

**Special Education
Legal Fees**

The Board shall retain an attorney or attorneys, as necessary, to serve as the District's legal counsel and ~~representative~~~~representatives~~ in matters requiring legal services. Services to be performed and reasonable ~~fees and expenses~~~~compensation~~ to be paid by the ~~District~~~~Board~~ shall be set forth in ~~writing~~~~a written contract~~ between the Board and the attorney or attorneys.

~~Individual~~~~In accordance with the written contract, individual~~ Board members shall channel legal inquiries through the Superintendent, Board President, or Board's designee, as appropriate, when seeking advice or information from the District's legal counsel.

~~A staff request~~~~Staff shall submit requests~~ for legal advice from the District's legal counsel ~~must be submitted~~ through the Superintendent ~~or designee~~.

~~Advice from legal counsel shall be reported to the Board upon~~~~Upon~~ request of the Board or when deemed necessary by the Superintendent, ~~Board President, or Board's designee~~~~the Superintendent shall report advice from legal counsel~~.

~~The Board has established the following procedure for the payment of plaintiffs' legal fees associated with settlement of complaints related to special education through due process hearings and TEA mediations:~~

- ~~1. Payment of legal fees up to \$5,000 may be paid upon recommendation of the director of special education and the approval of the Superintendent.~~
- ~~2.1. Payment of legal fees above \$5,000 or more shall require specific approval from the Board.~~