

BOARD ATTORNEY

The attorney for the Old Tappan Board of Education shall be retained as the attorney for legal counsel and service in the affairs of the District.

The Board attorney shall be appointed at the annual organization meeting by a majority of those present and voting.

The Board President, Superintendent and Business Administrator/Board Secretary may contact the attorney on Board and District issues as required. Others may contact the attorney at the Board President's or Superintendent's discretion. The Board retains the right to limit contacts at any time and/or to limit the discretion of the Board President.

The district shall minimize the cost of legal services by establishing in the budget a maximum annual amount for such services. The board shall be notified if it becomes necessary to exceed the maximum appropriated for legal services and, upon notification, may adopt an increase in the amount through formal board action.

Procedures shall be established to ensure the prudent use of legal services by employees and board of education members and to track the use of such services. If the district's annual legal cost per pupil exceeds 130 percent of the statewide average per pupil cost, the district shall ensure that its established procedures (see board regulation 9126-R) provide for adequate control of costs as delineated in the applicable code or provide evidence that such measures would not result in a reduction of costs.

Contracts for legal services shall conform to New Jersey statutes. Payment requirements and restrictions shall:

- A. Prohibit advance payments;
- B. Require that services provided be described in detail in the contract;
- C. Require that invoices for payment itemize the services provided for that billing period;
- D. Require that payment only be for services actually provided.

The attorney shall:

- A. Represent the board in legal proceedings;
- B. Give a written opinion on legal questions when requested;
- C. Attend board meetings, conferences and other meetings as requested by the board, superintendent or board president
- D. Fulfill such other legal duties as the board may assign.

Nothing herein shall preclude the Board of Education from employing other attorneys.

BOARD ATTORNEY (continued)

Legal References: N.J.S.A. 18A:16-1 Officers and employees in general
N.J.S.A. 18A:16-6 Indemnity of officers and employees against
civil actions
N.J.A.C. 6A:23A-5.2 Professional services; efficiency
Koribanics v. Clifton Bd. of Ed., 48 N.J. 1 (1966)
Perella v. Jersey City Bd. of Ed., 51 N.J. 323 (1968)
Taylor v. Hoboken Bd. of Ed., 187 N.J. Super 546 (app. Div. 1983) Rev. 9/98

Cross References: 9322.1 Organization Meeting

Key Words

Board Attorney, Use of Board Attorney, Organization Meeting

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