

BOARD OF EDUCATION
SAN DIEGO UNIFIED SCHOOL DISTRICT
SAN DIEGO, CALIFORNIA

Resolution in the Matter of Delegation of)
Authority to Issue Subpoenas for Expulsion)
Hearings to the Office of General Counsel)

RESOLUTION

WHEREAS, Education Code Section 35161 provides that the Board of Education may delegate to any officer of the District any power it may have under law; and

WHEREAS, Education Code Section 48918(i) provides that the Board of Education may issue subpoenas for the attendance of a percipient witness at the request of the Superintendent or the Superintendent's designee or the pupil in an expulsion hearing; and

WHEREAS, in the interests of accomplishing its duty in a timely manner, a member of the Board of Education may be unavailable to issue a subpoena prior to an expulsion hearing, and

WHEREAS, the Board of Education desires to delegate its authority to issue subpoenas to the Office of General Counsel.

NOW, THEREFORE, BE IT RESOLVED that the District's General Counsel and Deputy General Counsel are hereby authorized to issue subpoenas for the attendance of a percipient witness at the request of the Superintendent or the Superintendent's designee or the pupil in an expulsion hearing.

PASSED AND ADOPTED by the Board of Education of the SAN DIEGO UNIFIED SCHOOL DISTRICT, San Diego, CALIFORNIA, at a public meeting thereof duly called and held this 26th day of June 2007, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

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STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

I, Cheryl Ward, Board Action Officer of the Board of Education, SAN DIEGO UNIFIED SCHOOL DISTRICT, San Diego, California, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by said Board at a meeting thereof held at its regular place of meeting at the time and by the vote above stated, which Resolution is on file in the office of said Board.

Board Action Officer, Board of Education
San Diego Unified School District

TAB:dmh