

BOARD OF DIRECTORS' LEGAL COUNSEL

It is the responsibility of the Board to employ legal counsel to assist the Board and the administration in carrying out their duties with respect to the numerous legal issues confronting the school district. The Board may appoint legal counsel at its annual meeting. In addition, special counsel may be appointed for collective bargaining and employee relations.

The attorneys shall represent the Board of Education in any District-related legal proceeding or whenever the Board or its members are named defendants in legal actions that result from actions taken by the Board, an individual Board member or an employee or a volunteer in the performance of the duties and responsibilities vested in them by the laws of the State of Iowa and the policies of the District.

The Superintendent, Board Secretary, or members of the administrative staff as approved by the Superintendent, will have the authority to contact the Board's legal counsel on behalf of the Board when such contact is believed necessary for the management of the school district. The Board President may contact and seek advice from the School Board's legal counsel. The Board's legal counsel will attend both regular and special school board meetings upon request. Board members may contact the Board's legal counsel upon approval of a majority of the Board. It is the responsibility of each Board member to pay the legal fees, if any, of an attorney the Board member consulted regarding matters of the school district unless the Board has authorized the Board member to consult an attorney on the matter.

It is the responsibility of the Superintendent to keep the Board informed of matters for which legal counsel was consulted, particularly if the legal services involved unusual expense for the school district.

Legal Ref.: Bishop v. Iowa State Board of Public Instruction, 395 N.W.2d 888 (Iowa 1986).
Iowa Code § 279.37.

Cross Ref.: 100.1 School District Legal Status

ADOPTED: 11/14/83
2/12/90
4/26/93
3/8/99
5/8/23
1/27/25

MODIFIED: 1/10/05

Reviewed: 11/92, 2/5/99, 9/5/02, 12/2/04, 10/1/09, 3/6/14, 11/1/18, 4/6/23, 12/5/24