
SCHOOL DISTRICT NO. 36 (SURREY)

No. 7245.1

REGULATION: LEGAL ASSISTANCE

Where an administrator or manager believes legal assistance is required arising from the discharge of the duties of the position which is beyond the scope of coverage provided by the school district's insurance coverage, the administrator or manager shall:

1. Meet with the Deputy Superintendent and review the details of the issue.
2. Where the Deputy Superintendent believes, after whatever investigation or legal advice which is considered necessary, that legal assistance would be appropriate and that the expenditure of public funds would be justified, the Deputy Superintendent will prepare a report for the Superintendent of Schools who will consider the report and any recommendations of the Deputy Superintendent and the Superintendent will decide whether or not to provide legal assistance and the extent and basis of any such assistance. The Superintendent may establish conditions on the provision of legal assistance and may choose to refer the matter to the Board for a decisions.
3. The legal assistance may include the provision of assistance in the following circumstances:
 - the preparation of victim impact statements;
 - communications with the Police, Crown Counsel, Defense Counsel or the Media;
 - application for victim's compensation;
 - preparation for civil proceedings in which the administrator or manager is called as a witness.

Legal assistance may also include legal advice associated with the commencement of a civil action but would not include the legal fees and disbursements associated with such an action without the approval of the Board and subject to paragraph 5 herein.

4. The decision of the Board or Superintendent will be communicated to the administrator or manager through the Deputy Superintendent.
5. If the administrator or manager is successful in obtaining compensation by advancing a civil claim, the Board may require reimbursement for the legal costs, taxes, and disbursements incurred by the Board in the support of the employee's civil claim. The monies reimbursed to the Board are not to exceed the lesser of the actual disbursements by the Board on behalf of the employee or the total compensation awarded the employee in the civil action.

Adopted: 1999-10-21
