

**Burlington School District Policy
B 12: SCHOOL ATTORNEY**

Former Policy BCG

The Board will appoint an attorney or law firm to advise and represent the District. The rate of compensation and the terms of such representation shall be as negotiated between the Board and the legal firm. The Board reserves the right at any time for any reason to terminate its relationship with its appointed attorney and to appoint another attorney/law firm in his/her or its place.

The school attorney will be the chief legal advisor for the district. Without restricting the generality of the foregoing, it is his/her responsibility to:

1. Be present as requested at meetings of the Board and its committee.
2. Advise the Board when requested to do so on legal matters, by the chairperson or his/her designee, or by a majority of the Board.
3. Advise the Board and Superintendent on points of law where the rights and liabilities of the district may be affected.
4. Prepare and/or approve all contracts, agreements, legal instruments and substantive policy changes required in the ordinary course of district affairs as determined by the Superintendent and/or the Board.
5. Prosecute legal actions brought by the Board and defend legal actions brought against the Board.

Legal counsel may be consulted by the Superintendent or Board Chair and their designee(s) in order to promote the orderly functioning of the School District.

Legal Counsel will provide the Board with a log of contact with counsel on a monthly basis.

It shall be the responsibility of the Board's attorney to call to the attention of the Superintendent and the Board at the earliest possible moment any situation that will either create or create the appearance of a conflict of interest between the Board and its attorney. In such cases, there shall be full disclosure to the Board of the nature and extent of the real or apparent conflict of interest. The Board reserves the right to have a conflict of interest handled by an attorney or law firm different than its chief legal advisor if it should determine it to be in the best interest of the Board to do so.

Legal counsel shall also advise the Board at the earliest possible date concerning situations in which it is believed that separate/additional counsel should be secured to represent the interests of either the Board and/or the case being advanced by department administrators.

The fee for all legal services outlined in this policy will be borne by the Board.

Policy reviews and updates:

May 7, 1992	Policy Revised
February 14, 1995	Policy Revised
June 18, 1997	Policy reviewed
August 26, 1998	Policy reviewed
June 20, 2006	Policy reviewed
July 11, 2006	First Reading
August 8, 2006	Second Reading & Adoption
February 14, 2012	Policy reviewed