

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 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 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 board normally will decide 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. 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

Cross References:

Adopted: December 15, 2014

Revised: May 11, 2015