



PERSONNEL COMMISSION

Class Code: 5248
Salary Range: 59 (M2)

GENERAL COUNSEL – SPECIAL EDUCATION

JOB SUMMARY

Under administrative direction, provide professional legal services and counsel to the District in matters related to special education including compliance, resolution, mediation and due process; represent the District before a variety of administrative and legislative bodies; 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.

- 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**
- Consult with and advise special education administration on legal matters and participate in the development of changes in administrative policy; anticipate legal effects of emerging programs and projects. **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**
- Coordinate the delivery of legal services provided by the Office of County Counsel or private counsel retained by the District, including the preparation of pleadings, litigation, negotiation between parties, conduct of trial and other necessary court appearances, preparation of briefs on appeal, and appellate arguments. **E**
- Respond to filings, subpoenas and compliance complaints; compose legal memoranda, briefs, reports, correspondence and other documents; assist special education administration in the drafting of rules, regulations, resolutions, agreements, legal forms, and other documents. **E**
- Appear before a variety of federal, State and local legislative bodies to represent the District's interests and present the District's position on issues related to special education; provide required information to various agencies as requested. **E**
- Prepare written opinions and conduct independent research concerning legal relationships, duties, obligations, and rights involving policies, programs, and projects related to special education. **E**
- Analyze proposed and existing legislative bills and subsequent amendments relating to special education; report recommendations to District administration; draft legislation and prepare amendments to proposed and existing legislation related to special education. **E**

- Discuss special education program needs with administrators, teachers and other appropriate staff; evaluate legal issues and recommend retainment of outside counsel as needed. ***E***
- Serve as a resource and communicate with administrators, District personnel and outside agencies to coordinate activities, resolve issues, and exchange information. ***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***
- Develop and prepare assigned budgets; analyze and review budgetary and financial data; authorize and control expenditures in accordance with established limitations. ***E***
- Attend and participate in a variety of meetings, conferences and trainings; maintain current knowledge of laws and regulations governing special education; serve on advisory committees; conduct presentations as requested. ***E***
- Develop and conduct staff development training workshops related to assigned activities for District personnel as directed. ***E***
- Supervise and evaluate the performance of assigned staff; interview and select employees and recommend transfers, reassignment, termination and disciplinary actions. ***E***
- Operate a variety of office equipment including a computer and assigned software; drive a personal vehicle to conduct work. ***E***
- Assist other departments by providing legal counsel and representation as directed.
- 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 General Counsel – Special Education will 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.
Budget preparation and control.
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.
Compose legal memoranda, briefs, reports, correspondence and other documents.
Research legal issues and prepare sound legal opinions.
Develop administrative policies, procedures, rules, and regulations related to special education.
Interpret, apply and explain laws, codes, rules, regulations, policies and procedures.
Analyze situations accurately and adopt an effective course of action.
Prepare and direct the preparation of a variety of comprehensive narrative and statistical reports.
Direct the establishment and maintenance of records and files.
Prepare and deliver oral presentations.
Plan and organize work.
Develop and prepare budgets.
Monitor and control expenditures.
Supervise and evaluate the performance of assigned staff.
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 with others.
Communicate effectively both orally and in writing.

Education and Training

Juris Doctorate degree from an accredited law school.

Experience

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

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.

PCA: 4/12/2018
Revised: 12/5/2019