

By the Committee on Claims and Representative Melvin

1 A bill to be entitled
2 An act relating to the Broward County School
3 Board; providing for the relief of Andrew
4 Greene; providing for an appropriation to
5 compensate him for injuries sustained as a
6 result of the school board's negligence and
7 invasion of privacy; providing an effective
8 date.
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10 WHEREAS, in September 1992, Mr. Andrew Greene, an
11 employee of the Broward County School Board, was injured and
12 his rights were violated when the school board released to the
13 media derogatory and inflammatory information, including
14 personnel records, concerning Mr. Greene, and

15 WHEREAS, by releasing information from Andrew Greene's
16 personnel file, the school board violated section 231.291,
17 Florida Statutes, which requires the board to provide 10 days'
18 notice to employees prior to the release of any derogatory
19 material in their personnel file, and

20 WHEREAS, as a result of the release of Mr. Greene's
21 confidential personnel file, the print media published
22 derogatory and inflammatory articles prior to a runoff
23 election held on October 1, 1992, resulting in the loss of his
24 job with the Broward County School Board, and

25 WHEREAS, in September 1992, Mr. Greene was a candidate
26 for the Broward County School Board and was preparing for a
27 runoff election to be held on October 1, 1992, and Mr. Greene
28 subsequently lost that election, and

29 WHEREAS, Mr. Greene's attorneys, in August 1993, filed
30 suit against the county, alleging that releasing the
31 information from Mr. Greene's personnel file constituted

1 negligence and invasion of privacy on the part of the Broward
2 County School Board, and

3 WHEREAS, in 1995, an offer of judgment in the amount of
4 \$225,000 was made for the settlement of the entire suit, and
5 that offer was rejected by the school board, and

6 WHEREAS, the Circuit Court of the 17th Judicial Circuit
7 in and for Broward County, Florida, in Case No. 93-22732 found
8 the Broward County School Board 100 percent negligent and, on
9 October 10, 1997, awarded Mr. Greene \$250,000 for negligence
10 and \$600,000 for invasion of privacy, and

11 WHEREAS, the Broward County School Board is responsible
12 for paying Mr. Greene \$100,000 under the statutory limits on
13 the waiver of sovereign immunity, which will leave an
14 unsatisfied remaining judgment of \$750,000, NOW, THEREFORE,

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. The facts stated in the preamble to this
19 act are found and declared to be true.

20 Section 2. The Broward County School Board is
21 authorized and directed to compensate Andrew Greene in the
22 amount of \$500,000 out of funds of the school board not
23 otherwise appropriated, for injuries sustained as a result of
24 the school board's release of Mr. Greene's confidential
25 personnel files in violation of s. 231.291, Florida Statutes.

26 Section 3. This act shall take effect upon becoming a
27 law.

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