



For the future of every student

CLASS TITLE: GENERAL COUNSEL

BASIC FUNCTION:

To provide professional legal services to the District. Employees in the classification receive administrative direction from the Superintendent. Incumbents of this job class are designated as Senior Management and do not achieve permanent status in the classification. Employees in this class may direct, supervise, and formally evaluate the work of technical/clerical support staff.

DISTINGUISHING CHARACTERISTICS:

This classification is designated as Senior Management pursuant to Education Code 45256.5 and does not provide incumbents with permanent status with the Ventura Unified School District.

REPRESENTATIVE DUTIES

ESSENTIAL FUNCTIONS:

Confer with, advise, and render legal opinions for the Ventura Unified School District on areas of the law including but not limited to labor and employment, employee discipline and termination, student rights and responsibilities, student discipline, special education and student disabilities, the Americans With Disabilities Act, real property, litigation and administrative hearings, Brown Act and public meetings, liability, property and real estate, issues related to the Office of Civil Rights, and other legal matters relating to the daily conduct of the District's business.

Remain current regarding development in school law. Review and interpret laws, regulations, legislation, rules and other guidelines and present the information to the District staff; recommend appropriate course of action based on analysis of applicable statutes.

Represent the District in administrative hearings and litigation, both trial and appellate, unless there is a conflict of interest or it has been determined by the Superintendent that the General Counsel should not perform this role. Evaluate cases and when necessary, recommend outside counsel if specific skills and/or expertise are needed and retaining legal specialists is needed.

Represent the District in mediation as needed.

Act as legal advisor and representative for District staff in legal matters arising out of the course and scope of their employment.

Act as legal advisor and representative for District management in situations of employee discipline. Represent the District in hearings and appeals related to employee discipline.

Review or draft agreements and contracts. Prepare a variety of legal documents.

Review, revise, and draft Board policies as needed.

Act as legal advisor and representative for the Board of Education, especially in the area of the Brown Act Public meeting law requirements, and attend all meetings of that body.

Conduct investigations concerning any matter at the direction of the Superintendent and prepare

documentation of the investigations.

Provide in-service training to staff as needed.

OTHER DUTIES:

Perform other, related duties as assigned.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

The canons of professional ethics of the American Bar Association and related provisions of the State of California Bar Association.

Legal principles and their application.

Rules of evidence and the conduct of court proceedings.

Legal research methods.

School law and precedents.

Special Education law and precedents.

Labor law, employment law, liability laws, OCR proceedings, laws and precedents related to school Merit Systems, property and real estate laws.

ABILITY TO:

Work independently and with little direction..

Analyze difficult and complex legal problems and arrive at sound recommendations based on the analysis.

Perform exhaustive legal research for principles of law, applicable statutes and cases in point.

Accumulate and determine material facts.

Present statements of fact and argue logically and clearly both orally and in writing.

View legal problems in the perspective of the many interrelated factors rather than as a single case.

Draft legal instruments and opinions and win the confidence and respect of the members of the legal profession, public officials and other persons contacted in the course of the work.

Advise the Board of Education on matters requiring legal interpretation and recommendation.

Advise the Personnel Commission as requested and appropriate in matters requiring legal interpretation and recommendation.

Represent the district in legal proceedings.

Establish and maintain effective and efficient working relationships.

Advise district management in areas of employee discipline.

Advise district staff in areas of parent or community complaints and student discipline.

Provide appropriate in-service for district staff relating to areas of legal concern.

Make appropriate classroom presentations as requested by teachers.

Review contracts and agreements for legality and areas of concern.

Review and interpret new and existing laws and legislation for impact on the school district.

Maintain regular and consistent attendance.

EDUCATION AND EXPERIENCE:

Graduation from an accredited law school and active membership in the California State Bar Association as well as any combination of experience and education which indicates the ability to meet the minimum qualifications detailed above. Typically, an incumbent in this position will have had extensive experience with school law related matters.

LICENSES AND OTHER REQUIREMENTS:

Must be duly and appropriately licensed to practice law in the State of California.

Active membership in the California State Bar.

A valid California Drivers License

WORKING CONDITIONS:

ENVIRONMENT:

Office environment.

Driving a vehicle to conduct work.

PHYSICAL DEMANDS:

Dexterity of hands and fingers to operate a computer keyboard.

Hearing and speaking to exchange information in person and on the telephone.

Sitting or standing for extended periods of time.

Seeing to read a variety of materials.

Bending at the waist, kneeling or crouching to file and retrieve materials.

Reaching overhead, above the shoulders and horizontally.

Approved by Personnel Commission: 06/19/1996

Revised: 02/16/2005

Revised: 09/17/2008