

Eileen D. Fernandez, Esq.

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February 20, 2017

Via E-mail (kindt.carol@brevardschools.org)

Dr. Carol Kindt, Deputy Superintendent
2700 Judge Fran Jamieson Way
Viera, FL 32940

Re: Application submission for Brevard County School Board General Counsel

Dear Dr. Kindt,

I am currently Associate General Counsel for Orange County Public Schools (“OCPS”). Although I have been fortunate enough to have had a truly unique and extraordinary experience with OCPS, it has been my goal to advance and become General Counsel for a school district. I am writing to express my strong interest in the General Counsel position for the Brevard County School Board.

During my time at OCPS, I have gained extensive experience and knowledge in the broad area of education law. When I was initially hired at OCPS in 2010, I was responsible for providing legal support to our Facilities Department, which included, real estate purchases and management, land use matters, and also construction matters. In connection with those responsibilities, I worked closely with staff and elected officials from other local jurisdictions, such as Orange County and various municipalities, to obtain land use designations, land zoning changes, and permits required for the construction of new school facilities. My responsibilities also included being appointed to the OCPS Advance Planning Committee, which entailed a yearly review of the district facility needs and recommendations to the School Board on the five and ten year capital improvement plans.

In addition to these responsibilities, I also provided legal support in matters that included, student discipline and domestic disputes that affected our students and schools. In this capacity, one of the policies I drafted was the first policy at OCPS for domestic matters involving our students, which included, how parenting plans were to be utilized at schools as well as when it was appropriate to release student records and ensuring compliance with state and federal student privacy laws, such as the Family Educational Rights and Privacy Act (“FERPA”). I further expanded this practice by advising staff and school board members on matters of public records and sunshine law.

In my current role, I advocate on issues of public education before the Florida legislature, which includes traveling to Tallahassee during committee meeting weeks as well as during the legislative session to meet with various legislators and their staff on proposed bills that have an effect on public education. In addition to my traveling and advocating responsibilities, I also advise OCPS staff and the School Board on how to implement bills adopted into law.

Dr. Carol Kindt
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The chance to become the General Counsel for Brevard County Public Schools would be a tremendous opportunity and honor. I believe my educational background and my professional training combined with my passion and dedication for public education, make me a strong candidate for the General Counsel position. I have enclosed my resume for your review and hope you will allow me a chance to speak with you and your School Board about the possibility of joining your organization. Should you need any further information from me, I can be reached at (407) 927-5460. I thank you in advance for your consideration.

Sincerely,

Eileen D. Fernandez

Attachment

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LEGAL EXPERIENCE:

Orange County Public Schools

Orlando, Florida

Associate General Counsel, (February 2010-Present)

Represent the 10th largest school district in the nation in areas of state and federal legislative matters in Tallahassee and Washington D.C. Advocate on behalf of school district for legislation that benefits district programs, including curriculum, facility construction, and budget matters. Review and analyze proposed legislation to determine effects on school district. Advise board members and staff on implementation of new legislation. Previously represented the district in matters of real estate, land use, operations of facilities, inter-governmental relations, student discipline, student custody matters and public records law, including matters related specifically to student records and student privacy laws. Negotiated and prepared real estate purchase agreements. Managed outside legal counsel in matters related to the negotiation and purchase of real estate, condemnation and land use matters, as necessary. Interfaced and collaborated with staff and elected officials from local governmental jurisdictions to address constituent concerns, and land use matters related to the development of existing and future school sites. Drafted proposed school board policies pursuant to Chapter 120, Florida Statutes. Attended and presented at community meetings with school board members on matters related to construction and operation of new schools. Attended student discipline hearings and advised on constitutional matters related to student discipline, including student first amendment rights. Analyzed legal issues related to student privacy laws and public records requests.

Fidelity National Title Group

Jacksonville, Florida

Senior Claims Counsel, (March 2009-December 2009)

Review and analyze claims submitted pursuant to mortgage title insurance policies to determine coverage liability on a national basis. Manage outside legal counsel in all matters involving correction of land title issues and all phases of litigation. Analyze ability to recuperate losses paid to insureds, including determining culpability of third parties to losses and direct outside counsel in lawsuits related to same. Negotiate with litigants in lawsuits to mitigate losses paid on title insurance policies.

Dean, Mead, Egerton, Bloodworth, Capuano & Bozarth, P.A.

