MT. DIABLO UNIFIED SCHOOL DISTRICT

GENERAL COUNSEL

Primary Function

Employee shall serve as the General Counsel of the District. In this capacity, General Counsel shall be the chief legal officer for the Governing Board of the District, and shall represent or provide for the legal representation for that authority pursuant to Education Code section 35041.5 and as further agreed by General Counsel and the Governing Board. General Counsel shall plan, organize, manage, budget for, direct, staff and control the legal work of the District; represent the Governing Board in administrative, judicial and other forums and report to the Governing Board on legal matters of the District. General Counsel shall also supervise and evaluate the performance of assigned personnel and independent contractors.

Responsible to

The Governing Board and Superintendent with primary responsibility to the Governing Board.

Major Responsibilities

1. Advise the Governing Board and senior management staff of the District on the status of litigation matters.

2. Prepare and render legal opinions upon request of the Governing Board, the Superintendent and District administrative staff.

3. Attend and provide legal advice at meetings of the Governing Board.

4. Provide legal assistance in the drafting of legal documents, District correspondence, rules and regulations, resolutions, applications of diverse kinds and other legal or quasi-legal papers upon request.

5. Train and evaluate the performance of assigned staff; provide for continuing departmental staff training programs, analysis and related functions; develop work schedules; interview and select employees and recommend transfers, reassignment, termination and disciplinary actions.

6. Interpret the impact of legislation on the interests of the District.

7. Provide legal assistance with, and conduct periodic revision of the policies, rules and regulations of the Governing Board.

8. 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.

9. Develop, prepare and monitor the annual budget for the Legal Services of the District; analyze and review budgetary and financial data; control and authorize expenditures and resolved billing disputes in accordance with established limitations. Retain, review and terminate outside counsel.

10. Attend and conduct a variety of meetings; establish and maintain relations/membership with the local, state and federal agencies and associations to remain current on programs and issues that affect the District legal services.

11. Conduct legal research, interview clients and witnesses, gather evidence and handle other such details necessary for litigation and pre-trial preparation in all areas of the law pertaining to the District.

12. Appear and represent the District in state and Federal Court and before quasi-judicial or administrative agencies as needed.

13. Oversee, coordinate and consult with outside counsel regarding pre-trial discovery, pre-trial motions, legal briefs, arguments and testimony in preparation for presentation of case(s).

14. Draft and review legal documents including contracts and responses to administrative agency requests.

15. Respond to subpoenas and document requests as needed.

16. Represent the District in administrative hearings, unfair labor practice proceedings, arbitration hearings and certificated employee dismissal cases as needed.

17. Provide pre-litigation and pre-claim advice to minimize risk exposure and litigation.

18. Serve as a member of the Superintendent's Council.

19. Coordinate the District's Risk Management, Workers' Compensation and Health Benefits programs.

20. Assist in negotiating collective bargaining agreements with labor associations.

21. Perform related duties as assigned.

Training, Education and Experience

Any combination equivalent to: graduation from an accredited law school, a valid license to practice law in the State of California and ten years experience as a licensed attorney working for or with a public school district (K-12). Experience in risk management,

workers' compensation, benefits administration and investigation. Admission to practice before the United States District Court for the Northern District of California and the United States Court of Appeals for the Ninth Circuit.

Licenses and Other Requirements
Valid California driver's license.
Member of the California State Bar Association.

Knowledge and Abilities
KNOWLEDGE OF:

Education law.
Employment law.
Constitutional and Administrative law.
State and Federal Rules of Evidence.
Student discipline law.
Civil procedure and administrative hearing practice.
Special education law.
Research method and report writing techniques.
Methods and procedures required to provide legal and quasi-legal services to the administration and Governing Board.
Oral and written communication skills.
Interpersonal skills using tact, patience and courtesy.
Principles and practices of supervision and training.
Public speaking techniques.

ABILITY TO:

Prepare and render legal opinions upon request to the Governing Board and District administrative staff.
Prepare and prosecute cases.
Conduct investigations and prepare pleadings and briefs.
Train and evaluate the performance of assigned staff.
Conduct legal research.
Manage and evaluate work performed by private counsel.
Analyze, interpret and apply laws, rules, regulations and policies.
Maintain effective working relationships.
Analyze situations accurately and adopt an effective course of action.
Work independently with little direction.
Maintain knowledge of changes in the law and court decisions.
Work confidentially with discretion.