

OHIO SCHOOL BOARDS ASSOCIATION'S LEGAL ASSISTANCE FUND

MEMBERSHIP INFORMATION

What is the Legal Assistance Fund?

The Legal Assistance Fund (LAF) is a trust fund established to benefit Ohio school districts. Member districts contribute a small sum annually. The collective power of the small contributions becomes quite significant.

What is its purpose?

The LAF operates much like OSBA's legislative lobbying efforts, but in the courts instead of the General Assembly. While our lobbyists try to get favorable laws enacted, the LAF tries to achieve favorable interpretations of those laws from the courts.

What are the benefits to my district?

The most important benefit is favorable judicial decisions. Even if the lawsuit involves another school district, that favorable judicial precedent can have a great positive impact in your district. The LAF may offer direct assistance to your district if it is involved in a lawsuit of statewide significance. Your school district will receive quarterly reports of recent Ohio school law developments via the *School Law Summary*.

How does it work?

Boards may request assistance by adopting a resolution and completing an application request for assistance. Once OSBA receives the application and resolution, the LAF trustees will review applications and decide which cases are worthy of assistance. They use two criteria: 1) Is there a significant legal issues involved in the case? 2) Is the issue of statewide significance to all boards of education?

What types of assistance are provided?

A district may receive:

- direct financial assistance to pay for part of its litigation expenses,
- legal counsel consultation paid for by the LAF to assist the board of education's attorneys,
- a friend-of-the-court brief paid for by the LAF to argue the board's position to the court,
- a combination of the above.

Has the LAF been successful?

Since 1977, the LAF has contributed more than \$1,194,000 toward this program of assistance for boards of education in more than 277 lawsuits. The LAF has dealt with such important and diverse subjects as sovereign immunity, employee nonrenewal, partial strikes and board liability.

What does it cost?

All districts pay only \$250 per year.

How big is the LAF?

The LAF was formed in 1977 with just 55 districts participating. By 2009, the number of participating districts has increased to 491.

How do we join?

The board of education should adopt a resolution, such as the one below:

Whereas, the _____ Board of Education wishes to support the efforts of other boards of education to obtain favorable judicial decisions, and

Whereas the Ohio School Boards Association Legal Assistance Fund has been established for this purpose,

Therefore, the Board hereby resolves to participate in the OSBA LAF for calendar year ____ and authorizes the treasurer to pay to the LAF \$250.

For additional information about the LAF, call (614) 540-4000 or (800) 589-OSBA or write to us at: OSBA Legal Division, 8050 N. High St., Suite 100, Columbus, Ohio 43235