

ATTORNEY

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

The Board-appointed legal counsel may: (Education Code 35041.5)

1. Render legal advice to the Superintendent or designee, and the Board with majority vote.
2. Serve 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.

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

(cf. 9200 – Limits of Board Member 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