

# PREFACE

This legal audit publication is a product of many years of thought and reflection on issues and laws facing college administrators and legal counsel. My first endeavor into developing a legal audit occurred in 1981 with the publishing of A Legal Inventory for Independent Colleges and Universities by the Center for Constitutional Studies, Notre Dame University. Subsequently, I published an article in Lex Collegii on the legal audit.

Throughout the years, I have had the opportunity to undertake legal audits of colleges and universities and to work with college decision makers and legal counsel on the compliance with, implementation, interpretation, and execution of government mandates and policies. Recently, Nicholas Trott Long and I held many conversations about compliance obligations and legal audits for colleges and universities. We decided to develop a comprehensive legal audit instrument and the result is Strategic Legal Planning: The College and University Legal Audit.

Many people contributed to this legal audit publication. I would particularly like to thank the organizations from whom we obtained permission to reprint certain documents: the United Educators' Insurance Risk Retention Group, Inc. and Laura Kumin, its General Counsel, and the Association of Governing Boards of Universities and Colleges.

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Nicholas Trott Long was for many years the General Counsel to the University of Rhode Island, Rhode Island College, and the Community College of Rhode Island. He currently serves as counsel to the Rhode Island Commissioner of Higher Education and maintains a private practice devoted almost exclusively to representing schools, colleges and universities, and other non-profit institutions. He has developed a unique electronic policy guide system that brings together all institutional policies and procedures in an easy-to-locate-and-access process available in either a word processing or internet format.

Long has conducted legal audits for private and public educational institutions across the United States. He is the author of the affirmative action and nondiscrimination sections in Legal Deskbook for Administrators of College and University Attorneys (2nd Edition), several professional articles, and is a regular contributor to *The Trustee's Letter*, a journal for independent secondary school trustees. He is a graduate of Cornell University and Columbia University School of Law.

Kent M. Weeks, a practicing attorney with the law firm of Weeks, Anderson & Baker of Nashville, Tennessee has a distinguished professional career as a teacher, administrator, lawyer, and author. A Fulbright Scholar, Weeks earned degrees from The College of Wooster, University of New Zealand, Duke University, and Ph.D. from Case Western Reserve University. He edited two volumes for the Center for Constitutional Studies that have had singular impact on the independent sector: A Legal Inventory for Independent Colleges and Universities and Legal Deskbook for Administrators of Independent Colleges and Universities (2nd Edition).

He is a Professor of the Practice of Education at Vanderbilt University and has written several books and more than 41 articles and papers for scholarly journals. He currently edits Lex Collegii, a legal newsletter for independent colleges and universities. In

addition to this legal audit, Weeks has authored other publications addressing particular topics—student affairs; faculty evaluation; record retention; managing departments; student and staff handbook policies; faculty employment policies; admissions; and federal law compliance—relevant to college decision makers.

Weeks has consulted with colleges throughout the United States and serves as legal counsel to several colleges and educational associations. He has participated in and directed more than 150 seminars and workshops for college administrators, faculty and trustees and has addressed many higher education organizations, associations, and legal groups. Weeks is a member of the National Association of Independent Colleges and Universities Legal Services panel.