



HAMILTON COUNTY DEPARTMENT OF EDUCATION
3074 Hickory Valley Road
Chattanooga, Tennessee 37421
423.209.8400

March 22, 2016

Re: Retention of outside investigator

Dear Ms. Bullard:

Pursuant to the decision of the Hamilton County Board of Education on March 17, 2016, this letter serves as your retainer on behalf of the Hamilton County Department of Education ("HCDE") with respect to the matter referenced below.

1. **Scope of Engagement.** Pursuant to this agreement, you will be responsible for conducting an independent review and for providing legal advice to HCDE as part of that review. As a part of that review, we understand that there may be a second attorney and a paralegal assigned to the matter to provide assistance, as necessary. It is our intention that your review be thorough and objective. Your review will be overseen by the attorney for the Hamilton County Board of Education, Scott Bennett. We will ask you to provide periodic reports to Mr. Bennett, and on occasion meet with the Board of Education to discuss your progress.

Your review should include the following:

- Assess the climate of the Ooltewah High School ("OHS") basketball program regarding the reporting and addressing of bullying, hazing and/or sexual harassment.
 - Review OHS and HCDE policies and procedures to determine where, if any, deficiencies in communication or conflicts in policy may exist with respect to bullying, hazing and/or sexual harassment.
 - Review training for student-athletes and OHS athletics staff to determine where, if any, deficiencies exist with respect to bullying, hazing and/or sexual harassment.
2. **Termination of Agreement.** While it is our expectation that this engagement will last through the course of this project, the Board of Education reserves the right to terminate this agreement with or without cause. In the case of termination, the Board will pay for all work performed in accordance with this agreement.
 3. **Billing.** In accordance with our discussions, the Board will pay Spears, Moore, Rebman & Williams, PC ("Spears Moore") at its usual and customary rates for attorneys or paralegals as of the date of this letter with a discounted governmental rate. You should utilize as appropriate less expensive resources within your office to provide this representation to reduce the overall cost to the Board. Your current rate is \$200 an hour. A second attorney staffed to this matter

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will be billed at \$175 hour, paralegals at \$85 an hour. The Board will also pay reasonable expenses in connection with your services. Invoices are to be sent to Mr. Bennett, who will review and approve them for payment.

4. Conflict of Interest. As a condition of this representation, Spears Moore will adhere to all applicable conflict of interest rules.

Enclosed are two (2) originals of this agreement. Please sign and date each agreement and return one original to me at the above address.

We very much appreciate working with you and your colleagues on this important matter.

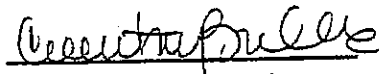
Sincerely,


Dr. Kirk Kelly, Acting Superintendent of Schools


Dr. Lee McDade, Acting Superintendent of Schools

I agree to the above terms of representation.

Spears, Moore, Rebman & Williams, PC

By: 
Courtney H. Bullard

Date: 3.22.16

cc: Dr. Jonathan Welch, HCDE Board Chairman
Scott Bennett, Attorney for the Board of Education