

To: Board of Education

From: Kathy Johnson, executive director, finance

Re: 2018-2019 KASB Legal Assistance Fund Contract & Service Fee

Date: April 19, 2018

Background:

The purpose of the KASB Legal Assistance Fund is:

1. To provide supportive assistance to boards of education in cases or controversies pertaining to the classification, organization, regulations, maintenance, operation, financing and management of school districts in the state of Kansas.
2. To supplement, not replace, legal services available to boards of education.
3. To report and analyze current state and federal decisions, legislation and administrative rules and regulations for participating boards.
4. To serve as a repository of selected court decisions affecting the operation of schools in Kansas.
5. To heighten school officials' awareness of the impact and importance of court decisions.

The district has used this service available through the Kansas Association of School Boards for many years. The fee for the current year is \$2,100, this is an increase of \$450, which covers services from July 1, 2018 through June 30, 2019.

Recommendation:

Administration recommends that the board continue its membership in the KASB Legal Assistance Fund and approve and sign the Adoption Agreement and Consultant Service contract. Services will be paid from the Board of Education Legal Services budget.

Account: 0123170000.53450 – Board of Education Legal Services

Motion:

"I move the Board of Education approve continued membership in KASB's Legal Assistance Fund for 2018-2019 in the amount of \$2,100 and sign the Adoption Agreement and Consultant Service contract"

ADOPTION AGREEMENT
And
CONSULTANT SERVICE CONTRACT

This Adoption Agreement and Consultant Services Contract is entered into this 23rd day of April, 2018 by and between the KANSAS ASSOCIATION OF SCHOOL BOARDS LEGAL ASSISTANCE FUND (hereinafter referred to as the Fund) and Lawrence USD#497, Douglas County, Kansas (hereinafter referred to as the Participating Board).

WITNESSETH:

That in consideration of the mutual promises herein contained, the Participating Board agrees to participate in the Trust pursuant to the terms and conditions of the Agreement and Declaration of Trust establishing the Kanas Association of School Boards Legal Assistance Fund, available upon request. The participating Board further agrees to make payment to the Fund of Two Thousand One Hundred dollars (\$2,100.00), as the initial consultant service fee for the period of July 1, 2018 through June 20, 2019, and the Fund agrees to provide the Participating Board with the following initial consultant services:

1. Written reports of selected legal decisions together with an interpretive analysis of the decisions' precedential value and operational impact;
2. Written summaries of state and federal legislation and administrative regulations;
3. Written memoranda on specific legal questions requested in writing by Participating Boards;
4. Maintain a resource file of important court decisions and interpretations of laws affecting schools;
5. Telephone consultation on specific legal issues; and
6. Provide updated and online access to KASB publications.

The fund and the Participating Board further agree that in consideration of the continuing consultant service fee as set forth herein, the Fund agrees to provide the Participating Board, by legal counsel designated by the Trustees, as set forth in this agreement, legal research, legal representation at administrative hearings and court appearances, on-site legal services, *amicus curiae* briefs and other assistance upon request of the Participating Board, subject to the terms and conditions of the Declaration of Trust establishing the Kansas Association of School Boards Legal Assistance Fund.

Board President

USD or Entity No. 497, Douglas

County, KS

Kansas Association of School Boards
Legal Assistance Fund

Board Clerk

Upon adoption return to:

*Kanas Association of School Boards Legal Assistance Fund
1420 SW Arrowhead Road, Topeka, KS 66604-4024*