



Purpose and Work Streams 2016-17

Legal Services

Purpose

Purpose	Department Manager
<p>The purpose of the Legal Services Department is to provide specialized, high-quality advice and meaningful representation to the MMSD Board of Education, administration and staff with a focus on compliance and policy development to create a foundation for innovation and excellence at all levels of the organization.</p>	Dylan Pauly

Major Work Streams

Title	Description	Lead
Board Attorney	General Counsel, or designee in her absence, attends and participates in all whole-Board meetings, serves as parliamentarian to the Board at meetings, reviews agendas and public notices regarding Board meetings, responds to Board member questions as they arise, reviews potential conflicts of interest and maintains and interprets Board policies and procedures.	Dylan Pauly
Litigation	Receive and review all instances of litigation filed against the District or file summons and complaints on behalf of the District, make decisions regarding the assignment of matters to outside counsel, provide adequate and appropriate notice to the District's insurance carrier, engage in civil practice and appear on behalf of the District as appropriate.	Dylan Pauly
Administrative Complaints	Attorney(s) receives and reviews complaint, gathers factual information via interviews and documentation collection, drafts written responses to complaint and provides any necessary follow-up information, Legal Secretary facilitates filing of responses to agency within required timelines, Attorney(s) participates in mediation or other forms of alternative dispute resolution and appears on behalf of the District in any administrative proceeding resulting from the complaint, unless the matter has been assigned to outside counsel in which case the Attorney(s) monitors the services provided by outside counsel.	Dylan Pauly
Special Education Issues	Attorney(s) receives questions from District staff, conducts research and/or interviews, related to the question presented, delivers guidance and advice based upon findings.	Matt Bell
Expulsions to the Board of Education	Assistant Legal Counsel/Legal Secretary receives notice that a student has been recommended for expulsion, Legal Secretary sends out notice letters, Legal Secretary receives IHO's order and sends copies to the relevant parties, Board Secretary schedules BOE review, Legal Secretary receives and distributes hearing transcript, Assistant Legal Counsel drafts legal memo to BOE and presents information to the BOE, Assistant Legal Counsel finalizes BOE's order.	June Wilson
Student Record Issues	Attorney(s) receives questions from District staff, conducts research and/or interviews related to the question presented, delivers guidance and advice based upon the findings.	Matt Bell/Dylan Pauly
Public Record Issues	Attorney(s) receives public records request, identifies custodian of requested record, determines if location/reproduction costs will be incurred, if so, seeks prepayment, Legal Secretary and/or Attorney(s) reviews record to determine if any applicable exemptions apply, Legal Secretary transmits denial letter or record to requestor, Attorney(s) defends District in litigation if a claim is filed in District Court.	Matt Bell/Dylan Pauly
Daily Legal/Policy Issues	Attorneys and Legal Secretary respond to parent and staff inquiries as they come in.	Dylan Pauly
Contracts	Attorney(s) reviews and drafts contracts (services, purchasing, land use, etc.) as necessary.	June Wilson

Processing internal harassment/discrimination complaints	Harassment Investigator/Coordinator receives, dates, and acknowledges receipt of harassment complaint form, informs respondent of allegations, arranges meeting with complainant/respondent to get more detail about the allegation(s), seeks and attempts to facilitate informal resolution, investigates allegations using interviews of parties/witnesses and document review (policies, procedures, rules, etc.), conducts any follow up that may be required, reduces investigation to a written report with findings and reconsideration rights, consults with General Counsel throughout process, forwards findings to Superintendent or designee who issues determination letter.	Eric Kestin
Outreach to Historically Underutilized Businesses (HUBs)	Affirmative Action Officer identifies HUBs, promotes their participation in the competitive bid process, advocates for inclusion on the project manager's mailing list, and ensures an equitable opportunity to sell products and services to the District. Affirmative Action Officer also plans and hosts symposiums to help HUBs understand the District's procurement process and provides HUBs the opportunity to market their capabilities and capacities to the District.	Eric Kestin
Revise District Contract Compliance Plan	Contract Compliance Officer develops strategies for District doing business with HUBs, establishes voluntary business participation goals, conducts availability analysis, develops guidelines for vendors/contractors that comply with monitoring requirements, seeks Board review and implements and reports on compliance.	Eric Kestin



Legal Services

Priority Projects 2016-17

COMP Priority Project	Strategic Framework Priority Area	Strategic Framework Priority Area Next Step	Project Lead	Q1 Key Implementation Steps	Q2 Key Implementation Steps	Q3 Key Implementation Steps	Q4 Key Implementation Steps	Metrics for Monitoring Completion and Success
Review of existing boundary agreements to assess the potential for boundary changes	N/A	N/A	Matthew Bell	Consult with MCPASD representative to determine relevant parcels subject to attachment/detachment, disposition of split parcels and any potential amendments to be made to the existing agreement. Consult with VASD regarding the possibility of conducting a study of the status of the Districts' prior boundary agreement. Determine which parcels have already been attached/detached and which parcels are ripe for attachment/detachment.	With regard to parcels to be detached from the MCPASD, provide notice to affected landowners, obtain descriptions of the properties certified by the Dane County Clerk, provide advance notice of upcoming detachments/ attachments and any amendments to the Agreement to Board of Education. Dependent on the determination regarding which parcels identified in the VASD agreement are ripe for attachment/detachment, initiate procedures to attach/detach those parcels.	Present resolution of attachment/detachment and any amendments to the Agreement to Board of Education, file appropriate documentation of attachment/detachment with the School District Boundary Appeal Board and notify MCPASD of Board resolutions of attachment/detachment. Engage in identical process if parcels identified in the VASD agreement are also identified as being ripe for attachment/detachment.	Establish ongoing timeline for parcels identified in either the MCPASD or VASD agreements that require monitoring for future attachment/detachment.	Number of parcels transferred by and between districts.
Bullying Toolkit	N/A	N/A	Eric Kestin	Draft sections of toolkit including federal and state laws/responsibilities and District policy, how to conduct an investigation and document it. These sections will focus on compliance with District Policy, staff responsibility regarding when to report a bullying incident and the form to use; recommendations for who should conduct investigations and tips for conducting the investigations; and District resources to assist with these steps.	Revise toolkit and develop section related to steps to take after an investigation. This section will include steps staff should take under the District's Behavior Education Plan, reminder/recommendations for calling parents, and recommendation of restorative steps to take for both target and bully to support both students in their education. This section will also touch on District responsibilities according to the United States Office of Civil Rights. In conjunction with the Student Services Inclusive Schools planning team, we will identify 2 school-based stakeholders who will be trained during the 3rd quarter on student anti-bullying best practices.	Final revisions and potential expansion of section related to restorative practices based on the work of Student Services Inclusive Schools planning team which is also looking at this area. Eric Kestin is a member of this planning team. In conjunction with this team, school-based stakeholders identified in Quarter 2 will be trained on student anti-bullying best practices	Introduction of toolkit to stakeholders. Release to broader school community with talking points for school based administrators. School-based stakeholders trained in during Quarter 3 will be brought back for a train-the-trainer module to prepare these individuals to present to their individual schools at Welcome Back days in August 2017.	School-based climate surveys.