

SAN DIEGO UNIFIED SCHOOL DISTRICT

POSITION DESCRIPTION

TITLE:	Assistant General Counsel, Special Education	REPORTS TO:	General Counsel
DEPARTMENT:	Office of General Counsel	CLASSIFICATION:	Classified Management
FLSA:	Exempt	SALARY GRADE:	032
ISSUE DATE:	April 27, 2004		

BASIC FUNCTION:

Provide legal counsel and representation for the Board of Education, the Superintendent, and staff on District matters in the area of special education law as directed by, and subject to the supervision of the General Counsel. Prepare and render legal opinions concerning District powers, functions, jurisdiction and procedures; appear before federal, state and local legislative bodies to present the District's position on District issues pending before those legislative bodies. Plan, organize, direct, and monitor due process and mediation services for parents of exceptional children; provide technical assistance, monitoring of program processes and communication between district staff and other agencies.

REPRESENTATIVE DUTIES:

Prepare and conduct special education litigation and administrative law hearings as assigned by the General Counsel; perform duties necessary in conjunction therewith on behalf of the District, including the preparation of pleadings and trial and appellate briefs, negotiation between parties, the conduct of trial and hearings at the level of original jurisdiction or on appeal, and other court or hearing appearances in order to represent most effectively the interests of the District. *E*

Prepare and render legal opinions concerning District powers, functions, jurisdiction and procedures in the area of special education law and provide other legal, quasi-legal and research services to the Board of Education, the Superintendent and District administrative staff. *E*

Provide legal assistance in the drafting of legal documents, rules and regulations, resolutions, applications of diverse kinds, and other legal or quasi-legal papers upon request in the area of special education law; approve such writings as to legality and form. *E*

Represent the District in hearings and proceedings before state hearing and mediation officers, Office of Civil Rights, and State Department of Education; assist in the implementation and interpretation, write and review procedures and policies regarding special education programs. *E*

Provide legal assistance in the drafting of State legislation proposed by the District for presentation to the California State Legislature or the United States Congress. *E*

Conduct major litigation involving the District as directed by the General Counsel. *E*

Appear before federal, State and local legislative bodies to present the District position on District issues pending before those legislative bodies; provide required information to State. *E*

Attend and provide legal advice at meetings of the Board of Education, ad hoc committees established by the Board, citizen committees and other meetings as directed by the General Counsel. *E*

Participate in in-service education programs for benefit of administrative and teaching personnel including seminars and conferences with Principals, Vice Principals, counselors and teachers, as requested by the General Counsel. *E*

Supervise the activities of law student interns from accredited law schools in the San Diego area who are assigned to the office of General Counsel under clinical legal experience programs for which law school credit is received. *E*

Plan, organize, direct, and monitor due process and mediation services for parents of exceptional children; provide technical assistance, monitoring of program processes and communication between district staff and other agencies. *E*

Contact site administrators, teachers, and other appropriate staff concerning program needs for individuals with exceptional needs. *E*

Provide technical assistance to district staff and other regarding compliance issues and corrective action recommendations for state offices for special education programs and the Office of Civil Rights. *E*

Investigate and respond to alleged complaints filed by parents and others with the California Department of Education and the Office of Civil Rights regarding special education program issues. *E*

Ensure maintenance of confidential and accurate records related to due process, hearings and mediations; prepare a variety of reports and statistical data.

Maintain knowledge of federal and state mandates related to special education pupil rights and other matters concerning due process and mediation services; interpret and explain these to district staff, parents and others. *E*

Review existing legislation related to special education guidelines and district policies; recommend origination, modification, or support of legislative measures. *E*

Assist in orientation and inservice of staff; plan and coordinate staff and program development activities related to special education; develop policies and procedures for due process and mediation services. *E*

Select, assign, train, and evaluate performance of assigned staff. *E*

Perform related duties as assigned.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: degree from an accredited school of law and four years of experience in the public or private practice of law, including litigation and administrative hearings, dealing with legal problems of local, State or federal governmental agencies and experience in special education law is required.

LICENSES AND OTHER REQUIREMENTS:

License to practice law in the State and federal courts of California.
Valid California driver's license.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Legal matters related to public school districts.
Current education laws and regulations regarding district legal matters.
Modern office practices, procedures and equipment.
Record-keeping techniques.
Oral and written communication skills.
Public speaking techniques.
Applicable laws, codes, regulation, policies and procedures.
Interpersonal skills using tact, patience and courtesy.
Technical aspects of field of specialty.
Principles and practices of administration, supervision and training

ABILITY TO:

Process and file due process claims and other litigation.
Provide legal advice to staff.
Communicate effectively both orally and in writing.
Prepare and deliver oral presentations.
Establish and maintain cooperative and effective working relationships with others.
Compile and verify data and prepare reports.
Learn District organization, operations, policies and objectives.
Maintain current knowledge of program rules, regulations, requirements and restrictions.
Meet schedules and time lines.
Maintain records and reports.
Train and evaluate performance of assigned staff.
Analyze situations accurately and adopt an effective course of action.
Read, interpret, apply, and explain rules, regulations, policies, and procedures.

WORKING CONDITIONS:

ENVIRONMENT:

Office and courtroom environment; driving a vehicle to conduct work.

PHYSICAL ABILITIES:

Hearing and speaking to exchange information in person and on the telephone; seeing to read, prepare and proofread documents, perform assigned duties; sitting or standing for extended periods of time; dexterity of hands and fingers to operate a computer keyboard and other office equipment; kneeling bending at the waist, and reaching overhead, above the shoulders and horizontally, to retrieve and store files and supplies; lifting light objects.

Issued: 4/27/04
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JB