

SAN DIEGO UNIFIED SCHOOL DISTRICT

POSITION DESCRIPTION

TITLE:	Assistant General Counsel II	REPORTS TO:	General Counsel
DEPARTMENT:	Legal Services	CLASSIFICATION:	Classified Management
FLSA:	Exempt	SALARY GRADE:	044
EFFECTIVE DATE:	July 1, 2012		

BASIC FUNCTION:

Provide legal counsel and representation for the Board of Education, the Superintendent of Schools and staff on District matters as directed by, and subject to the supervision of the General Counsel and/or Deputy 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 position on District issues pending before those legislative bodies; conduct litigation in state and federal courts and administrative tribunals throughout the state.

REPRESENTATIVE DUTIES:

Conduct of complex litigation and administrative law hearings as assigned by the General Counsel and/or Deputy General Counsel; perform duties necessary in conjunction therewith, including preparing and responding to pleadings, motions, and discovery in state and/or federal courts and/or administrative matters; negotiating settlements on behalf of the District; conducting trials, administrative hearings and motion hearings at the level of original jurisdiction or on appeal; and attending a variety of other court or administrative hearings to represent most effectively the interests of the District. *E*

Prepare and render legal opinions concerning District powers, functions, jurisdiction and procedures 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; approve such writings as to legality and form. *E*

Represent the District in collective bargaining activities, including negotiating collective bargaining agreements; conduct grievance arbitrations and participate in settlement negotiations related same; represent the District in administrative hearings and/or litigated matters arising from collective bargaining agreements. *E*

Provide legal advice and guidance to Human Resources staff and other staff regarding employee rights and obligations and disciplinary matters; provide trainings on legal issues and avoidance of liability; assist in preparing draft charges and other associated documents for certificated and classified disciplinary actions to be presented for approval to the Board of Education; represent the District in contested disciplinary and other related hearings. *E*

Write, review and approve contracts and other such legal instruments, State and federal grant application agreements, agreements for real estate transaction and professional service agreements; advise and represent District staff in connection with same. *E*

Provide advice to staff in connection with education and special education matters; represent the District in administrative hearings relative to same. *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 of write and review

procedures and policies regarding zero-tolerance and student discipline policies; communicate with Section 504 officer to assure compliance with Board adopted policies. *E*

Provide legal assistance in drafting of State legislation proposed by the District for presentation to the California State Legislature or the United States Congress 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. Conduct major litigation involving the District as directed by the General Counsel. *E*

Provide legal assistance and advice to the District regarding management and oversight of Charter Schools; review applications and other material submitted for petition to assure compliance with applicable legal and District laws rules and regulations; provide legal assistance in the development of Charter School policies and procedures. *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. Serve as the General Counsel in the absence of both the General Counsel and Deputy General Counsel. *E*

Serve as liaison to outside counsel retained to represent the District on matters handled in connection with Risk Management; provide input and guidance to Risk Management personnel as needed. *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; provide training to District staff on legal and quasi-legal matters as directed by the General Counsel and/or Deputy 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* Provide direction to Assistant General Counsel I and Associate General Counsel as needed.

Perform related duties as assigned.

EDUCATION AND EXPERIENCE:

A Juris Doctor degree from an accredited school of law and a minimum of six (6) years of experience in the public or private practice of law representing local, State and/or federal public agencies. Specific experience in school law is required.

LICENSES AND OTHER REQUIREMENTS:

License to practice law in the State and admission (or eligibility for admission) to the federal courts of California. Valid California driver's license.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- Comprehensive knowledge of legal matters related to public school districts, including public employment and public contracting;
- Current education laws and regulations regarding district legal matters, including pertinent administrative laws.
- Modern office practices, procedures, equipment and record keeping techniques
- Public speaking techniques.
- Interpersonal skills using tact, patience and courtesy.

ABILITY TO:

- Independently handle complex legal matters with minimal direction
- Process and file liability claims
- Conduct administrative hearings, trials and motion hearings and appeals
- Provide legal advice to the Board of Education and staff
- Prepare and review contracts, leases and other legal documents.
- Communicate effectively both orally and in writing.
- Establish and maintain cooperative and effective working relationships with others.
- Compile and verify data and prepare reports.
- Maintain current knowledge of program rules, regulations, requirements and restrictions.

Meet schedules and time lines.

WORKING CONDITIONS:

ENVIRONMENT:

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

PHYSICAL ABILITIES:

Dexterity of hands and fingers required to operate a computer keyboard; work involves sitting or standing for extended periods of time; hearing and speaking to exchange information and make presentations; seeing to read and write reports.

Issued: 11.06.12

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