

GOVERNANCE POLICY GP-19

GENERAL COUNSEL, OUTSIDE LEGAL COUNSEL, AND BOARD COUNSEL

PURPOSE

The Board of Trustees (Board) recognizes that the complex legal environment in which the Clark County School District (District) operates requires reliable and dependable legal advice. The use of legal counsel is necessary to ensure compliance with state and federal laws and Board Policies, and to improve the operations of the District. This policy establishes the guidelines under which the District shall employ and utilize “in-house” legal counsel to represent the District, when the District may employ outside private legal counsel, and when the Board may employ “Board Counsel.”

POLICY

1. Office of the General Counsel

- a. The Office of the General Counsel is the legal representative for the District.
- b. The duties and responsibilities of the Office of the General Counsel include, but are not limited to:
 - i. Under the supervisory authority of the Superintendent, providing legal assistance and advice to the Superintendent and District staff regarding legal matters.
 - ii. Issuing written legal opinions on matters involving or affecting the District as requested by the Superintendent or members of the Executive Cabinet.
 - iii. Preparing, reviewing, and revising contracts, leases, and other legal documents.
 - iv. Handling litigation filed by or against the District.
 - v. Handling legal matters involving administrative agencies of the state and federal government, including, but not limited to, the Nevada Department of Education, the Nevada Equal Rights Commission (NERC), the U.S. Equal Employment Opportunity Commission (EEOC), and the U.S. Department of Education Office for Civil Rights (OCR).
 - vi. Providing legal guidance and opinion relating to the review, revision, and maintenance of District policies and the associated governing documents, including administrative regulations, procedures, handbooks, manuals, and forms.
 - vii. Working collaboratively with Board Counsel, whenever retained by the Board of Trustees, in regard to all duties and services to be rendered by Board Counsel.

- viii. Conducting legal and professional development training for District employees on substantive or procedural legal topics.
 - ix. The Office of the General Counsel shall not provide legal services to individual employees regarding personal matters.
 - 1) When deemed appropriate by the Superintendent, the Office of the General Counsel shall provide confidential legal advice to the Board in a gathering that is exempt from Nevada's Open Meeting Law.
 - x. The District, through the Office of the General Counsel, may retain outside legal counsel when deemed necessary and appropriate under the specific circumstances. Rates of outside legal counsel shall be approved by the Board.
2. Board Counsel.
- a. The Board of Trustees, by a vote of the majority, must hire or place on retainer board counsel. Board counsel represents the Board and shall not provide legal services to Trustees on private matters.
 - b. Only the Board of Trustees and the Superintendent's Liaison to the Board of Trustees may seek advice from or consult with the board counsel.
 - c. The Board of Trustees may use the board counsel to represent it at meetings of the Board of Trustees, and to advise the Board of Trustees as provided by written contract approved by the Board at an open, public meeting.

REVISION HISTORY

Date	Revision	Modification
05.07.26	1.0	Adopted