Policy BDG General Counsel

Issued 1/14

Purpose: To establish the basic structure for the board's need for and relationship ~~with its staff attorney and outside~~ legal ~~counsel~~ counselors, including General Counsel.

The board recognizes that the increasing complexity of school district operations requires the frequent procurement of legal services. Consequently, the board hereby authorizes the creation and maintenance of the position of General Counsel. The District's retention of General Counsel ~~The general counsel's contract~~ shall be approved by the Board, and ~~they~~ the General Counsel shall represent and advise the Board and the district administration on legal matters involving the business of the district.

~~In addition to that position, the administration may retain one or more persons as outside counsel to provide legal services for the Charleston County School District. The Superintendent and~~ General Counsel shall ~~obtain board approval to engage counsel for the purpose of initiating any litigation~~ advise the administration regarding the need to retain outside counsel to provide legal services for the Charleston County School District and will report the retention of outside counsel to the Board on a quarterly basis. The superintendent and General Counsel shall obtain board approval to engage outside counsel for the purpose of initiating any litigation. The superintendent is authorized to communicate with both General Counsel and ~~with~~ outside counsel~~,~~ and is authorized to require all employees of Charleston County School District to cooperate in all legal matters and provide information and documents as requested.

General Counsel shall advise the administration with regard to the need to hire staff attorney(s) to provide legal services for the District. Any staff attorney hired will be an employee of the District and shall act as a liaison between the District and General Counsel and handle matters in collaboration with the General Counsel.

General Counsel shall not have any authority to hire or fire any CCSD employee or to authorize any payments by the District unless given specific authority by either the Superintendent or The Board.

General Counsel, or their designee, shall be responsible for reviewing and advising regarding the legality of all contracts entered in by the District involving greater than $250,000.

If needed, General Counsel or their designee will serve as the parliamentarian for regular and special called meetings.

In the event of a dispute between the board and superintendent, the general counsel may not represent the interests of either and, in such event, the superintendent shall authorize the hiring of outside counsel to represent the Board.

Periodically, upon request, but no less often than annually, ~~the~~ General Counsel shall report to the Board~~,~~ concerning the activities and expenses associated with that office.

Adopted 12/8/75; Revised 12/8/86, 11/11/91, 4/12/99, 7/26/04, 1/13/14, DRAFT (01/09/2023)

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