

SAN DIEGO UNIFIED SCHOOL DISTRICT

POSITION DESCRIPTION

TITLE:	Deputy General Counsel and Chief Labor Relations Counsel	REPORTS TO:	General Counsel
DEPARTMENT:	Legal Services	CLASSIFICATION:	Classified Management
FLSA:	Exempt	WORK YEAR:	12-Month
EFFECTIVE DATE:	July 1, 2012	SALARY:	054

BASIC FUNCTION:

Assists the General Counsel in directing the operations of the Legal Services Division, with significant responsibility for departmental management; serves as primary point of contract for senior District staff requiring assistance from Legal Services; assumes the duties of the General Counsel in case of absence; prepares and conducts major litigation and administrative law hearings;; provides legal counsel and representation for the Board of Education, the Superintendent of Schools and District staff on a broad range of legal matters; represents the interests of the District in proceedings before various state administrative agencies; supervises and evaluates the performance of legal and support staff; assesses District processes and procedures for compliance with law; coordinates interface between Legal Services and other District departments; advises and counsels the Labor Relations Office; oversees handling of Government Code claims in coordination with Risk Management, wage claims and public records requests; assists the General Counsel in developing and implementing strategic plans for improvement and effectiveness of legal services including quality of legal advice and control of costs; provides oversight of the activities of District outside counsel and review of outside counsel costs; prepares legal documents including contracts, resolutions, policies and memoranda of understanding; represents the District in collective bargaining and provides advice and direction to District departments as to implementation of contractual and statutory labor obligations.

REPRESENTATIVE DUTIES:

Prepare and conduct litigation and administrative law hearings on behalf of the District; perform duties necessary in conjunction therewith, including development of strategy and legal theories, preparation of pleadings and trial and appellate briefs, conduct of settlement negotiations 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 as such interests are interpreted by the Superintendent and/or Board of Education; supervise Legal Services staff performing such duties. *E*

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

Prepare and render legal opinions concerning District powers, functions, jurisdiction and procedures; 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 such as 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*

Prepare and render legal options upon request to the Board of Education, the Superintendent and District administrative staff. *E*

Provide technical expertise, information and assistance to the Board of Education and the Superintendent regarding District functions; assist in the formulation and development of policies, procedures and programs; advise the Board of Education and the Superintendent of unusual trends or problems and recommend appropriate corrective action. *E*

Assist in planning, organizing and implementing long and short-term programs and activities designed to develop District programs and services; prepare and present trainings to District departments to reduce legal liability and increase efficiency; advise District on legal issues pertaining to staffing, training and budgeting for District programs, including use of restricted funds. *E*

Represent the District in collective bargaining activities, including advising and counseling the Labor Relations Office, serving on the District's bargaining team during negotiations, drafting and/or reviewing proposed contract language and providing advice to the Board of Education, the Superintendent and District staff on the impact of proposed contract language and the operation of agreed-upon language; represent the District in negotiations with collective bargaining units for resolution of grievances and grievance arbitrations filing and defending labor-related lawsuits. *E*

Provide significant legal and operational support to Human Resources and Labor Relations with respect to implementation of collective bargaining agreements, provide advice on legal issues pertaining to staffing and disciplinary issues; draft certificated and classified disciplinary actions for approval of Board of Education; represent the District in contested disciplinary and other related hearings. *E*

Write, negotiate, review and approve contracts for the District, including vendor contracts, construction contracts, State and federal grant application agreements, architectural and other outside consultant agreements, agreements for joint use and/or joint occupancy of property, lease and lease-financing agreements, and agreements for real estate transactions;

Advise on District bond-funded construction program, including proper use and management of funds, state reporting requirements and legal obligations; represent the District in matters before the State Allocation Board and the Office of Public School Construction; attend and provide legal counsel at meetings of the ICOC; represent the District in legal proceedings related to bond program work, including environmental and construction litigation, stop notices and bond issues; draft legal instruments for implementation of the District bond program. *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 related legislation; investigate and respond to Uniform Complaints; 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*

Coordinate and assist in directing and reviewing the activities of legal and support staff engaged in providing legal services to the District; provide case assignments to legal staff; supervise work by legal staff; provide peer review of legal opinions; assist the General Counsel in developing and implementing strategic plans for improvement and effectiveness of legal services. *E*

Provide legal assistance and advice to the District's Charter School Office; review applications and other material submitted by charter schools, including charter petitions, 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*

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; interpret the impact of legislation on the interest of the District as such legislation is being considered by Congress and the State legislature. *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; represent District in cases filed and pending before the Commission on State Mandates, including test claims and incorrect reduction claims. *E*

Assist to supervise periodic revision of the rules and regulations of the Board. *E*

Communicate with other administrators, personnel and outside organizations to coordinate activities and programs, resolve issues and conflicts and exchange information; develop policies and procedures to encourage effective and efficient management controls. *E*

Supervise and evaluate the performance of assigned staff and oversee training of non-lawyer personnel. *E*

Attend and conduct a variety of meetings as assigned; establish and maintain relations/membership with local, State, and federal agencies and associations to remain current on programs and issues that affect District legal services; present reports and initial finding. *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 Legal Services Division under clinical legal experience programs for which law school credit is received. *E*

Serve as the General Counsel in the absence of the General Counsel. *E*

Provide oversight of activities of District outside counsel. *E*

Perform related duties as assigned.

EDUCATION AND EXPERIENCE:

A combination of training, experience, and/or education equivalent to a doctorate (Juris Doctor) degree from an accredited school of law and seven (7) years of experience in the practice of law, including substantial responsible experience as counsel for a public jurisdiction dealing with legal problems of local, state or federal governmental agencies; experience in school 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:

Organizational development principles and practices.

Techniques and strategies for managing a large, diverse organization.
Applicable legal statutes, codes and procedures.
Methods and procedures required to provide legal and quasi-legal services to an administration and governing body in a public agency.
District, State and federal methodologies, procedures, and applicable laws, codes, and regulations.
Existing and pending legislation related to School District activities.
Oral and written communication skills.
Principles and practices of administration, supervision and training.
Applicable laws, codes, regulations, policies and procedures.
Interpersonal skills using tact, patience and courtesy.
Operation of a computer and assigned software.

ABILITY TO:

Provide leadership and direction in assigned functions.
Prepare and render legal opinions upon request to the Board of Education, the Superintendent and District administrative staff.
Prepare and conduct litigation and administrative law hearing as directed.
Train and evaluate the performance of assigned staff.
Provide leadership and direction to the District's professional legal counsel activities.
Prepare and render expert legal opinions and to represent the District as necessary in legal matters.
Determine the nature and scope of systems analyses or audits.
Review existing and pending legislation related to procedural guidelines and District policies.
Maintain current knowledge of applicable provisions of applicable federal, State and District laws, rules and regulations.
Communicate effectively both orally and in writing.
Interpret, apply and explain rules, regulations, policies and procedures.
Establish and maintain cooperative and effective working relationships with others.
Operate a computer and assigned office equipment.
Analyze situations accurately and adopt an effective course of action.
Meet schedules and time lines.
Work independently with little direction.
Plan and organize work.
Prepare comprehensive narrative and statistical reports.
Direct the maintenance of a variety of reports and files related to assigned activities.

WORKING CONDITIONS:

ENVIRONMENT:

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

PHYSICAL REQUIREMENTS:

Hearing and speaking to exchange information; seeing to read, prepare, and proofread documents; 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.