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Boards of Education - Attorneys
Expenses - Funds

City Board of Education may reimburse its attorney for attending seminars, fees for membership in educational organizations and subscriptions to journals and periodicals provided such expenditures are approved in advance and are uniquely related to education.

Dear Mr. Sweeney:

Reference is made to the request of the Board of Education of the City of Fairfield for an opinion from the Attorney General regarding certain expenditures by that Board.

The City Board of Education specifically questioned whether they could reimburse their attorney for the following costs and expenses:

- "1. Costs and expenses in attending seminars.

Honorable Donald B. Sweeney, Jr.
Attorney at Law
Page Two

2. Costs and expenses in joining organizations that would assist the attorney for the board of education to advise the board on legal developments.

3. Costs and expenses in subscribing to journals and periodicals relating to legal problems of the board."

It is inherent in the right of a Board of Education to employ an attorney to aid the attorney in performing his duties for the Board. Furthermore, the Attorney General recognizes the need for attorneys of a Board of Education to be knowledgeable of legal developments affecting public education. However, the reimbursements to the attorney for expenses incurred for aids in performing his duties for the Board must be first authorized by the Board and such expenses must be paid only for those aids directly related to education.

Therefore, in answer to your question, it is the opinion of the Attorney General that a Board of Education may reimburse its attorney for the costs and expenses of attending seminars, fees for membership in organizations and subscriptions to journals and periodicals provided such expenditures are approved by the Board of Education in advance and provided the seminars, organization memberships or the periodicals are uniquely related to education.

All prior opinions to the contrary are hereby overruled.

Honorable Donald B. Sweeney, Jr.
Attorney at Law
Page Three

I hope that your question has been sufficiently answered.

If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
Attorney General

By:


LYNDA F. KNIGHT
Assistant Attorney General

LFK/dn