

Action Item - 11

Board of Education Meeting Date: 6/26/2025

Title: Authorization to Engage Additional Outside Counsel Firms

Action Under Consideration:

The Administration recommends that the Board of Education ratify and authorize the retention and engagement of outside counsel by The School District of Philadelphia, through the General Counsel or her designee, on an as-needed basis, to supplement the list of approved outside counsel, with the following additional law firms to represent the Board of Education, The School District of Philadelphia, its present and former employees, and present and former members of the Board of Education and School Reform Commission, and to pay counsel fees and related costs and expenses, subject to funding, as follows:

Retention of and payment to the following additional firms:

Solow PLLC

Horst Krekstein and Runyon

Start Date: On or after 12/2/2024

End Date: 6/30/2026

Currently Authorized Compensation for all Outside Counsel Firms: All approved outside counsel firms may be paid out of the previously approved aggregate amount not to exceed \$18,000,000.

Additional Compensation: \$0

Total new compensation not to exceed: Unchanged. All approved outside counsel firms, including the additional firms, will be paid out of the previously approved total aggregate amount of \$18,000,000.

Renewal options: Yes, same as in original

Number of options to renew: 1

Duration of each option period: 2 years

Compensation per option period: All approved outside counsel firms, including these additional firms, will be paid out of a total not to exceed aggregate amount of \$12,000,000 during the two-year option period (FY27-FY29).

Location: Administrative Offices

Description:

The Office of General Counsel (OGC) attempts to handle as many matters in-house as possible and to reduce reliance and expenditures on outside counsel. OGC accordingly retains outside counsel only on an as-needed basis to represent the Board of Education and the School District, their current and former members and employees, and current and former members of the School Reform Commission. Periodically, additional firms are needed for purposes of new matters, expertise, conflict counsel, and other supplemental needs; and other firms may express interest in representing the School District. Additionally, when attorneys involved with School District matters transition between firms, a ratification may be necessary to avoid breaks in and enable seamless legal services in ongoing matters. While this authorization will provide a larger pool of available support, no additional compensation is requested, and all firms will be paid out of the aggregate spending amount the Board previously authorized. This action item seeks authorization to add to the pool of outside counsel firms approved by the Board for FY24-26. Supplementing the pool of qualified firms increases the District's access to counsel with various areas of expertise, resource, and technology capacity, and new and developing areas of law. No firm or lawyer is entitled to receive any District legal work, and OGC selects outside counsel on a case-by-case, as-needed basis.

Related Action Items:

March 23, 2023; No. 8

June 29, 2023; No. 30

May 30, 2024; No. 17

Funding Source: Operating

Office Originating Request:

General Counsel