

REQUEST FOR QUALIFICATIONS
RFQ# 1-122024
LEGAL SERVICES

SUBMISSION DEADLINE: January 29, 2024 at 10:00am.

Submissions received after this time will **NOT** be accepted.

All responses to this RFP must be submitted, **(2) hard copies**, clearly marked: Sealed Bid, Legal Services

SUBMISSION CONTACT AND ADDRESS:

Nichola Piper, Bristol Warren Regional School Committee Chairperson
235 High Street, 2nd Floor, Bristol, RI 02809

Or

Adam McGovern, Bristol Warren Regional School Committee Vice-chairperson
235 High Street, 2nd Floor, Bristol, RI 02809

Purpose

Bristol Warren Regional School District (District) is soliciting proposals from qualified full-service law firms to represent the District in legal matters and litigation, excluding litigation handled by attorneys selected by the District's insurance carriers.

Project Description

Legal Counsel will serve in an advisory capacity to the School Committee and the Superintendent of Schools on all legal matters affecting the District. However, it must be clearly understood that the legal counsel is hired by the School Committee and answers to the School Committee. Sample work conducted by legal counsel will include advising the Superintendent and administration on complex matters such as student discipline, general education, and special education law (when needed); ensuring the District is compliant with current statutory and regulatory mandates; preparing proposals for negotiations with labor unions; updating the District's policies; and representing the District in any and all legal and administrative proceedings.

Qualification Requirements

Respondents to this RFQ must meet the following minimum requirements:

1. Member in good standing of the Bar Association of the State of Rhode Island.
2. Member in good standing of the Bar of the United States District Court of Rhode Island.
3. Must have experience with Federal and State Education laws and have a minimum of five (5) years working with or for Rhode Island school districts in all areas of service required herein.
4. Must presently represent a minimum of three (3) public school districts in Rhode Island.
4. Ability to provide same day response.

5. Must have experience in special education law

6. A minimum of three attorneys with experience in education law and the attorneys must concentrate on representing public school districts in the State of Rhode Island.

Scope of Services

The Bristol Warren Regional School Committee invites submittals from appropriately qualified law firms to provide legal counsel in a variety of areas, including but not limited to the following:

1. Compliance with statutes and regulations:

- Advising and ensuring that the Bristol Warren Regional School Committee, administrative staff, faculty and employees are advised of and strive to adhere to all pertinent educational statutes and RIDE regulations, rulings and advisories that impact every aspect of the District's mission to provide the students of the District with a Free and Appropriate Public Education, including but not limited to the establishment and implementation of procedures, budgets, funding, assessment of liability, oversight and reporting.

2. Representation at administrative/judicial matters, including but not limited to the following proceedings:

- Rhode Island Department of Education hearings. Under Rhode Island General Law 16-39, the Commissioner of Education has the authority to hear and decide disputes "arising under any law relating to schools or education."
- Rhode Island Commission for Human Rights. The Commission hears cases related to discrimination on the basis of race, color, country of ancestral origin, sex, age, physical disability, mental disability, religion, sexual orientation and gender identity or expression, marital status (housing only) and familial status (housing only) in employment, housing, public accommodations, and credit.
- Rhode Island Board of Review. The Board is an autonomous, quasi-judicial agency created by Rhode Island General Law. Its primary function is to hear and render decisions on appeals arising from the Department of Labor & Training (DLT), Unemployment Compensation and Temporary Disability Insurance divisions, and from employers on certain contested tax status issues. The Board is statutorily independent from the DLT.
- Represent the District and its employees concerning all legal matters and court proceedings.

3. General Advisory Services to Superintendent:

- At all times during your engagement as legal counsel, we trust you will confer with and advise the Superintendent and administrators involving a myriad of issues, which include employment and labor issues, fiscal, operational policies and regulatory issues and compliance, contract interpretation and review and revision of Superintendent communications and disciplinary matters.

