



Western Nebraska
Community College

WCCA Board of Governors' Policy

Title:	Retention of Legal Counsel
Division:	Board of Governors
Reference:	Nebraska State Statutes §85-1510 and §85-1511
Number:	BP-109
Date of Approval:	October 16, 2024
Approval:	Karen S. Anderson, Chair, WCCA Board of Governors

Purpose

This policy establishes the Board of Governors ability to retain legal counsel for the Western Nebraska Community College.

Scope

This policy applies to the Board of Governors and Western Nebraska Community College, and its President and administration.

Definitions

Board or Board of Governors – The Western Community College Area Board of Governors.

Legal Counsel – Those attorneys or legal firms selected and retained by the Board of Governors to serve the legal interests of the College. No attorney, firm, or other entity can claim to represent the College in legal matters unless duly appointed to do so by the Board.

Policy

Western Nebraska Community College (WNCC) will meet its legal responsibilities and protect the interests of the College while supporting its employees and students in the fulfillment of the purpose and mission of the College.

Representation

The Board of Governors may retain legal counsel to advise and represent WNCC and its Board and/or administration upon request on any and all legal matters pertaining to the administration, management, and operation of the College.

The Board will not retain legal counsel to advise and represent WNCC, the Board, or the administration from any law firm with which any member of the Board of Governors serves as counsel, is an associate, or is in any other way affiliated.

Legal counsel will not represent the interests of any individual Board member except for occasions where the representation is related to WNCC business, claims, or litigation, as appropriate.

In addition, the College President and/or the Board, individually or as a body, may retain independent legal counsel to represent them in any litigation arising from the performance of their official duties on behalf of the College. Reasonable fees for such legal services, when rendered, shall be paid from College funds as authorized by the Board.

Authorized Contacts with Legal Counsel

The Chair of the Board of Governors, the College President, and those administrative staff authorized by the President are the designated representatives of the Board of Governors and WNCC that may confer with designated legal counsel. Other Board members and administrators shall channel their requests for legal services through the Board Chair or the President respectively, or secure authorization from them, before contacting counsel.

Revising this Policy

This Board Policy supersedes any prior WNCC policy, procedure, guideline, or handbook on this subject matter.

If statutory provisions, regulatory guidance, or court interpretations change or conflict with this Board Policy, the Board retains the right to revise accordingly and for the changes to take effect immediately.

Original Adoption Date (and Board of Governor’s Minutes Item Number): 1979

Revision Date (and Board of Governors’ Minutes Item Number):

Prior Policy Number:

460.0000.79 (Legal Counsel)

840.0100.79 (Retention of Legal Counsel)

Schedule for Review:

Divisions/Department Responsible for Review and Update: WCCA Board of Governors

Sponsoring Division/Department: WCCA Board of Governors

Repeal Date:

Cross Reference:

Procedure(s) for Policy: n/a

Related Policies/References: