

WALSH, ANDERSON,
BROWN, ALDRIDGE
& GALLEGOS, P.C.
ATTORNEYS AT LAW
CELEBRATING **25** YEARS OF SERVICE



February 2, 2009

VIA REGULAR MAIL
Mr. Robert Westbrook
Superintendent
Brackett ISD
P.O. Box 586
Brackettville, Texas 78832-0586

RE: Renewal of Membership in Independent Retainer Program

Dear Mr. Westbrook:

In addition to the monthly billing statement, enclosed please find the annual billing statement for membership in our Independent Retainer Program. The Walsh Anderson retainer program provides a valuable service to the District, and we look forward to the District's continued membership in the program. The cost of the program is \$1,000 per year. Benefits of the program include:

1. FREE TELEPHONE CONSULTATION: The law firm provides unlimited telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director or designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 8 free hours of telephone consultation. That is a \$1,800 value in telephone calls alone! Call us whenever the District has a question or concern about general school law matters or special education law. As a retainer client, the District has exclusive access to the statewide toll-free telephone numbers for calls to the law firm. Before making decisions with legal consequences, call any of our offices toll-free at the following numbers to speak with a Walsh Anderson attorney:

- Austin – (800) 252-3405
- Brownsville – (877) 541-6555
- Irving – (800) 231-4207
- McAllen – (866) 770-6864
- San Antonio – (800) 232-9169
- Albuquerque – (800) 771-6864

2. REDUCED RATES FOR ADDITIONAL LEGAL WORK: The District receives reduced hourly rates for additional work that goes beyond the general telephone consultations. Under the Retainer Program, the District receives reduced rates for additional work such as performing legal research, drafting opinion letters, and representing the District in adversarial matters. Though the hourly rates are reduced for retainer clients, any expenses incurred by the law firm in providing such additional work are charged.

Centennial Towers, 505 E. Huntland Dr., #600, Austin, TX 78752 MAIL : P.O. Box 2156, Austin, TX 78768

T : 512 454 6864 F : 512 467 9318 www.WalshAnderson.com

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3. FREE SUBSCRIPTIONS TO FIRM PUBLICATIONS: As a member of the Retainer Program, the District receives free subscriptions to both of the firm's newsletters: (1) the informative bi-monthly newsletter "*Time Out with Walsh Anderson*" that provides timely reminders and practical suggestions about general education law issues arising throughout the school year; and (2) the monthly publication "*This Just In*" which addresses legal issues specific to the special needs of students with disabilities.

4. E-MAIL UPDATES: As another benefit of the Retainer Program, Walsh Anderson sends periodic e-mail updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates, averaging more than one per month, address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District. In 2007 we sent over 12 updates on a variety of topics. In 2008 we have sent updates regarding:

- District Trustee elections.
- Nonrenewal and termination of employment contracts.
- Creating a growth or improvement plan for contract employees.
- A favorable Fifth Circuit Court of Appeals ruling concerning the False Claims Act that affects multiple Districts across the state.
- A three-part series on the procedures for holding tax rollback elections.
- Information on the new local policies regarding grievances and complaints prepared by the Texas Association of School Boards.
- Responding to proposed new regulations from the Department of Education regarding procedures for removing students from special education programs.
- A pending lawsuit regarding teacher pay and attendance requirements outside the "school year."
- An Attorney General ruling regarding release of criminal background information.
- Training requirements for new and current Board members.
- New Title IX guidance from the U.S. Department of Education.
- Changes to ADA/504.
- Department of Education final regulations regarding parent revocation of consent.

Don't let your District personnel miss our next update! Please review the attached list of e-mail addresses you previously provided to us and update the list if necessary.

5. REDUCED RATES ON ALL WALSH ANDERSON INSERVICES: Our Retainer Program members also receive reduced rates on all inservices and legal training programs. Our up-to-date training programs are presented by attorneys with firsthand experience and knowledge about the current legal issues confronting Texas school districts. Our retainer clients also receive priority scheduling for inservice training.

I am pleased that the District has been a member of our Independent Retainer Program. I hope the District will continue with its membership. We look forward to receiving your updated e-mail list and signed contract. Please note that the enclosed Legal Services Retainer Agreement must be signed by an authorized trustee or employee. Consult your local policies to see if they

Mr. Robert Westbrook

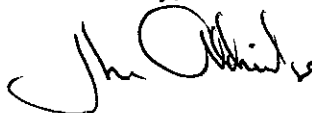
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specify who is authorized to approve and sign an agreement retaining legal counsel for the District. Many Districts have adopted the Texas Association of School Boards' proposed Policy BDD (local) which requires approval of the agreement by the Board of Trustees. In the case of a special education cooperative or shared services arrangement, we suggest approval of this agreement by the Board of Trustees for the fiscal agent.

The law firm's retainer programs are designed to provide the District with excellent service and prompt responses to all questions. When considering decisions with legal consequences, call *any* Walsh Anderson attorney with questions and concerns regarding school law issues. As always, please call me with any questions, comments, or suggestions about how we can better serve the District. My toll-free number is (800) 252-3405.

Sincerely,



John S. Aldridge

JSA/nr

Enclosures

cc: (with contract and fee schedule only)
Mr. John Paul Schuster
Board President
Brackett ISD
P.O. Box 586
Brackettville, Texas 78832-0586

Mr. Westbrook - We've been honored to work with Brackett now for a number of years. My partner, Joe Hairston, enjoys his travels out your way. I hope you'll renew w/ us for another year of legal services. If you ever have concerns w/ our services, I trust that you will let me know. - John A