

To: Board of Education

From: Kyle Hayden, assistant superintendent, business & operations, ext. 4309  
Kathy Johnson, director, finance, ext. 2376

Re: 2016-2017 KASB Legal Assistance Fund Contract & Services Fee

Date: May 5, 2016

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 \$1,650, and there will be no increase to the 2016-2017 contract fee which cover services from July 1, 2016 through June 30, 2017.

This fee will be paid from the Board of Education's legal budget of \$35,000, and the balance after this expenditure will be \$27,452.50.

Recommendation:

Administration recommends that the board continue its membership in the KASB Legal Assistance Fund.

Account: 0123170000.53450 – Board of Education Legal Services

Motion:

"I move the Board of Education approve KASB's Legal Assistance Fund 2016-2017 annual contract and services fee of \$1,650."

**ADOPTION AGREEMENT**  
**and**  
**CONSULTANT SERVICE CONTRACT**

This Adoption Agreement and Consultant Service Contract is entered into this \_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ County, Kansas, by and between the KANSAS ASSOCIATION OF SCHOOL BOARDS LEGAL ASSISTANCE FUND (hereinafter referred to as the Fund) and \_\_\_\_\_ (Member Name/#) \_\_\_\_\_ 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 Kansas Association of School Boards Legal Assistance Fund as attached hereto and incorporated as if fully rewritten herein, and the Participating Board further agrees to make payment to the Fund of One Thousand Six Hundred Fifty dollars (\$1,650.00), as the initial consultant service fee for the period of July 1, 2016, THROUGH June 30, 2017, 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 decision's precedential value and operational impact;
2. Written summaries of state and federal legislation and administrative regulations;
3. Written memoranda on specific legal questions asked by Participating Boards;
4. Maintain a resource file of important court decisions and interpretations of laws affecting schools; and
5. Telephone consultation on specific legal issues.

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 to 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.

\_\_\_\_\_  
President/Director

Entity No. \_\_\_\_\_, \_\_\_\_\_ County, KS.

\_\_\_\_\_  
Kansas Association of School Boards  
Legal Assistance Fund

\_\_\_\_\_  
Clerk

*Upon adoption return to: Kansas Association of School Boards Legal Assistance Fund  
1420 SW Arrowhead Road, Topeka, Kansas 66604-4024*