

SCHOOL BOARD ATTORNEYS

The Orleans Parish School Board recognizes that the increasing complexity of school system operations frequently requires procurement of professional legal services. The primary function of an attorney shall be to provide professional legal counsel and representation to the School Board and Superintendent.

GENERAL COUNSEL

Legal affairs of the school district shall be handled by the Superintendent with the aid and assistance of a qualified attorney employed by the Superintendent with the approval of the School Board to serve as General Counsel. The role of the General Counsel shall be to advise the school district in matters requiring legal services. The General Counsel shall also propose, review and approve all legal documents pertaining to the school district.

The General Counsel shall perform, at a professional level of competence, the services, duties, and obligations required by the laws of the State of Louisiana, and by the rules, regulations, and policies of the Orleans Parish School Board, which now exist or that may be hereinafter enacted by the School Board. The Superintendent shall annually evaluate the General Counsel's performance.

The General Counsel shall devote his/her full professional time to the school district. The General Counsel may undertake consulting or other professional engagements with resulting compensation, provided however, that such activity shall be conducted at times which do not conflict with nor impair his/her service as General Counsel to the Orleans Parish School Board and shall not violate the rules of governmental ethics.

The General Counsel shall report directly to and shall receive all general assignments directly from the Superintendent and authorized staff, and may assist the School Board with information regarding school district legal affairs upon request. Under the supervision of the Superintendent, the General Counsel shall perform the following specific duties and services:

1. Select, direct the duties of, and supervise the staff of the Office of the General Counsel;
2. Coordinate all external legal services and act as the primary point of contact between outside counsel and the school district;
3. Review and approve of all legal billings except for matters monitored by a third party administrator;
3. Oversee the processes for grievances and investigations and represent

administrative personnel in administrative hearings;

4. Monitor and assist outside counsel representing the School Board and/or school district on state and federal litigation and on other legal matters as they may arise;
5. Coordinate with the Board Counsel to review School Board policies for compliance with state and federal laws and for efficiency, recommending revisions, as necessary;
6. Review administrative regulations and procedures of the school district for compliance with state and federal laws and for efficiency, recommending revisions, as necessary;
7. Assist the Superintendent and staff with writing and revising policies to be submitted to the School Board for approval, and with drafting administrative regulations and procedures;
8. Assist the Superintendent and staff in conducting legal analyses of specific matters;
9. Coordinate legal responses to state and federal agencies as directed by the Superintendent and as the need may arise;
10. Provide or coordinate the provision of in-service training, seminars, and workshops pertaining to relevant state and federal laws for staff, as needed and/or requested by the Superintendent;
11. Act as an advisor and counselor to the Superintendent and staff;
12. Prepare and render legal opinions regarding state and federal legislation that affect and/or impact the school district or School Board employees;
13. Prepare reports advising the Superintendent and the members of the School Board of the filing of new administrative claims or lawsuits, resolution of pending administrative claims and lawsuits; and the status of pending administrative claims and litigation;
14. Assist the Superintendent and staff with drafting legal documents, resolutions, contracts and all other legal and/or quasi-legal documents;
15. Advise the Superintendent and staff on all issues relating to procurement procedures, procurement laws, and all other public bid matters as it relates to requests for proposals and contracts;

17. Assist the Superintendent in responding to informational inquiries from members of the School Board;
18. In conjunction with the public relations personnel, coordinate all statements to the media that relate to legal matters and review all press releases;
19. Provide notarial services as needed; and
20. Engage in all other duties as defined in the General Counsel job description, as they may arise and as they are needed by the Superintendent and staff.

BOARD COUNSEL

The Orleans Parish School Board, acting in accord with statutory provisions, may retain an external Board Counsel to serve at the will of the School Board. The Board Counsel shall be compensated on an hourly basis, pursuant to a contract for legal services. The role of the Board Counsel shall be to advise the School Board in governance and business matters, as well as to provide any other legal services for which the School Board wishes to engage the Board Counsel. The Board Counsel shall also propose, review and approve all legal documents pertaining to School Board duties and functions.

The Board Counsel shall report directly to the School Board President and shall receive general assignments from the School Board President, members of the School Board and the General Counsel, in accordance with the contract for legal services. Legal opinions provided by the Board Counsel shall be issued in writing to all Board members. The Board Counsel may assist with school district legal affairs upon the request of the General Counsel. The Board Counsel shall be available to perform the following specific duties and services as needed:

1. Represent the School Board on state and federal litigation and on other legal matters that may arise, as assigned by the School Board or the General Counsel;
2. Act as an advisor and counselor to the School Board, assist the School Board in conducting legal analyses of specific matters, and render legal opinions to all School Board members regarding state and federal laws and regulations that affect the School Board;
3. Review School Board policies for compliance with state and federal laws and for efficiency, recommending revisions, as necessary, review General Counsel and staff policy proposals prior to submission to the School Board, and coordinate with the General Counsel on writing and revising School Board policies;
4. Provide in-service training, seminars, and workshops pertaining to relevant state and federal laws, as requested by the School Board or the General Counsel;

5. Assist in the drafting of legal documents, rules and regulations, resolutions, contracts and all other legal and/or quasi-legal documents to be adopted or executed by the School Board;
6. Advise the School Board on procurement laws and all other public bid matters as it relates to bid awards and contracts;
7. Coordinate and cooperate with the General Counsel, as requested, on legal matters concerning the school district;
8. Attend all School Board and committee meetings to render legal advice to the School Board and assist with parliamentary processes, as needed, and attend other meetings as requested by the School Board President.

SPECIAL COUNSEL

The School Board is empowered to retain attorneys/law firms as Special Counsel as the need arises. Special counsel shall be retained by the School Board pursuant to a resolution setting forth the reasons special counsel is necessary and shall be compensated within the guidelines adopted by the Attorney General. As soon as practical after selection, the School Board shall submit a resolution to the Attorney General, setting forth the reasons special counsel is necessary.

Each external law firm selected to provide legal services to the School Board shall maintain professional malpractice liability insurance and annually provide a certificate of professional malpractice/liability insurance having liability coverage of at least one million dollars per claim.

The School Board shall have the right to terminate the services of any attorney/firm by providing fifteen (15) days notice.

Revised: May 18, 2017

Ref: La. Rev. Stat. Ann. §§16:2, 42:261.1, 42:263; Board minutes, 7-2-69, 6-3-81, 11-27-01, 2-19-02, 5-18-17.