



TO: Framingham School Finance Subcommittee
FROM: Lincoln Lynch IV, Executive Director of Finance and Operations
DATE: October 10, 2022
RE: Legal Services Update

Below is a short abstract that identifies the law firms with whom our district works with. The selection of these law firms predates Dr. Tremblay’s tenure as Superintendent in Framingham as well as the vast majority of sitting School Committee members. In compliance with MGL and School Committee Policy, each firm was hired by an action of a previous School Committee. Only the Superintendent, School Committee Chair, or their designees (currently the Assistant Superintendent for Human Resources, Executive Director of Finance and Operations, Administrative Assistant to the Superintendent, and Administrative Assistant to the School Committee), are eligible to make requests to legal counsel. This administrative process is also consistent with guidance from the Massachusetts Association of School Committees (MASC), “Access to your attorney is a matter that each school committee should authorize with care. Often the attorney is a lawyer in private practice whom the school committee will retain on a fee basis. Unmanaged access to legal counsel can result in additional professional expenses. For that reason, someone must manage access to the attorney. MASC recommends that school committees direct members to go through the chair before receiving authorization to call the board attorney.”

Law firm: Morgan, Brown & Joy
Specialty: Collective Bargaining and Human Resources/Personnel Matters
Hourly Rate: \$225.00

In 2012 the Framingham School Committee selected Morgan, Brown & Joy, LLP (MBJ) as the law firm to provide the essential support for negotiations with our six bargaining units (Teachers [Unit A], Administrators [Unit B], Custodial and Maintenance Personnel [Unit C], Food Services Personnel [Unit N], Secretaries/Administrative Assistants [Unit S], and Paraprofessionals [Unit T]). Additional Authorized Framingham Public Schools Point(s) of Contact: Inna London, Assistant Superintendent for Human Resources (or the Associate Director for Talent Growth and Human Resources, as directed). MBJ’s scope also has them providing counsel to the Human Resources Department on a variety of areas outside of collective bargaining, including but not limited to state and federal laws, policies, procedures, etc. as they relate to employment law.

Additional Authorized Framingham Public Schools Point(s) of Contact: Superintendent of Schools or designee, Assistant Superintendent for Human Resources or designee

OFFICE OF FINANCE & OPERATIONS | 19 Flagg Drive, Framingham, MA 01702

Dr. Robert A. Tremblay, Superintendent
Lincoln Lynch IV, Executive Director

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Law firm: Benjamin & White, P.C

Specialty: Special Education/General School Matters

Hourly Rate: \$220.00

Benjamin & White, P.C. has been our legal representative for Special Education and general school matters for over thirty years. This firm is very experienced with special education law and given their work with the district for more than three decades, they have tremendous institutional knowledge on school and district operations.

Additional Authorized Framingham Public Schools Point(s) of Contact: Superintendent of Schools or designee, Director of Special Education (or the Assistant Director of Special Education, as directed)

Law firm: Petrini & Associates, P.C.

Specialty: Local Governance

Hourly Rate: \$225.00

Petrini & Associates, P.C. provide legal guidance on matters related to local governance since 2001 in their role as Town Counsel and now as City Solicitor. Their scope of work relates to the Public Records Law, the Open Meeting Law, Ethics Law, review of School Committee policies, procurement, general municipal legal questions, and interpretation of the Framingham Home Rule Charter and local bylaws as they relate to the School Department.

Additional Authorized Framingham Public Schools Point(s) of Contact: Superintendent of Schools or designee, School Committee Policy Subcommittee Chair or designee, Assistant Superintendent for Human Resources or designee and the Executive Director of Finance and Operations or designee

Law firm: Michael Joyce

Specialty: Title IX

Hourly Rate: \$215.00

Recommendation: A favorable vote by the School Committee to allow the District to use Michael Joyce's legal services as it related to Title IX.

Michael J. Joyce is a former public school teacher and currently an attorney with Nuttall, MacAvoy & Joyce, P.C. specializing in Title IX as it pertains to K-12 schools. Title IX law is an ever-changing legal maze that requires very specialized knowledge of the law, and more so experience with Title IX-related complaints, investigations, findings, and appeals.

Additional Authorized Framingham Public Schools Point(s) of Contact: Superintendent of Schools or Designee, Assistant Superintendent for Equity, Diversity and Community Engagement or designee, Assistant Superintendent for Human Resources or designee

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Law firm: City of Framingham Solicitor

Specialty: Local Governance

Hourly Rate: N/A, City Employee

Recommendation: A favorable vote by the School Committee to allow the District to use the City Solicitor's services for advice and determinations on legal governance for any new matters. The District will continue to use Petrini and Associates for any outstanding matters that are currently being worked on by this firm.

Framingham's City Solicitor will provide legal guidance on matters related to local governance. The scope of work relates to but is not limited to the Public Records Law, the Open Meeting Law, Ethics Law, review of School Committee policies, procurement, general municipal legal questions, and interpretation of the Framingham Home Rule Charter and local bylaws as they relate to the School Department.

Additional Authorized Framingham Public Schools Point(s) of Contact: Superintendent of Schools or Designee, Assistant Superintendent for Equity, Diversity and Community Engagement or designee, Assistant Superintendent for Human Resources or designee