

## **IPA Policy Manual**

### **Chapter 4 – Membership**

#### 4.2 Legal Assistance Program

##### Purpose:

The Legal Assistance Program (LAP) of the Illinois Principals Association was established to provide financial assistance to active members who are involved in due process or job related legal actions or other situations where the member is an interested party.

##### How to Obtain Assistance:

The IPA General Counsel is available to consult with members, give legal interpretations and make suggestions for an appropriate course of action. The IPA General Counsel will not, as an employee of IPA, represent individual members in court or other related proceedings. Should outside counsel become necessary, the IPA General Counsel will provide attorney referrals.

##### Guidelines for Financial Assistance:

1. The individual seeking assistance must be a regular, active member of the IPA in good standing and must have been a member in good standing at the time the legal issue arose.
2. The decision to retain outside counsel must be a joint decision by the IPA and the member. The IPA is not financially responsible for legal fees incurred prior to such a joint agreement.
3. A member must show that the school district or other party took affirmative steps to threaten the member, the member's position or job related benefits.
4. LAP covers only hourly services of a licensed attorney.
5. Only legal fees that arise out of approved cases and are the personal responsibility of the member are subject to reimbursement. Members must show proof of payment to their attorney in order for reimbursement to be issued.
6. Excluded from the LAP shall be claims for or arising out of the following:

- a. Criminal proceedings or actions, unless the member is found not guilty;
- b. Any allegation of sexual harassment or abuse unless, (1) in a criminal suit the member is found not guilty, or (2) in a civil suit the member prevails in defending the suit;
- c. Situations in which the defense of the member is the legal responsibility of another party;
- d. Bargaining unit negotiations;
- e. Member initiated lawsuits, except as approved by the Board of Directors;
- f. Fines, penalties, punitive or exemplary damages of any kind;
- g. The reoccurrence of matters for which LAP has already provided reimbursement. (This does not include the reoccurrence of matters before a different tribunal or decision making body); and
- h. Other factors as determined by the Executive Director.

Amount of Assistance Available:

- 1. Each member is entitled to up to \$500.00 in legal assistance, except that the IPA shall not pay more than one-half of the member's total legal costs. Such payments will be made at the discretion of the Executive Director upon presentation of an invoice from an Illinois licensed attorney.
- 2. An additional amount of up to \$500.00 may be approved by the IPA Board of Directors, if requested in writing by the member. Payment of this additional amount shall be made only in cases where the Board of Directors determines that the outcome of the case may have a positive value to other IPA members.
- 4. In all cases, the member is responsible for paying his or her legal fees. LAP will make all reimbursements payable to the individual member.
- 5. The IPA reserves the right to cancel or otherwise limit the LAP program, with or without notice, should financial resources become depleted.

Appeal of Decisions:

The IPA's Executive Director is authorized to interpret all rules and regulations of the LAP, including which members are eligible for financial assistance. Members who

disagree with a decision of the Executive Director may appeal such decision to the IPA' s Board of Directors. All decisions of the Executive Board are final.

Adopted: October 14, 2007