

**ST. MARY'S COUNTY PUBLIC SCHOOLS
SUPERVISORS AND ADMINISTRATORS POSITION DESCRIPTION**

CHIEF COUNSEL

POSITION: Chief Counsel

REPORTS TO: Superintendent of Schools

LOCATION: Office of the Superintendent

NATURE OF WORK:

The Chief Counsel is responsible for providing legal counsel to the Superintendent, the Superintendent's Cabinet, the Superintendent's Support Services Team, other staff as needed, and the Board of Education when requested. The Chief Counsel must possess knowledge of Constitutional law, Maryland law, knowledge of Maryland statutes and regulations pertaining to education and administration of schools, as well as the Board of Education of St. Mary's County policies and regulations.

ESSENTIAL FUNCTIONS:

- Ability to professionally relate to and collaborate with co-workers, students, and community members
- Ability to understand and maintain confidentiality
- Ability to use technology effectively to complete tasks
- Ability to report to work daily and on time
- Ability to organize, supervise, coordinate and establish priorities of tasks to be completed
- Ability to work independently in the absence of detailed instructions and to follow complex oral and/or written instructions
- Ability to communicate orally or in writing, courteously and tactfully, with staff, students, parents, and the community in a timely manner
- Ability to work under pressure
- Ability to oversee and provide direction to the designed department (personnel support for certificated and non-certificated employees)
- Ability to plan and implement short and long-range objectives which relate to the departmental and system-wide objectives
- Ability to lead, support the staff, and communicate professionally and effectively with internal and external stockholders
- Ability to demonstrate excellent leadership and organizational skills and the ability to motivate people
- Possess a high level of independent thinking, sound legal judgment, and critical decision making in all aspects of the job
- Possess excellent time management skills and ability to take initiative and make decisions within assigned responsibility in a challenging, fast-paced professional environment and be flexible in work responsibilities and hours
- Possess thorough knowledge of applicable Maryland laws, State Board of Education rules and regulations, Board of Education policies and regulations, regulations and procedures, and contractual obligations
- Possess knowledge of the programs, policies, and procedures of the St. Mary's County Public School System

DUTIES AND RESPONSIBILITIES:

- Serves as chief counsel to the Superintendent, school district administrators, and staff on school law, to include labor practices as well as certification issues
- Performs a range of legal and administrative guidance on all matters of school law, to include employment, labor, teacher certification, student, and special education issues
- Implements, administers, interprets, and advises on the negotiated agreement, grievance decisions, and arbitration processes as necessary
- Collaborates with Human Resources and other departments regarding disciplinary and due process procedures
- Researches, interprets, advises staff of legal matters involving Board policies and administrative regulations, educational law, federal, state, and county laws and regulations, Maryland State Board of Education (MSBE) Bylaws, negotiated agreements, and other contracts, instructional programs, and related functions and services of the school system
- Monitors, reviews, and comments on rules pending before the MSBE and other state agencies that pertain to school labor management and teacher certification
- Renders oral and written opinions to administrative and school staff for guidance on legal matters/issues; analyze legal controversies and recommends disposition
- Advises on Open Meetings Act and Freedom of Information Act compliance
- Participates in tenured teacher and employee dismissal hearings and procedures as needed
- Reviews pending legislation and court decisions as to their impact on the school system and advises the Superintendent and staff accordingly
- Conducts, coordinates, and documents a variety of workplace and school-based investigations of a confidential and sensitive nature when necessary
- Prepares and conducts litigation at all levels in the courts; handles appeals, and recommends settlement based on a professional evaluation of the nature and implications of the proceedings
- Reviews contracts and agreements and approves their legality as appropriate
- Works with and provides advice to school-based personnel on legal issues, including parent-child custody disputes, student discipline, subpoena responses, and complaint resolution
- Prepares and presents personnel and student cases before the Board
- Drafts agreements, leases, sale/purchase contracts in which the school system is a party
- Attends all Board of Education meetings and gives advice on legal implications of actions taken
- Advises administrators to ensure compliance with local, state, and federal employment and labor regulations (e.g., OSHA, EEO, FMLA, Workers' Compensation, ERISA, FLSA, and Wage & Hour)
- Manages legal matters and proceedings in cases involving student rights under special education and other federal laws, including mediation and due process proceedings
- Conducts pre-trial investigations, interviews witnesses, argues motions, prepares documents for the trial of cases; and tries cases as appropriate
- Discusses case results with the Superintendent and staff to evaluate and improve performance for future cases
- Drafts and reviews Board policies and regulations
- Advises the Superintendent of Schools and the Board in all contracts and negotiations
- Performs other related and non-related job duties as assigned

QUALIFICATIONS:

Required:

- Doctor of Law (JD) from an accredited school of law and admission to the Bar of the State of Maryland.
- Ten (10) years of professional experience as an attorney in court, administrative proceedings, and trials.

Preferred:

- Experience in employment law, arbitration, education law, and special education law

TERM OF EMPLOYMENT:

Full-time twelve-month position.

SALARY GRADE RANGE:

The salary for this EXEMPT position will be based on SMASA salary schedule for eleven and twelve-month employees – Range H.

BARGAINING UNIT ELIGIBILITY: Confidential – Exempt

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