

Bylaws of the BoardAttorney

The Board of Education 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 legal counsel from the Office of the County Superintendent or private attorneys to meet the needs of the District to:

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.

**Contacting Legal Counsel**

At his/her discretion, the Board President or Superintendent may confer with District legal counsel subject to any limits or parameters established by the Board. In addition, the Superintendent or Board President may contact District legal counsel to provide the Board with legal information or advice when so directed by a majority of the Board.

Individual Board members other than the Board President may not seek advice from District legal counsel on matters of District business unless so authorized by a majority of the Board in open session.

Legal Reference:

EDUCATION CODE

35041 Administrative adviser

35041.5 Legal counsel

35161 Powers and duties of governing board

35200-35214 Liabilities

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

53060 Special services and advice