

## **BOARD ATTORNEY**

Policy Code:

**2610**

As needed, the board will enter into contracts for legal service to the school system, including both legal advice and representation in litigation. 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 board attorney will resolve all criminal bond forfeiture matters on behalf of the board.

Comment [JW01]: PLS update

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. Other staff may consult with the board attorney ~~following procedures established~~ as determined appropriate by the superintendent.

Comment [JW02]: PLS update

The ~~chairperson of the~~ board normally will decide ~~for board members~~ when to seek legal advice or assistance on school matters on behalf of the board; however, — if an individual member of the board desires to consult directly with the attorney, the board member may do so. must notify the chairperson of the legal information to be sought. If it is determined that legal assistance is necessary and has not been sought previously for this matter, the board member will be directed to consult individually with the attorney. Questions raised by members of the board and the attorney's replies will be reported to all board members by the board attorney at the next regularly scheduled board meeting. The chairperson of a board committee also may consult with the board attorney on issues that arise out of and in connection with the committee's work. The inquiry and response will be reported to all board members by the board attorney at the next regularly scheduled board meeting.

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

Comment [JW03]: PLS update

Cross References:

Adopted: December 15, 2014

Revised: [DATE]