

SNIFFEN & SPELLMAN, P.A.

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September 30, 2020

VIA ELECTRONIC MAIL ONLY

Superintendent Tim Wyrosdick
Santa Rosa County School District
6042 Hwy. 90
Milton, Florida 32570
wyrosdickt@santarosa.k12.fl.us

Re: Opening for School Board Attorney – Outside Counsel Letter of Interest

Dear Superintendent Wyrosdick:

I am writing to express my sincere interest in serving as the School Board Attorney for the Santa Rosa County School Board. Over approximately the last ten years, I have been blessed to work closely with District personnel on a number of legal matters, including exceptional student education, Title IX, employment, student discipline, contracts, litigation, public records, and various transactional issues. I truly welcome the opportunity to work with the Board as its School Board Attorney.

My Background and Experience

I am a shareholder with Sniffen & Spellman, P.A., in Tallahassee, Florida. I have been with the Firm since April of 2007, ultimately elevating from an Associate to a Shareholder. I am Board Certified by The Florida Bar in Education Law¹ and have represented educational institutions before the Florida Department of Education, the United States Office for Civil Rights, the Florida Division of Administrative Hearings, Florida State Circuit Courts, the United States District Courts for the Northern, Middle, and Southern Districts of Florida, and the Eleventh Circuit Court of Appeals.

I have served as litigation and transactional counsel to several school districts in Florida in a variety of education law matters and have lectured on federal and state laws impacting public educational institutions. I am a member of The Florida Bar's Education Law Committee, the Florida School Board Attorneys Association, the Council of School Attorneys, and the Education Law Association. Fairly summarized, I work extensively with schools and understand the day-to-day operational and legal issues facing school boards.

¹ As of the date of this letter, the Florida Bar's website indicates there are only 52 attorneys Board Certified in Education Law in Florida. See, <https://www.floridabar.org/about/cert/cert-el-mbrs/>

I have included a copy of my current résumé in accordance with the advertisement for the position. Additionally, I am a member in good standing with the Florida Bar and have practiced law in Florida since October of 2006. I have never been the subject of a disciplinary action by any Bar association.

My Firm's Background

In addition to my personal experience working with schools, several other attorneys within my Firm have worked with school boards and other educational institutions.

Sniffen & Spellman, P.A. has three offices in Florida located at 123 North Monroe Street, Tallahassee, Florida 32301, 700 South Palafox Street, Suite 95, Pensacola, Florida 32502, and 605 North Olive Avenue, Second Floor, West Palm Beach, Florida 33401. The Firm's mission is to provide innovative, creative and cost-effective solutions with respect to the issues facing our clients, and to be a responsive, client-centered Firm that places the interests of our clients above our own. The Firm's success is measured by the service we provide to and the results achieved on behalf of our clients, as well as the reputation we have established with our peers and the Judges before whom we practice. The Firm's success is not measured by how many hours a client is billed or by the fees that are paid. Serving our clients' best interests in a responsive and cost-effective manner is the measuring stick by which our success is gauged.

Overall, the Firm has provided legal services to approximately 32 school boards and/or superintendents in Florida. As such, the attorneys with our Firm understand the unique issues impacting school boards. Indeed, Molly L. Shaddock, an attorney with the Firm, is also Board Certified by the Florida Bar in Education Law. In addition to representation as legal counsel, our attorneys have lectured at local and national conferences on federal and state laws impacting public educational institutions. Also, since 2010, the Firm has published a monthly newsletter devoted to legal issues impacting educational institutions at the local, state, and federal level (<https://sniffenlaw.com/news-blog/>).

Specific to labor and employment law, the Firm also provides representation to public and private employers throughout Florida in a wide variety of legal issues affecting the workplace, from straightforward litigation of employment discrimination claims to complex class action and multi-party litigation, as well as compliance issues. In the area of transactional advice, the Firm provides representation in all areas of employment discrimination, Americans With Disabilities Act and Family and Medical Leave Act compliance issues, sexual harassment, EEO policy creation and implementation, overtime and other wage and hour issues, contract negotiations, non-compete agreements, occupational safety and health issues, governmental investigations, collective bargaining and union organizing, and other concerns arising from the hiring, retention and

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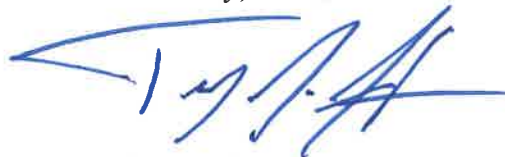
termination of employees. In addition to our services to school boards, we have and continue to represent various public entities as general and litigation counsel.

In addition to the Firm's experience in representing educational institutions in education law and labor and employment law, the Firm also provides representation in other diverse practice areas, including police civil liability defense, business liability and commercial litigation, civil litigation, insurance defense, administrative and regulatory law, local government law, association law, and appellate law.

