

7. NEW BUSINESS

7.3. APPOINT LEGAL COUNSEL AND AUTHORIZATION TO APPROVE LEGAL SERVICES AGREEMENT

Lead Staff: Lori Suddick, President

Funding Source: FY26 budget

Background: Pursuant to Board Policy 115, the Board shall annually, by July 1, appoint legal counsel, who, by the direction of the Board, will act as its counsel on legal and related matters. Since 1974, the Board has retained the legal counsel and related legal services of Robbins Schwartz.

Legal counsel and related legal services include the following:

- Provide legal counsel, advice and representation to the Board of Trustees, the President and the College Leadership Team (CLT);
- Coordinate and review legal representation of the College's other private legal counsel (i.e. insurance defense counsel);
- Represent the College on various legal matters and litigation;
- Direct litigation activities and transactional matters, overseeing attorneys engaged in legal areas of litigation, employment/personnel, labor, transactional and legislative matters;
- Provide procurement and contract review (i.e., competitive bid, request for proposals, bid disputes, construction, professional services and facility use agreements) and assist with negotiations, as necessary;
- Provide advice and representation in matters relating to real estate, labor and employee relations, employment including FMLA/ADA/Workers Compensation related issues, collective bargaining, Title IX, Title 504, personal injury defense, board policies, board protocols, administrative procedures and intellectual property matters;
- Provide ongoing guidance for compliance with the Open Meetings Act (OMA) and responses to Freedom of Information Act (FOIA) requests;
- Work with College risk management on matters of litigation to identify and analyze loss exposures and maintain appropriate financial reserves to ensure adequate funding of acknowledged liabilities;
- Provide legal counsel, guidance and policy analysis to ensure that the College decisions and actions comply with federal, state and local law; and
- Robbins Schwartz also offers many complimentary resources throughout the year, including virtual conferences, webinars, and publications.

Recommendation: It is recommended that the Board of Trustees appoint Robbins Schwartz, Ltd. as legal counsel and approve a one-year, non-exclusive legal services contract with Robbins Schwartz, Ltd. of Chicago, IL in a not-to-exceed amount of \$450,000.00.