

**JAMES BAY LOWLANDS
SECONDARY SCHOOL BOARD**

**BOARD GOVERNANCE POLICY
NO. GOV-33**

Date Adopted	October 24, 2018
Last Revised	
Board Motion	5598-10-18

LEGAL SERVICES

1. PURPOSE

As members of the corporate Board, trustees are legally accountable to the public for the collective decisions of the Board and for the delivery and quality of educational services.

The James Bay Lowlands Secondary School Board has developed this policy to delegate authority to seek legal assistance and to set out expectations for use of that assistance.

2. GUIDING PRINCIPLES

The James Bay Lowlands Secondary School Board is committed to effective stewardship of its resources and managing the resources entrusted to it in a manner that upholds public confidence. [*Education Act, Duties and Powers of Boards; paragraphs 169.1 (1) and (5)*]

3. POLICY

- 3.1 The Board of trustees recognizes its obligation to discharge its duties and responsibilities and to conduct its affairs in a legitimate manner and with due consideration to statutory requirements.
- 3.2 Further, the Board acknowledges its responsibility to safeguard the interests and rights of its ratepayers and employees insofar as such have been entrusted to the Board by statute.
- 3.3 The Board also realizes that from time to time it may be essential or advisable in the effective operation of the school system to seek the assistance and services of legal counsel.
- 3.4 Therefore the Board of trustees empowers the supervisory officer to obtain legal assistance as and when, in his or her professional judgment, such is required.

4. BOARD EXPECTATIONS

- 4.1 All matters requiring referral to a solicitor, or to a firm of solicitors, must be approved by the supervisory officer or designate, or by the Board before referral is sought.

- 4.2 A solicitor or firm of solicitors is to be selected on the basis of their expertise and specialization in conjunction with the need at hand.
- 4.3 Any solicitor or firm of solicitors so engaged will be recompensed on a fee-for-service basis.
- 4.4 The Board further empowers the supervisory officer to authorize the securing, at Board expense, of adequate legal counsel to advise the Board and its employees when, in the performance of their duties, they are dealing in matters governed by the *Statutory Powers Procedures Act*.

REFERENCE DOCUMENTS

Legal:

Education Act, paragraphs 169.1 (1) and (5): Duties and Powers of Boards: Effective stewardship of resources; managing resources; upholding public confidence
Education Act, paragraph 171 (1)18: Powers of Boards: May pay legal costs of trustees and employees under specific conditions
Statutory Powers Procedures Act.

Board:

Board Policy GOV-01 Values, Vision, and Mission
Board Policy GOV-02 Role of the Corporate Board
Board Policy GOV-03 Role of the Supervisory Officer
Board Policy GOV-04 Delegation of Authority
Board Policy GOV-10 Complaint Resolution
Board Policy GOV-12 Conflict of Interest: Trustees and Staff
Board Policy GOV-21 Appeals and Hearings Regarding Student Discipline
Board Policy GOV-28 Hearings on Termination of Principal/Vice-Principal Employment
Board Policy GOV-29 Hearings on Termination of Teacher Employment
Board Policy GOV-37 Security: Property Damage, Theft, Break-In