Conclusion

I recognize that with Paul Green retiring, the School Board is in the rare position of having to locate and retain a new School Board Attorney. While there is no replacing Mr. Green, I firmly believe that my experience, prior appearances before the School Board, work with District personnel, and understanding of the culture of the District will provide for an easy transition. Thank you for your consideration of this letter and my enclosed résumé.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. J. Harmon', with a large, sweeping initial 'T'.

Terry J. Harmon

Enclosure (Terry J. Harmon Résumé)

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References

School Board of St. Johns County, Florida

Contact: Frank D. Upchurch, III, General Counsel, Upchurch Bailey and Upchurch, Attorneys at Law, 780 North Ponce De Leon Blvd., St. Augustine, Florida 32084; (904) 829-9066.

School Board of Seminole County, Florida

Contact: Serita Beamon, General Counsel, Seminole County Public Schools, 400 E. Lake Mary Blvd., Sanford, Florida 32773; (407) 320-0340.

Terry J. Harmon, Esquire
Shareholder
SNIFFEN & SPELLMAN, P.A.
123 North Monroe Street
Tallahassee, Florida 32301
(850) 205-1996 – Phone
(850) 205-3004 – Facsimile
tharmon@sniffenlaw.com

Terry J. Harmon, born Ft. Myers, Florida, December 14, 1980.

COURT ADMISSIONS:

Florida (2006 - present)

Tennessee (2014 - present)

United States District Court, Middle District of Florida (2007 - present)

United States District Court, Northern District of Florida (2007 - present)

United States District Court, Southern District of Florida (2017 – present)

United States Court of Appeals for the Eleventh Circuit (2018 – present)

BOARD CERTIFICATION:

Board Certified Specialist in Education Law (The Florida Bar)(2016 - present)

EDUCATION:

Stetson University College of Law (Juris Doctor, *cum laude*, 2006)

Florida State University (B.S. Communication, *cum laude*, 2003)

PROFESSIONAL WORK HISTORY:

Sniffen & Spellman, P.A. (formerly Sniffen Law Firm), *Shareholder* (May 2015-present),
Associate (April 2007 – May 2015); Tallahassee, Florida

Broad and Cassel, *Associate* (2006-2007); *Law Clerk* (2005-2006); Tampa, Florida

Pinellas County Public Defender's Office, *Certified Legal Intern* (2005); Clearwater, Florida

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Knox County Attorney General's Office, *Acting Assistant District Attorney General* (2004, 2005); Knoxville, Tennessee

LEGAL MEMBERSHIPS/PROFESSIONAL HONORS AND AWARDS:

Memberships

Member, Florida Bar (2006-present)

Member, Tennessee Bar (2014-present)

Member, Education Law Committee of the Florida Bar (2010, 2011, 2012, 2014-present)

Member, Florida School Board Attorneys Association (2014-present)

Member, Council of School Attorneys (2014-present)

Education Law Association (2011-present)

Administrative Law Section, Florida Bar (2006-present)

Professional Honors and Awards

Selected to Florida Super Lawyers Magazine "Florida Rising Stars" list (2009, 2010, 2015, 2016, 2017, 2018, 2019)

William F. Blews Pro Bono Service Award (2006)

AREAS OF CONCENTRATION:

Education Law (K-12 and Higher Education)

Special Education Litigation (State, Federal, and Administrative)

Labor and Employment Law (State and Federal)

ARTICLES:

"Eleventh Circuit Addresses Florida Restrictive Covenant Agreements," *The Checkoff*, Vol. XLIX, No. 3 (January 2010)

"Scope of Family and Medical Leave Act Expanded by the National Defense Authorization Act for Fiscal Year 2010," *The Checkoff*, Vol. XLIX, No. 3 (January 2010)

“Removal of Dangerous Students with Disabilities (IDEA) from the School Environment,” The Florida Bar Education Law Committee’s Florida Education Law publication, Vol. 1, Issue 1 (July 2019)

PRESENTATIONS:

“Update on Service Animals Under the ADA,” Florida Bar’s Education Law Committee Meeting (September 23, 2011)

“Practical Tips for School Districts in Florida - Preparing for an IDEA Due Process Hearing,” LawLine.com webinar (1.5 CLE Hours)(2012)

“Practical Tips for School Districts in Florida – Discipline Under the IDEA,” LawLine.com webinar (1.0 CLE Hours)(2012)

“Preparing for IDEA Due Process Hearings” presented during The Rossdale Group live telephonic seminar titled, “Mastering Juvenile Law, Education Law, & Child Advocacy CLE” (2.0 CLE Hours)(October 24, 2012)

