

The Wake County Board of Education will enter into contracts for legal service to the school system, including both legal advice and representation in litigation. The attorney serves at the pleasure of the Board and is compensated as provided in a written contract between the Board and the attorney. Any attorney retained by the Board or the superintendent through school system funds represents the legal entity of the school system and not any individual Board member or administrator.

The attorney will be required to attend only such Board meetings or other meetings where her/his services may be needed. The superintendent may consult with the Board attorney as needed to carry out administrative operations and to protect the Board and school system from liability. Staff members who need legal advice on school problems should make their requests to the Superintendent or the Superintendent's designees **or as otherwise may be provided by procedures established by the Superintendent**. The Board attorney shall be responsible for and authorized to address and resolve criminal bail bond and vehicle forfeiture matters in district and superior court.

The chairperson of the Board and superintendent normally will decide when to seek legal advice or assistance on school matters.

The Superintendent, in consultation with the Board attorney and Board Chair, may employ additional legal counsel when specialized services, not otherwise available through the Board attorney, are needed or if a conflict of interest arises. Fees will be set in a written agreement upon retaining specialized counsel. The fee determined shall not exceed \$25,000 per year without prior approval of the Board.

Legal References: G.S. 15A-544.5, -544.8; 115C-36

Adopted: March 15, 2016

Revised: