

Board of Education Policy

SCHOOL ATTORNEY

The Board of Education will appoint a School Attorney for the district. The Attorney must be admitted to the bar of New York State. The Attorney will be the legal advisor to the Board. In that capacity, the Attorney's duties shall include, but not be limited to, the following:

1. To advise the Board with respect to all legal matters relating to the district, including, but not limited to, interpretation of the Education Law of the State of New York, and all other statutes, rules or regulations affecting the district and to take such action as the Board may authorize;
2. To be easily accessible to the Board President and Board members, the District Clerk, the District Treasurer and the Superintendent of Schools (and, at the discretion of the Superintendent, to his/her administrative staff), during business hours, with respect to legal matters arising out of the day-to-day administration of the district;
3. To be available to attend the regular monthly meetings of the Board, additional special meetings of the Board as may be necessary, general information or taxpayers meetings as discussed by the Board, annual district meetings, and special district meetings;
4. To prepare all legal notices and resolutions in connection with district (taxpayers) meetings;
5. To review and to represent the district in the preparation of contracts, as requested by the district (other than purchase orders usually issued for the purchase of goods, equipment and services) and all matters dealing with the acquisition of property, including taking of options, purchases or condemnations;
6. To advise and assist in matters of litigation pursuant to the retainer agreement;
7. To review the legality of all policies or regulations to be adopted by the Board;
8. To review and advise with respect to any legal papers served upon the district;
9. To recommend the retaining of special counsel as he or she may deem necessary in the circumstances, subject to the approval of the Board;
10. To submit periodic progress reports to the Superintendent on pending legal matters, as well as written legal opinions when required;
11. To keep informed of pending legislation relative to schools.

The School Attorney shall be retained pursuant to a written retainer agreement.

Reference: General Municipal Law §104-b

Adopted: 06/25/2008

Reviewed: 01/27/2016 04/27/2022

Revised: 02/24/2016 05/25/2022