Guest speaker at the Florida State University’s College of Business Human Resource Management Class on the legal impact human resource personnel have on businesses (November 6, 2012)

Guest Speaker at Tallahassee Active Lifelong Leaders’ (Leadership Tallahassee) Justice Day on the United States Constitution and the Bill of Rights (February 5, 2013)

“Avoiding Legal Issues for Administrators,” Florida Association of School Administrators live webinar (January 21, 2014)

Interviewed by WCTV (CBS) for its Eyewitness News at 6 story on sex discrimination cases brought against educational institutions under Title IX. A portion of the interview was aired on Eyewitness News at 6 (April 4, 2014)

Guest Speaker at the Florida Association of School Administrators Professional Development Day for school administrators in St. Johns County, Florida, on child abuse reporting, the importance of documentation, social media, and cyberbullying (June 9, 2014)

Guest Speaker at the Florida Association of School Administrators Professional Development Day for school administrators in Escambia County, Florida, and Santa Rosa County, Florida, on child abuse reporting, the importance of documentation, social media, cyberbullying, and exceptional student education discipline (June 16, 2014)

Guest Speaker at the Florida Association of School Administrators Professional Development Day for school administrators in Walton County, Florida, and Okaloosa County, Florida, on child abuse reporting, the importance of documentation, social media, cyberbullying, and exceptional student education discipline (June 26, 2014)

Guest Speaker at the Florida Association of School Administrators Professional Development Day for school administrators in Leon County, Florida, on child abuse reporting, the importance of documentation, social media, and cyberbullying (July 16, 2014)

Guest Speaker at the Florida Association of School Administrators Professional Development Day for school administrators in Putnam County, Florida, on child abuse reporting, the importance of documentation, social media, and cyberbullying (July 30, 2014)

Presented “Bullying and Cyberbullying: Legal Issues and Policy Review” to Levy County School District administrators in Bronson, Florida (September 25, 2014)

Presented “Update: Title IX Sexual Harassment and Sexual Assault Obligations of Colleges and Universities - A comprehensive update on cases and investigations addressing college and university obligations under Title IX in the area of sexual harassment and sexual assault” at the 2014 Education Law Association Annual Conference held in San Diego, California (November 13, 2014)

Presented on the background of the Family and Medical Leave Act and the Americans with Disabilities Act at the Florida Bar’s Continuing Legal Education Committee’s Basic Labor & Employment 2014 CLE in Tampa, Florida (December 4, 2014)

Presented “Ethics for School Board Officials” to Florida school board members and superintendents at the Florida School Boards Association’s 69th Annual Joint Conference in Tampa, Florida (December 5, 2014)

Presented “Common Legal Issues for School Employees” to Bradford County School District school support staff in Starke, Florida, through The North East Florida Educational Consortium (May 18, 2015)

Presented “Responding to EEOC and OCR Complaints” at the Florida Educational Negotiators 35th Annual Conference in Kissimmee, Florida (May 20, 2015)

Presented “Education & Labor Law Updates that Impact Union Negotiations” at the Florida Educational Negotiators 35th Annual Conference in Kissimmee, Florida (May 20, 2015)

Presented “Hot Legal Topics: Off-Campus Student Behavior/Title IX” to Florida school board members and superintendents at the Florida School Boards Association’s 2015 Annual Summer Conference in Tampa, Florida (June 10, 2015)

Presented “Legal Issues Related to Bullying, Cyberbullying, and Social Media” at the Florida Association of School Administrators Professional Development Day for school administrators in Walton County, Florida, and Okaloosa County (Niceville, FL) (July 10, 2015)

Presented “2015 Legal Update: Title IX Sexual Violence Issues in Higher Education - A comprehensive update on 2015 higher education cases and investigations under Title IX in the area of sexual violence” at the 2015 Education Law Association Annual Conference held in Cleveland, Ohio (November 5, 2015)

Presented “Title IX Update” at the Florida School Boards Insurance Trusts’ Winter Meeting in Celebration, Florida. The presentation addressed current case law and Office for Civil Rights investigations in the area of Title IX as applied to K-12 school districts, including transgender student-related issues (January 13, 2016)

Presented “Legal Issues in Exceptional Student Education” at the Florida K-12 Administrators Training in Orlando Florida. The all-day event was co-sponsored by Stetson University College of Law, the Education Law Association, and Sniffen & Spellman, P.A. (February 11, 2016)

Presented “Employment Issues in K-12 Public Schools” at the Florida K-12 Administrators Training in Orlando Florida. The all-day event was co-sponsored by Stetson University College of Law, the Education Law Association, and Sniffen & Spellman, P.A. (February 11, 2016)

Presented “ESE Liability Issues, Current Trends, and Best Practices” at the Florida School Boards Insurance Trusts’ Spring Meeting in Celebration, Florida (April 20, 2016)

