



PERSONNEL COMMISSION

Class Code: 5308
Salary Range: 68 (M2)

SENIOR ASSOCIATE GENERAL COUNSEL

JOB SUMMARY

Under the direction of General Counsel, serve as Lead Counsel and provide professional legal services and counsel to the School Support Services division in matters related to special education including compliance, resolution, mediation and due process; represent the District before a variety of administrative and legislative bodies; provide staff training and advice related to District's legal procedures and related matters; perform related duties as assigned.

EXAMPLES OF DUTIES

The classification specification does not describe all duties performed by all incumbents within the class. This summary provides examples of typical tasks performed in this classification.

- Serve as Lead Counsel and perform a variety of professional duties involved in providing a full range of legal services related to special education; effectively represent the District and assure compliance with applicable laws, codes, rules and regulations. **E**
- Confer with, advise, and render legal opinions for the District on areas of the law including, but not limited to, special education, student rights and responsibilities, student discipline, litigation and administrative hearings, federal appeals, the Americans with Disabilities Act, issues related to the Office of Civil Rights and Section 504 of the Rehabilitation Act, and other legal matters. **E**
- Coordinate and represent the District in due process proceedings including resolution sessions, mediations, prehearing conferences, and administrative hearings; develop related policies and procedures. **E**
- Represent the District and assure compliance with applicable laws, codes, rules, and regulations; review and interpret laws, regulations, legislation, and other guidelines. **E**
- Analyze proposed and existing legislative bills and subsequent amendments relating to special education; report recommendations to District administration. **E**
- Consult with and advise on legal matters and participate in the development of changes in administrative policy; anticipate legal effects of emerging programs and projects; assist special education administration with drafting rules, regulations, resolutions, agreements, legal forms, and other documents. **E**
- Prepare written opinions and conduct independent research concerning legal relationships, duties, obligations, and rights involving policies, programs, and projects related to special education; review, revise, and draft Board policies, agreements, and contracts as needed, and prepare a variety of legal documents. **E**

- Maintain and direct the preparation and maintenance of reports, records and files related to assigned activities; compile data and prepare detailed reports regarding assigned activities. *E*
- Serve as a resource and communicate with administrators, District personnel, and outside agencies to coordinate activities, resolve issues, and exchange information; discuss special education program needs with administrators, teachers and other appropriate staff. *E*
- Respond to filings, subpoenas and compliance complaints; compose legal memoranda, briefs, reports, correspondence and other related documents. *E*
- Attend and participate in a variety of meetings, conferences and trainings. *E*
- Maintain current knowledge of laws and regulations governing special education. *E*
- Develop and conduct staff development training workshops related to assigned activities for District personnel; conduct presentations as requested. *E*
- Evaluate cases as necessary, recommend and manage outside counsel when necessary. *E*
- Serve as legal advisor and representative for District staff in special legal matters arising out of the course and scope of their employment.; evaluate claims, provide legal advice, and participate in the negotiations of settlements as requested. *E*
- Operate a variety of office equipment including a computer and assigned software; drive a personal vehicle to conduct work. *E*
- Perform related duties as assigned.

Note: At the end of some of the duty statements there is an italicized "E" which identifies essential duties required of the classification. This is strictly for use in compliance with the Americans with Disabilities Act.

DISTINGUISHING CHARACTERISTICS

The Senior Associate General Counsel will serve as Lead Counsel and provide professional legal services and counsel to the District in matters related to special education including compliance, resolution, mediation and due process. An incumbent will coordinate the delivery of legal services related to special education and represent the District in due process proceedings including resolution sessions, mediations, prehearing conferences, and administrative hearings.

EMPLOYMENT STANDARDS

Knowledge of:

Legal concepts, terminology, principles and procedures.

Alternative Dispute Resolution (ADR) processes.

Rules of evidence and conduct of court proceedings.

Applicable legislation relating to public and special education including Individuals with Disabilities Education Act (IDEA), California Education Code, and Elementary and Secondary Education Act (ESEA).

State Bar of California Rules of Professional Conduct.

Methods and practices of legal research.

District organization, operations, policies and objectives.

Record-keeping and report preparation techniques.

Principles of administration, supervision and training.

Public speaking techniques.
Operation of a computer and assigned software.
Oral and written communication skills.
Interpersonal skills using tact, patience and courtesy.

Ability to:

Perform a variety of professional duties involved in providing a full range of legal services related to special education.
Coordinate and represent the District in due process proceedings and other legal hearings.
Develop administrative policies, procedures, rules, and regulations related to special education.
Process and file due process claims and other litigation.
Provide legal advice to staff.
Present statements of law, fact, and argument clearly and logically
Research legal issues and prepare sound legal opinions.
Communicate effectively both orally and in writing.
Prepare and deliver oral presentations.
Compile and verify data and prepare reports.
Compose a variety of legal correspondence and documents.
Interpret, apply and explain laws, codes, rules, regulations, policies and procedures.
Analyze situations accurately and adopt an effective course of action.
Direct the establishment and maintenance of records and files.
Prepare and deliver oral presentations.
Plan and organize work.
Maintain confidentiality of sensitive and privileged information.
Understand and work within scope of authority.
Operate a computer and assigned software.
Establish and maintain cooperative and effective working relationships.

Education and Training

Juris Doctorate degree from an accredited law school.

Experience

Seven (7) years of experience practicing law including some experience providing legal counsel to school districts, educational institutions, or public agencies.

Legal experience working or interning at a California school district is desired.

Experience as a teacher and/or administrator in a public school is desired.

Any other combination of training and/or experience that could likely provide the desired skills, knowledge or abilities may be considered.

SPECIAL REQUIREMENTS

Active membership and good standing in the State Bar of California throughout employment in this classification.

Positions in this class require the use of personal automobile and possession of a valid California class C Driver's license.

WORKING ENVIRONMENT

Office environment.
Driving a vehicle to conduct work.

PHYSICAL DEMANDS

Hearing and speaking to exchange information and make presentations.
Dexterity of hands and fingers to operate a computer keyboard.
Seeing to read a variety of materials.
Sitting for extended periods of time.

AMERICANS WITH DISABILITIES ACT

Persons with certain disabilities may be capable of performing the essential duties of this class with or without reasonable accommodation, depending on the nature of the disability.

APPOINTMENT

In accordance with Education Code Section 45301, an employee appointed to this class must serve a probationary period of one (1) year during which time an employee must demonstrate at least an overall satisfactory performance. Failure to do so shall result in the employee's termination.