4. Contract Negotiation:

- Negotiations with the State and other third parties for services, including but not limited to the following: transportation, food services, capital construction and improvement contracts, engineering/architectural and capital project consulting services contracts, curriculum, media and electronic computer program services, libraries, nursing, physical therapy, books, instructional materials, and warehousing. Depending on the size or importance of the contract, it may be prudent to have attorneys participate in the negotiation of the contract or draft or review written contracts to ensure that such documents contain appropriate, binding terms.
 - Negotiation of labor contracts for the two bargaining units of the District.
5. Special Education:
- The District's attorney must be able to advise the District on all special education matters.
 - Children with disabilities who attend public schools, and their parents retain all rights under the Regulations of the Board of Regents for Elementary and Secondary Education Governing the Education of Children with Disabilities ("Special Ed. Regs."). EGPS requires counsel to advise on the strictures of the Special Ed. Regs., the Individuals with Disabilities Education Act, the No Child Left Behind Act, and on the requirements of Section 504 of the Rehabilitation Act of 1973.
 - In addition to advisory duties, the District may wish for an attorney to serve in a representative capacity at various meetings with the Special Education Team and affected students and family members, including advising before, during and after IEP meetings, representation at Due Process hearings, Rhode Island Department of Education hearings, or adjudications at the U.S. District Court for the District of Rhode Island and/or the Rhode Island Superior Court.
6. Student/Staff Policies and Procedures:
- The District maintains a District Policy Manual, as well as student and employee handbooks related to student and staff conduct. These materials should be drafted with precision and reviewed on a regular basis to ensure compliance with all federal and state laws, regulations, and guidelines.
7. Labor & Employment issues:
- Outside of collective bargaining, the District shall require legal counsel on all employment-related matters, including but not limited to drafting administrator contracts; evaluation processes; and day-to-day best practices.
8. General Liability/Workers' Compensation:
- Attorneys may serve in a risk management role to ensure the health and safety of students and employees. The District seeks counsel to evaluate the District's potential exposure to

risk and, in consultation with the Interlocal Risk Management Trust, to advise on risk mitigation.

9. Financial Funding and Reporting:

- The District relies on counsel to ensure that the District is receiving appropriate funding consistent with federal, state, and local requirements. In addition, counsel will be expected to initiate appropriate statutory procedures and action when any federal, state, or local agency/entity fails to allocate funds consistent with the law.
- The District's counsel may coordinate with the Commissioner of Elementary and Secondary Education to monitor and provide input to rules and regulations promulgated by the Rhode Island Department of Education.
- In addition, the District relies on counsel to monitor compliance with state-mandated financial reporting guidelines.

10. Open Meetings Laws:

- Pursuant to R.I. Gen. Laws § 42-46-1, *et seq.*, the District's counsel shall provide advice on guidelines for assuring compliance with the Open Meetings Act and serve in a representative capacity when a violation has been alleged.

11. Access to Public Records:

- Pursuant to R.I. Gen. Laws § 38-2-1, *et seq.*, the District's counsel shall review APRA requests and assist the District's APRA designee to formulate appropriate responses that are in compliance with the Act and serve in a representative capacity when a violation has been alleged.

12. School Committee Representation:

- The District's counsel may respond to inquiries and requests for legal advice by individual Bristol Warren Regional School Committee members, ranging from proper procedures and protocols, to review of and questions about the District's policies or agenda items, funding, and liability issues. The more substantive issues that impact the School Committee as a whole, or that require in-depth analysis, are typically directed to the Chairpersons to take up at a properly convened meeting for assignment of the task to legal counsel.
- Counsel may be expected to appear at duly noticed School Committee meetings or Joint Finance Committee meetings, and to provide advice and counsel on any legal issues raised during those meetings.

13. Professional Development:

- Counsel may provide (on an as-needed basis) seminars and workshops for members of the School Committee, and/or The District’s administrators, faculty, and staff in a variety of areas. Some examples include:
 - Statutory duties and responsibilities
 - Special Education
 - Discipline
 - School Safety/Liability
 - Complaint Procedures
 - Title IX
 - 504
 - Parent Issues
 - Student Records
 - Complaints
 - IEP Meetings

Summary

The firm should submit the following via email: a letter of interest containing general information on the firm; the firm’s brochure; resumes for key personnel and information regarding the law firm’s experience conducting similar business; and rates for work performed. The firm shall also submit a list of references from current clients as well as references from attorneys who have worked with the firm and would recommend the firm.

The Bristol Warren Regional School Committee intends to review all responses to this RFQ and interview one or more firms to assess qualifications. The Bristol Warren Regional School Committee will negotiate a scope of services and a fee proposal with the selected firm. The Bristol Warren Regional School Committee will evaluate and select the firm based on qualifications, experience and performance with similar projects, references, ability to provide timely services, awareness of project issues, opportunities and constraints, and estimated fees and expenses. The selected firm must be able to meet all municipal, state, and federal affirmative action and equal employment opportunity practices and guidelines.

The District does not expressly state or imply any obligation to reimburse responding firms for any expenses incurred in preparing submissions in response to this request. The District reserves the right to reject any or all submissions, to select a firm in a manner that is advantageous to the District and to waive all formalities in this request.

The Bristol Warren Regional School District is proud to be an equal employment opportunity employer.

Please address any questions related to this RFQ by January 22, 2024 4:00 p.m to:

Nichola Piper (nicky.piper@sc.bwrsd.org) & Adam McGovern (adam.mcGovern@sc.bwrsd.org)