

BDG
SCHOOL ATTORNEY

Deleted: SCHOOL ATTORNEY

The Governing Board may choose to hire General Counsel for the District. The General Counsel is expected to represent, advise and assist the District's administration on a daily basis, but shall recognize that the position of General Counsel exists to represent the organization acting through its duly elected Governing Board. The General Counsel may communicate directly with the Governing Board.

The Governing Board and Superintendent will work together to develop a search and hiring process for the General Counsel position when needed. Compensation and purpose should be determined at the time of employment.

The Board President and Superintendent shall annually evaluate the performance of the General Counsel, after receiving input from each of the other Board members.

The Superintendent or Board member may confer with the District's General Counsel. The Superintendent, General Counsel and the President of the Board shall be designated as the representatives of the District who may confer with outside counsel.

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Deleted: The Board may direct the general counsel to retain outside counsel as necessary. In accordance with the District's Legal Representation Guidelines, the Superintendent or the District's general counsel shall have the authority to retain outside counsel on behalf of the District without Governing Board approval where legal services are not expected to exceed sixty thousand dollars (\$60,000). Compensation and purpose should be determined at the time of engagement. Where fees for legal services are expected to exceed sixty thousand dollars (\$60,000), Governing Board approval shall be required. The Superintendent shall further obtain Governing Board approval for every sixty thousand dollars (\$60,000) of legal expenses incurred thereafter.

Only the Superintendent, General Counsel or Board President may authorize Board members or staff to contact outside legal counsel regarding District matters. The District will not be responsible for fees that accrue because of unauthorized individual Board member or staff consultation with outside legal counsel.

Deleted: Except for requests by the Governing Board, all requests for legal advice should be made first to the District's general counsel.

The Governing Board retains the authority to terminate the employment of General Counsel, in compliance with applicable state laws, Board Policy and the General Counsel's employment contract.

Deleted: The Superintendent and the President of the Board shall be designated as the representatives of the District who may confer with outside counsel.

Adopted: April 14, 2015

Deleted: Copies of all written requests for opinions and opinions of outside counsel shall be furnished by the Superintendent to all Board members. Requests by individual Board members for opinions requiring research or substantial amounts of work (more than one [1] hour of time), to be performed by outside counsel shall be in writing when practicable and approved by the Board. Only the Superintendent or District general counsel may authorize contact with outside legal counsel by telephone or in person regarding matters pertaining to the day-to-day operation of the District. -

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Copies of all written requests for opinions and opinions of outside counsel shall be furnished by the Superintendent to all Board members. Requests by individual Board members for opinions requiring research or substantial amounts of work (more than one [1] hour of time), to be performed by outside counsel shall be in writing when practicable and approved by the Board. Only the Superintendent or District general counsel may authorize contact with outside legal counsel by telephone or in person regarding matters pertaining to the day-to-day operation of the District.

Where the Superintendent or any member of the Governing Board believes that it may necessary for the Governing Board to retain outside counsel, the matter shall be placed on a future Governing Board meeting agenda in accordance with Governing Board Policy BEDBA. The Governing Board shall decide whether to retain outside counsel, and if so, which firm to retain (subject to the requirements of the Arizona School District Procurement Code). The Governing Board will also establish a budget for legal fees, which shall not be exceeded without further approval from a majority of the Governing Board. The Governing Board President or the Governing Board President's designee shall serve as the contact person for legal counsel. Legal counsel shall make all reports, however, to the Governing Board as a whole, which will also direct the strategy to be taken by legal counsel