

PERSONNEL

CONSULTANTS/SPECIAL COUNSEL

Employment of Special Counsel

The Association recognizes that there may be occasions when it is necessary or advisable for the interests of the Association to be represented by legal counsel other than the staff attorneys of the Association. Such occasions may arise by reason of a conflict of interest or other ethical rules which may preclude the participation of staff attorneys. Other considerations which may precipitate the hiring of special counsel include involvement of the New Jersey School Boards Association in litigation or in legal issues requiring advice of attorneys with specialized or particular knowledge relevant to such legal issues or litigation.

Employment of special counsel shall be authorized by action of the Board of Directors for particular purposes to be indicated by resolution adopted by the Board. In the event that advice of special counsel is deemed necessary, in the opinion of the President, after consultation with the Executive Committee, prior to a meeting of the Board of Directors, the President shall be authorized to engage the services of a licensed New Jersey attorney pending the next meeting of the Board of Directors. The President shall immediately notify the Board of Directors of the employment of special counsel and shall provide an explanation for such employment. The President has the authority to seek advice of outside counsel regarding sensitive personnel issues concerning the Executive Director and/or Executive Office staff where the confidentiality of an individual or the Association needs to be protected, without prior Board of Directors approval. In the event there is advice that further action would not be wise, there would be no notice to the Board of Directors and the matter would be closed. In the event that outside counsel advises further action, the Board of Directors would be notified and asked to engage a firm for pursuit of the issue.

Continued employment of such special counsel shall require action by the Board of Directors no later than the next regularly scheduled Board of Directors meeting but, in any event, no longer than 40 days after first employment by the President. The Association shall be liable for all reasonable legal fees charged to the Association by special counsel engaged by the President or by the Board of Directors in accordance with this policy.

Authority:       BD 10/89  
                      BD 4/93  
                      BD 9/94  
                      BD 10/00

Consultants

Requests for consultant use must be approved by the Executive Director prior to hiring. If such hiring will go beyond monies budgeted for consultants, the Executive Director will bring a recommendation for hiring the consultant to the Executive Committee, which must approve it prior to hiring. All consultant contracts must be reviewed by Association legal counsel.

Authority:       BD 9/94

**N E W J E R S E Y S C H O O L B O A R D S A S S O C I A T I O N**

**GOVERNANCE & OPERATIONS**

**FILE CODE: GO/4124**

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BD 10/00