

<b>TOPEKA PUBLIC SCHOOLS</b>	<b>REGULATION NUMBER: 1030-01</b>
<b>SUBJECT:</b>  <b>LEGAL MATTERS</b>	<b>DATE OF ISSUE: 06/18/80</b>
	<b>REVISIONS: 08/01/96; 06/18/04; 04/06/06; 11/17/16; 07/12/19</b>
	<b>PREPARING OFFICE: SUPERINTENDENT</b>

- I. PURPOSE:**  
To establish the responsibility and outline procedures for the acquisition and use of legal counsel, both oral and written, and to establish an accounting procedure for expenses incurred in legal matters.
  
- II. ACQUISITION:**
  - A.** The superintendent, or in his/her absence, the superintendent’s designee, the deputy superintendent, and the school district attorney will have the responsibility of being the contact individuals to obtain the services of outside legal counsel.
  
  - B.** No other administrator should make direct contact with any attorney at law unless permission is received from any one of the individuals in II-A.
  
  - C.** If a legal opinion is needed in writing, it will be the responsibility of the school district attorney to place the request in writing to the appropriate outside legal representative. The school district attorney shall maintain an official Legal Interpretations file.
  
  - D.** Upon receiving a requested legal opinion, the school district attorney will forward copies to the superintendent. The school district attorney, in consultation with the superintendent, will determine who shall receive copies.
  
- III. USE OF LEGAL INTERPRETATIONS:**
  - A.** Information from outside legal counsel, whether oral or in writing, may be released to other individuals by the superintendent or school district attorney.
  
  - B.** Before using any dated legal opinion as supportive information, a check should always be made to be sure recent legislation or other legal interpretations have not rendered the opinion invalid.
  
- IV. FEES FOR LEGAL SERVICES:**  
Unless otherwise approved by the superintendent, fees for the services of outside legal counsel shall be the retained attorney’s normal hourly rate for local government clients, plus expenses and costs. All bills for outside legal services shall be itemized and submitted monthly.

**V. ACCOUNTING:**

The school district attorney shall receive and review all bills for outside legal services and approve them for payment. Requisitions for payment of attorney's fees should be countersigned by the superintendent or the superintendent's designee.

**VI. No employee should provide information, written or verbal, to any claimant, complainant in an administrative case or plaintiff in a civil action or said person's attorney or an investigator employed by said person or attorney unless authorized to do so in writing, by the superintendent, school district attorney or by outside legal counsel retained by the school district to prosecute or defend the claim, complaint or civil action.**

**VII. COURT DECISIONS:**

The official file of court action and decisions will be kept in the files of the school district attorney.

**VIII. ARBITRATION DECISIONS:**

The official file of arbitration decisions of grievances will be kept in the Human Resources Department as a permanent file and in the files of the school district attorney.