

# **Bond Case Briefs**

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## **SCHOOLS - FLORIDA**

### **Fernandez v. School Board of Miami-Dade County, Florida**

**United States Court of Appeals, Eleventh Circuit - August 10, 2018 - F.3d - 2018 WL 3801616**

Public school administrators, who served as principal and assistant principal, brought action against public school board, alleging that they were retaliated against for exercising their First Amendment rights to free speech and association.

The District Court granted the board's motion for summary judgment. Administrators appealed.

The Court of Appeals held that administrators spoke pursuant to their official duties when they advocated for their school to convert into charter school.

Public school administrators spoke pursuant to their official duties, as principal and assistant principal of public school, when they advocated for their school to convert into charter school, and thus their speech was not protected by First Amendment; administrators' job duties as listed in their job descriptions included "developing and implementing" educational plans and "providing effective education leadership," principals were expressly included in school officials who were authorized to apply for charter conversion under Florida statute, administrators held numerous staff meetings about charter conversion, and principal described his conversion efforts in memoranda as "an official request" and part of his "official duties."