Suggested Criteria for In-House Counsel

- Uses independent judgement and avoids conflicts of interest
- Adept at preventive law and they focus on controlling legal, issues whenever possible and anticipate problems and legal solutions before litigation happens
- Up-to-date on current school law trends and recent court decisions
- Members of NSBA's Council of School Attorneys
- Prepares and advises all aspects of administrative law hearings (teacher non- renewal or termination hearings, special education hearings) as directed by the Superintendent and authorized by the Board
- Prepares and conducts litigation and supervises all other legal department staff
- Prepares the districts written response to Special Education complaints and claims of discrimination (Human Rights; OCR; EEOC) representing the district
- Prepares and renders legal opinions upon request from Board, Superintendent or administrative staff
- Attends and provides legal advice at all meetings of the Board and such other meetings as the Board and Superintendent may direct
- Trains and develops sessions of school law and requirements of Board Policy (Special Ed; technology; discrimination and etc., such as Section 504; Title VI; Title IX; and auditing Spec. Ed)
- Advises the Board in all matters of a legal or technical nature (may include the interpretation of case decisions, statutes, charters, ordinances, and contracts)
- Provides legal assistance in the drafting of legal documents, BOE policies, rules, regulations, resolutions, applications, and other legal or quasi- legal, papers upon request
- Monitors state and federal legislation
- Maintains files and supervises periodic revisions of policies, rules, regulations and guidelines
- Performs such other duties, consistent with the Counselors professional, ethics and competence, as the Board may assign

Currently:

- Evaluation of Superintendent is outside counsel responsibility -Dave Duff
- In-House counsel not involved in Board personnel matters; Outside counsel responsibility- Dave Duff's Firm
- In-House counsel involved in district matters such as teacher dismissal, etc., things with district office
- Evaluation: Performances of BCSD In-House Counsel is evaluated annually by Superintendent

Presently Attorneys used by BCSD:

- Human Resources currently handled by In- House Counsel and Outside Counsels -Charles Boykin's Firm, Dave Duff's Firm; Halligan, Mahoney & Williams' Firm
- Lobbyist & Finance – McNair Law Firm (Frannie for Finance); Expenses shared with County Council for Lobbyist; Lynn Stokes is point person for lobby information **When litigation is necessary, a school attorney (In-House or Outside Counsel) advocates for the School Board before courts and administrative bodies **An school attorney helps/advises district officials to follow the web of local, state, and federal regulations affecting schools, and avoid litigation.