
TITLE: ATTORNEY

QUALIFICATIONS:

1. License to practice law in New Jersey
2. Minimum experience as a school attorney as determined by the board
3. Demonstrated broad knowledge of school law and public sector collective bargaining law
4. Knowledge of contract, criminal, real estate, administrative and civil rights laws
5. Personal and professional integrity; strong oral and written communication skills
6. Current residency in New Jersey, approved residency waiver or candidate agrees to obtain residency within one year of employment (only if a regular employee of the district)

REPORTS TO: Board of Education and Superintendent

JOB GOAL:

To provide direct professional legal counsel and representation for the board of education, superintendent and staff on school matters.

PERFORMANCE RESPONSIBILITIES:

Board Meetings

1. Attends meetings and provides legal advice at meetings of the board as required.
2. Reviews pending board policy prior to formal adoption.
3. Advises the board in all matters of a legal or technical nature relating to the organization of the board, parliamentary procedure, and interpretation of statutes, charters, ordinances, and contracts.
4. Assures that inquiries from board members are handled in compliance with the limitations and requirements of the Accountability Act and Accountability Regulations (specifically N.J.A.C. 6A:23A-6.3), to avoid excessive professional services expenditures and to ensure the prudent and cost-effective use of legal services. For example, legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies. Requests for legal advice shall be made in writing. Contact logs and records shall be kept and reviewed to determine that the requests for legal advice are necessary. Advance payments for legal services are prohibited. Services shall be described in detail and invoices for payment shall be itemized. Payment shall only be for services actually provided.

Legal Advice, Opinions, and Legal Documents

1. Prepares and renders oral and/or written legal opinions upon request to the superintendent, staff and the board
2. Provides legal assistance in the drafting of legal documents, policies, rules and regulations, resolutions, applications and all other legal or quasi legal papers upon request.

Bidding, Purchases and Sales

1. Prepares or reviews all invitations to bid, job specifications, and legal contracts
2. Advises board on the sale, lease or other disposition of excess physical property.
3. Maintains copies of deeds, records, other official and appropriate documents relative to the physical

properties under the jurisdiction of the board of education.

Representation of the Board in Negotiations and Legal Proceedings

1. Serves as legal representative of the board, its members, and/or staff in any judicial or administrative proceedings, at the direction of the board
2. Advises the board in all staff contract negotiations.
3. Participates in negotiations as a member of the management team, if assigned.
4. Prepares resolutions, deeds, leases, conveyances, bonds, obligations and other legal instruments relating to the business of the board, and prepares correspondence that may be necessary or as may be requested by the board.

Other

1. Provides periodic updates on administrative practice and board policy, including the review of important commissioner and court decisions and attorney general's opinions.
2. Assists the board in complying with the School Ethics Act, N.J.S.A. 18A:12-21 et seq., the Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq., nepotism restrictions, N.J.A.C. 6A:23A-6.2, and other essential laws and regulations.
3. Performs other duties consistent with competence in the field of law as the board or superintendent may require.

TERMS OF EMPLOYMENT: Appointed annually to serve at the pleasure of the board.
Compensation to be determined by the board.

annual evaluation: Performance of this job will be evaluated annually in accordance with NJ State law and the provisions of the board's policy on evaluations.

Approved:

Date:

Revised:

Legal References:

N.J.S.A. 18A:16 6 Indemnity of officers and employees against civil actions

48 N.J. 1 (1966) Koribanics v. Clifton Bd. of Ed.

51 N.J. 323 (1968) Perella v. Jersey City Bd. of Ed.

Taylor v. Hoboken Bd. of Ed., 187 N.J. Super 546 (app. Div. 1983)