

CLOVIS UNIFIED SCHOOL DISTRICT

Job Description: Legal Counsel

Salary Grade: Contracted

Salary Schedule: Administrative Management

Department: District Office

Reports to/Evaluated by: General Counsel

FLSA: Exempt

SUMMARY

Under the direction of the General Counsel, the Legal Counsel provides professional legal counsel and representation for the District, the Governing Board, and auxiliary organizations on matters including special education, Section 504, and other legal proceedings. This role is responsible for providing updates to District staff on applicable laws, conducting legal research and analysis, and preparing legal opinions and documents. The Legal Counsel must maintain professionalism and comply with all legal and ethical requirements for attorneys.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Provide legal counsel and advice related to special education and Section 504, which includes advising and assisting staff with Individualized Education Programs (IEP) and Section 504 plans, implementing services for students, and representing the District in due process and other proceedings. This also involves providing training and workshops to staff on special education, Section 504, and related topics.
- Offer legal counsel and advice for legal matters and proceedings concerning District operations, administrators, personnel, activities, and students. This includes responding to inquiries and providing recommendations and legal services regarding policy, personnel actions, legal compliance, specific or potential cases, appeals, and related laws, codes, rules, and regulations.
- Draft, review, and analyze a variety of legal documents, such as legal opinions, memoranda, correspondence, contracts, court documents, resolutions, notices, and pleadings, while also communicating with personnel to verify and ensure accuracy of information and reviewing documents to analyze legality of actions.
- Assist the General Counsel to maintain and update board policies, administrative regulations, parent/student handbook, procedures, and administrative guidance.
- Prepare and deliver oral presentations concerning legal matters. Represent the District, as directed, at court or administrative proceedings, labor negotiation sessions, grievance hearings, mediation/arbitration, and other proceedings, and assist District staff in preparing for court or administrative proceedings.

Board Approved

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- Attend and provide legal counsel during District meetings and hearings as directed, including public meetings and hearings.
- Prepare workshop and training materials, provide workshops and training to the District on assigned subject matters, and coordinate and conduct in-services concerning legal issues as assigned.
- Provide legislative and case law updates to the District regarding changes affecting educational operations, policies, regulations, procedures, and requirements. Provide recommendations concerning compliance with the law.
- Research, assemble, review, and analyze facts, documents, laws, and circumstances related to legal issues and assigned cases. Determine and provide recommendations on appropriate legal actions, and interpret and apply federal and state laws and regulations, administrative codes, and policies to provide advice and consultation regarding strategies for resolution of issues.
- Prepare written responses and review, assemble, and organize documents in response to subpoenas, discovery, and public records requests.
- Train and provide guidance to support staff, reviewing their work for accuracy, completeness, and compliance with established standards, procedures, and requirements.
- Attend and participate in a variety of assigned meetings, committees, conferences, in-services, and special events, including meetings of the District's Governing Board as directed.
- Work collaboratively with General Counsel, outside legal counsel, and legal support staff to ensure the effective and efficient provision of services.
- Comply with the policies, regulations, and procedures of the District and the orders and directives of the Governing Board and Superintendent.
- Assist General Counsel to manage and oversee legal records and electronic storage of legal records and emails, coordinate with General Counsel for destruction thereof, and assist in the coordination, operation, and updating of the legal electronic document management system.
- Comply with applicable legal and ethical requirements governing attorneys, including the California State Bar Rules of Professional Conduct and federal and state requirements regarding confidentiality. Maintain confidentiality of sensitive and privileged information and records, remain current with professional responsibility rules, and notify General Counsel of any conflict or potential conflict of interest.
- Perform other related duties as assigned.

QUALIFICATIONS

- Knowledge of: The State Education Code, other laws, rules, and regulations applicable to school districts, as well as school district organization, operations, policies, procedures, and objectives. The position requires knowledge of California judicial procedures, computerized case management system(s), and investigation techniques and procedures. Knowledge of legal management practices, such as discovery, document production, depositions, briefing, and trial procedures, is also necessary. The role requires solid research methods, quality report writing techniques, and effective oral and written communication skills. Knowledge of principles and practices of training, strategies, and techniques, and interpersonal skills using tact, patience, courtesy, and professionalism are also required. Finally, knowledge of following health and safety regulations is required.
- Ability to: Understand, analyze and interpret board policies, administrative regulations, and state and federal laws and regulations. The Legal Counsel must be able to manage multiple priorities simultaneously with highly developed organizational skills and attention to detail. Essential abilities include researching, analyzing, compiling, verifying data, and preparing reports and other documents, exercising analytical and independent judgment, and analyzing situations accurately to adopt an effective course of action. The role requires the ability to plan and organize work to meet schedules and deadlines, and to work confidentially with discretion, and complete work with many interruptions. The ability to communicate effectively, both orally and in writing, establish and maintain effective working relationships with administrators, staff, and the public, prepare and deliver presentations and training, and independently compose correspondence and written materials is also required. Finally, the ability to lift light objects according to safety regulations and meet state and District standards of professional conduct is necessary.
- Education and Experience: Requirement is a Juris Doctorate from a law school accredited by the State Bar of California or approved by the American Bar Association. Preferably, the candidate will have at least five years of legal experience and prior experience representing school districts in California and knowledge regarding special education and Section 504 laws, the California Education Code, and other laws applicable to school districts.
- Licenses and Certificates: The Legal Counsel must have the successful passage of the California State Bar Exam and be a member of the California Bar Association. A valid California driver's license is also required.
- Working Conditions: Indoor office environment with minimal safety considerations; ability to sit for extended periods; ambulatory capability to move within office settings; visual acuity for reading; auditory ability for phone and in-person communication; manual dexterity for computer use.
- Physical Abilities: The role requires ambulatory ability to move to different offices and locations. Sufficient visual acuity to recognize words and numbers, and speech and auditory abilities to

carry on conversations in large audience, personal, and phone conversations are necessary. The ability to operate a computer, related software, scanners, and standard office equipment is required.