

BYLAWS OF THE BOARD**Attorney**

The Governing Board recognizes the complex legal environment in which school districts operate and desires reliable, dependable legal advice. The Board also supports collaborative legal efforts with other agencies and districts in order to promote the district's interests.

The Board may use the county counsel, district attorney, or private attorneys to meet the needs of the district.

The district's legal counsel may:

1. Render legal advice to the Board and the Superintendent or designee.
2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings.
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures.
4. Perform other administrative duties as assigned by the Board and Superintendent or designee.

The Superintendent may confer with the district's legal counsel at his/her discretion. He/She shall provide the Board with desired legal information when so directed by a member of the Board. The Board President may also confer with the district's legal counsel. Other board members may contact the district's legal counsel with the Board President's advance approval, the authorization of the majority of the Board, or at the recommendation of the Superintendent. The Board or Superintendent may request that the District's legal counsel attend either open or closed session of any duly posted meeting of the Board to provide legal counsel to the Board.

(cf. 9000 - Role of the Board (Powers and Responsibilities)

(cf. 9200 - Members (Limits of Authority))

(cf. 9321 - Closed Session Purposes and Agendas)

Legal Reference: Education Code
35041 Administrative adviser

35041.5 Legal counsel: Relieving duties of county counsel and
district attorney

35204 Contract with attorney in private practice

35205 Contract for legal services

Government Code

814-895.8 Liability of public entities and public employees

995-996.6 Defense of public employees

26520 Legal services to school districts

26522 Services re school bond issue

Policy

Adopted: September 18, 2001

Revised Policy

Adopted: February 15, 2005