 280 (Ga. SEA 2001)
Eric M. v. Atlanta Public Schools, 4 LRP 9912 (Ga. SEA 2000)
In re: Atlanta Public School System, 103 LRP 17276 (Ga. SEA 2000)

PRESENTATIONS:

Florida Educational Negotiators; Fall Conference, "Issues in Collective Bargaining After 2023 Legislative Session Legal Update," St. Augustine, Florida (September 29, 2023)

Florida School Boards Association; Joint Conference, "How to Legally Maintain Order at School Board Meetings," Tampa, Florida (December 1, 2021) (co-presenter with T. Harmon)

Second Annual Florida Section 504 Conference; RISE, "Basics of Section 504," Orlando/Altamont Springs, Florida (September 16, 2019)

School Board of Liberty County, Florida; In-Service Training Seminar, "Student Mental Health and S.B. 7030," School Administrators Conference, Blountstown, Florida (June 11, 2019)

School Board of Hamilton County, Florida; District In-Service Training Seminar, "Section 504: Myths & Realities," Jasper, Florida (September 19, 2018)

Forza Education Management; Charter School System-wide In-Service, "MTSS and Child Find," Bonita Springs, Florida (August 8, 2017)

Florida Council of Administrators of Special Education; Summer Leadership Institute 2017, "Legal Update and Analysis," Bonita Springs, Florida (June 13, 2017)

Florida Professional Association of Staffing Specialists; 32nd Annual Conference, "Legal Issues Update and Analysis," Estero, Florida (May 1, 2017)

Florida Education Law Overview, Southwest Florida Paralegal Association, Speaker, Naples, Florida (October 27, 2017)

Recent Developments in ESE, Basics for School Board Members, Florida Coalition of School Board Members, Webinar Speaker (September 14, 2016)

Florida's Government in the Sunshine Law; Paralegal Association of Florida, Inc., Speaker, Naples, Florida (June 21, 2012)

IDEA & Section 504: Collaborations and Collisions; The Florida Bar – Education Law Committee, Speaker, Orlando, Florida (June 28, 2007)

Open Records Compliance Training; Trainer, Atlanta Independent School System Atlanta, Georgia (October - November 2006)

Recent Developments Workshop; Georgia Council for Special Education Advocates, Speaker, Atlanta, Georgia (May 2005)

Georgia Office of State Administrative Hearings, Special Education Mediation Training; Panelist, Atlanta, Georgia (September 2004)

What Do I Do When: Discipline of the Special Education Student; Atlanta Independent School System, Principals General Session; Atlanta, Georgia (March 2001).

Children in Private Schools, Special Education Law in Georgia; Professional Development Network; Atlanta, Georgia (December 1999).

PROFESSIONAL ASSOCIATIONS:

The Florida Bar, Education Law Committee (2010-2018, 2020-present)
Florida School Board Attorneys Association, Associate member (2007-present)
National School Boards Association, Council of School Attorneys (1997-present)