Presented “What Puts Principals in Hot Water?” at a webinar hosted by the Florida Association of School Administrators and the National Association of Elementary School Principals (June 2, 2016)

Presented “Transgender Student Legal Issues in School Districts” at the Florida School Boards Association’s Annual Summer Conference in Tampa, Florida (June 9, 2016)

Presented at the Florida Capital Chapter of the Association of Legal Administrators’ seminar titled, “Gender Identity and the Law – An Update on Transgender and Gender Identity Issues in the Public and Private Sectors.” Presentation topics focused on gender identity and transgender legal issues in education and employment. The seminar was held at the Florida State University College of Law in Tallahassee, Florida, and approved for 2.0 CLE hours by The Florida Bar (October 13, 2016)

Presented “Legal Issues for Florida School Administrators and Office Personnel – Exceptional Student Education (2016) Boot Camp 2016” at the 2016 Education Law Association Annual Conference held in Orlando, Florida (November 2, 2016)

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Presented “2016 Legal Update: Title IX Sexual Violence Issues in Higher Education and K-12 Public Schools - A comprehensive update on 2016 Title IX (Sexual Violence) cases and investigations in higher education and K-12 schools” at the 2016 Education Law Association Annual Conference held in Orlando, Florida (November 3, 2016)

Presented “Harassment and Bullying as Related to Social Media” at the Florida Association of School Administrators Professional Development Day for school administrators in Putnam County, Florida (Palatka, FL) (June 7, 2017)

Presented “Ahead of the Curve: Religious Expression and Instructional Materials – Operational and Policy Considerations for your District” to Florida school board members and superintendents at the Florida School Boards Association’s 2017 Annual Summer Conference in Tampa, Florida (June 19, 2017)

Presented “Legal Issues Related to Bullying, Cyberbullying and Social Media” at the Florida Association of School Administrators Professional Development Day for school administrators in Calhoun, Jackson, and Liberty Counties, Florida (Marianna, FL) (June 22, 2017)

Presented “Title IX Legal Issues in Postsecondary Institutions – The Current Landscape” at the Association of Florida Colleges’ 2nd Annual Campus Safety Symposium held at the College of Central Florida (Ocala, FL)(June 29, 2017)

Presented “Title IX: Sexual Violence Issues in Schools” at a national webinar hosted by the Vertical Alliance Group, Inc. (July 18, 2017)

Interviewed and quoted by LRP Publications in a written article addressing service animals in schools (Article published August 28, 2017)

Presented “Social Media Policies: Key Elements and Enforcement” at the Policy Seminar: Critical Technology Issues for School Districts held in Gainesville, Florida. The seminar was sponsored by the Florida School Boards Association and Neola, Inc. (March 2018)

Presented an update to the Florida School Boards Association’s Board of Directors on important legislation and cases impacting schools in Florida at the Florida School Boards Association’s Annual Summer Conference in Tampa, Florida (June 13, 2018)

Co-presented “Practical Guidance on Common Employment Law Issues” to the Florida Governmental General Counsel’s Association in Tallahassee, Florida (July 19, 2018)

Co-presented “Navigating the Use of Social Media” to the Florida Charter School Conference in Orlando, Florida (October 17, 2018)

Interviewed and quoted by LRP Publications in a written article addressing the application of Section 504 to virtual charter schools (Article published December 12, 2018)

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Presented “Current Hot Legal Issues” at the Florida School Boards Insurance Trusts’ Winter Meeting in Celebration, Florida (January 17, 2019)

Presented “Accommodating Children with Special Needs” through a webinar as part of the Florida Bar Education Law Certification Review (February 4, 2019)

Presented “Hot Topics in Employment Law – Recent Employment Cases and Agency Decisions Impacting School Boards and Employees” at the Florida Educational Negotiators 39th Annual Conference in Kissimmee, Florida (May 8, 2019)

Presented “Violence on School Campuses – A Legal Update” at the Florida Educational Negotiators 39th Annual Conference in Kissimmee, Florida (May 8, 2019)

Presented “Navigating Manifestation Determination Reviews to Avoid Compliance Pitfalls” in a nationally-broadcast webinar through LRP Publications (January 23, 2020)

Presented “Children with Special Needs” at the Education Review Workshop webinar sponsored by the Florida Bar Education Law Committee (January 24, 2020)

Presented a webinar titled “The IDEA and COVID-19” to the Florida School Boards Association (May 8, 2020)

Presented “The IDEA and COVID-19: Planning for the Return to School” in a nationally-broadcast webinar through LRP Publications (May 21, 2020)

Presented “The IDEA, COVID-19 and the 2020-2021 School Year” to the Florida School Board Attorneys Association at its 2020 Spring Mini Virtual Conference (June 5, 2020)