Orlando, Florida

Associate Attorney, (June 2007-January 2009)

Represented land developers in real estate acquisition and loan transactions. Negotiated and prepared contracts. Participated in all levels of land development, including review of plats, preparation of required easement and development agreements. Represented clients with local jurisdictions in planning and development of multi-million dollar commercial and industrial transactions. Analyzed and resolved title issues to ensure real property acquired by clients is acquired free and clear with marketable title.

Graham, Builder, Jones, Pratt & Marks, LLP

Winter Park, Florida

Associate Attorney, (October 2004-June 2007)

Represented land developers and builders in multi-million dollar complex commercial real estate acquisition transactions. Reviewed all due diligence documents, including title documents, surveys and environmental reports related to commercial real estate transactions. Prepared and reviewed various land development documents including plats and preliminary subdivision plans for submittal to multiple Florida jurisdictions. Prepared homeowner's association documents including declarations of covenants and restrictions and incorporation documents. Prepared and analyzed documents related to corporate transactions, including incorporations and corporate acquisitions. Represented various lenders in commercial loan transactions. Prepared and reviewed various commercial loan documents.

Marchena & Graham, P.A.

Orlando, Florida

Associate Attorney, (August 2001-September 2004)

Prepared, negotiated and closed complex commercial real estate land acquisition contracts for local school board and land developers. Reviewed all due diligence documents, including title documents, surveys and environmental reports related to commercial real estate transactions. Prepared homeowner's association documents including declarations of covenants and restrictions and incorporation documents. Prepared and reviewed documents for local airport authority associated with public bids and proposals. Prepared commercial lease agreements for local airport authority and commercial land owners. Prepared and analyzed documents related to corporate transactions, including incorporations and corporate acquisitions. Participated in all stages of litigation including research, analysis, preparation of pleadings, and attendance of various hearings associated with property tax evaluations for local property appraiser and other commercial litigation clients.

Law Clerk, (Summer 1999, Summer 2000)

Prepared research and analysis of various areas of law including administrative law, contract law, local government, and commercial litigation. Interfaced with clients and various local and state governmental entities. Prepared various pleadings for attorneys.

EDUCATION:

Florida State University College of Law

Tallahassee, Florida

Juris Doctor, May 2001

Honors: Dean's List; Blank Miller Scholarship Recipient; Phi Delta Phi

Activities: Spanish American Law Student Association, President; Student Ambassador

Rollins College

Winter Park, Florida

Bachelor of Arts in Latin American and Caribbean Affairs, January 1997

Emphasis in Business Administration

University of Yucatan

Yucatan, Mexico

Program in Mexican social and economic systems, April 1995

Honors: Dean's List

Activities: All Campus Activities, Vice President of Programming; Latin American Student Association, Vice President; Residential Advisor

SEMINARS/LECTURES:

Bullying and Student Harassment: Compliance with Legal and Administrative Requirements; Opening the Door for New Opportunities in Litigation (Florida School Boards Association, November 2012)

Bullying and Student Harassment: An Interactive Practicum for School Districts (Florida School Boards Association, November 2012)

National Business Institute: Troubleshooting Title and Title Insurance Problems (December 2007)

National Business Institute: How to Obtain Good Title in Real Estate Transactions (May 2008)

COMMUNITY INVOLVEMENT:

Junior Achievement Academy for Leadership and Entrepreneurship

Mentor (February 1013- August 2013)

Florida State University College of Law

Alumni Association Board of Directors, Member (June 2008- June 2013)

Taking Stock in Children

Mentor (August 2011-June 2012)

City of Orlando

Citizen Board Review Committee (2011-2012 Review Year)

Nominating Board Member (April 2007-January 2009)

(Vice-Chair July 2008-January 2009)

Hispanic Business Initiative Fund of Greater Orlando

Technical Assistance Committee (November 2007-January 2009)

Central Florida Real Estate Council

Board of Directors, Member (October 2008-January 2009)

YMCA Achievers Program/Developing Hispanic Leaders

Board of Directors Member (2003-2004)

PROFESSIONAL AFFILIATIONS

The Florida Bar (Bar Number 501581), Real Property, Probate and Trust Law Section and City, County and Local Government Law Section.

Board Certified Specialist in City, County and Local Government Law

LANGUAGES:

Proficient in Spanish.