

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

CLASSIFIED MANAGEMENT POSITION

JCN: 223
EXEMPT

GENERAL COUNSEL

BASIC FUNCTION:

Under direction of the County Superintendent, provide legal advice and counsel to County Superintendent, departments and auxiliary organizations, provide legal advice and counsel to Fresno County Board of Education, Fresno County Committee on School District Organization (County Committee), Career Technical Education Charter (CTEC), and school district clients. Conduct legal research and analysis, and prepare legal documents; keep clients current concerning applicable legislation and laws; and manage and direct the Legal Services Department.

REPRESENTATIVE DUTIES:

ESSENTIAL DUTIES:

- Administer, direct and provide legal expertise to the Legal Services Department in support of the operations and activities of County Superintendent and other clients.
- Advise clients in legal matters, including but not limited to, governance, election, business, facilities, student discipline and expulsion, labor and employment, school district reorganizations, charter schools, and administrative and court proceedings.
- Assist clients in areas of legal compliance.
- Attend and provide legal advice at meetings of the County Superintendent's Cabinet and Executive Cabinet, and other meetings as requested by or at the direction of the Superintendent or other administration staff; attend and provide legal advice at meetings of the County Board, County Committee, or school district clients.
- Conduct legal research and prepare various reports and legal documents as requested by or at the direction of the County Superintendent, including but not limited to, County Superintendent and Board policies, resolutions, contracts, deeds, pleadings, depositions, interrogatories, and/or motions.
- Coordinate elections, prepare resolutions, and serve as the liaison between the County Superintendent and school districts, community colleges, and the Fresno, Monterey, San Benito, Kings, and Tulare county elections departments.
- Coordinate legal matters with outside counsel and self-insurance risk managers/adjusters; monitor legal services provided to the County Superintendent, County Board, and County Committee by outside counsel.
- Develop and conduct workshops, training, and guidelines for County Superintendent and other client staff.
- Develop and make available to County Superintendent and school district clients template bid and contract documents, and other forms; advise and assist in competitive selection and bidding process; contract negotiation and preparation.
- Develop, evaluate, and make legal recommendations, as applicable, to the County Superintendent, County Board, County Committee, CTEC, and school district clients regarding policies and procedures governing its respective operation and programs.
- Direct, organize, manage and plan all activities of the Legal Services Department, including but not limited to, funding and budget activities; review and preparation of annual budget; directing and authorizing approved expenditures; preparation and maintenance of various narrative and statistical reports, records and files related to personnel and assigned activities; and preparation of reports and documentation related to Legal Services Department as needed.

- Establish goals and objectives of the Legal Services Department to ensure delivery of high quality legal services to the County Superintendent and auxiliary organizations, County Board, County Committee, and school district clients.
- Manage and serve as repository for annual organizational meetings of Fresno County school districts, public roster, and Form 700 filings.
- Prepare and render legal opinions to the County Superintendent, County Board, County Committee, and school district clients as requested; interpret, apply and explain laws, policy and procedure as required.
- Provide responses to requests under the Public Records Act, subpoena, and other requests; supervise legal actions and/or claims naming the County Superintendent, County Board, or County Committee and respond to claims; and represent the County Superintendent, County Board, or County Committee at hearings and judicial proceedings as required.
- Represent the County Superintendent, County Board, and County Committee at state and county workshops and seminars relating to school legal matters.
- Stay abreast of legal developments and legislation; study current legal and court decisions; attend professional association meetings; discuss legal developments and issues with Legal Services staff; work with consultants and others regarding legislation.
- Interview, select, supervise and evaluate the performance of assigned staff; coordinate and direct employee assignments and review work to ensure compliance with established plans, strategies, standards, requirements and procedures as needed; work with employees to correct identified deficiencies; review recommended transfers, reassignments, disciplinary actions and/or termination.
- Train and provide work direction and guidance to assigned personnel; assign duties and review work to ensure accuracy and completeness; provide input concerning employee interviews and evaluations as requested.
- Attend or direct other attorneys to attend various negotiating sessions, grievance hearings, administrative hearings, arbitration and/or appeals, or other proceedings.
- Comply with schedules, policies, regulations, procedures, orders, and directives of the County Superintendent.
- Exhibit professionally appropriate interpersonal skills including but not limited to tact, patience, flexibility and courtesy.
- Maintain a safe work environment.
- Operate a variety of office equipment, including but not limited to a computer and assigned software applications.
- Serve as a liaison between County Superintendent and administrators, personnel, outside organizations or the public concerning assigned area.
- Serve as a technical resource concerning assigned program, function or instructional area.
- Work collaboratively and maintain effective working relationships with others in the course of work in assigned area.

OTHER DUTIES:

- Ability to work on a flexible schedule to attend evening and weekend meetings/conferences, as assigned and to coincide with department calendared meetings.
- Drive a vehicle to conduct work, using own transportation.
- Perform related duties as assigned.
- Travel within Fresno County, statewide, and/or nationwide.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- Budget preparation and control.
- Evaluation of practical consequences of legal strategies.
- Judicial procedures and rules of evidence.
- Legal principles and practices, including civil, criminal, constitutional, contract, employment, administrative and business law and procedures.
- Methods of legal research.
- Operational needs of schools and school districts.
- Proper English usage, grammar, spelling, punctuation and vocabulary in all forms of communication.
- California Legislative information including, but not limited to, State Education Code, Government Code, local, state and federal laws, codes, regulations and requirements and county office organization, operations, policies and objectives as related to assigned activities and/or instructional area.
- Theoretical and technical aspects of field of specialty.

ABILITY TO:

- Analyze complex data.
- Conduct legal research and organize material into manageable form.
- Demonstrate a professional demeanor and conduct across all areas of responsibility and authority.
- Develop and maintain effective relationships with the County Superintendent, the Board of Education, Administration, management, and employee organizations.
- Formulate recommendations, proposals, and counter proposals.
- Prepare and present effective written and oral reports, recommendations, and county office policies and procedures.
- Analyze and evaluate situations accurately and implement an effective course of action.
- Communicate effectively both orally and in writing.
- Drive a vehicle to conduct work.
- Ensure proper and timely resolution of issues, concerns and conflicts.
- Interpret, apply, and explain rules, regulations, policies and procedures.
- Maintain consistent, reasonably regular, punctual attendance consistent with federal, state and local standards.
- Perform essential job functions consistent with federal, state and local standards, including meeting qualitative and/or quantitative productivity standards.
- Supervise, train, guide and evaluate the performance of assigned personnel.
- Work confidentially and with discretion.
- Work independently with little direction.

EDUCATION AND EXPERIENCE:

EDUCATION:

- Completion of education and licensure requirements to practice law in California and relevant federal courts.
- Juris doctorate required.

EXPERIENCE:

- Minimum of five years of experience in educational administration, public administration, or business administration.
- Minimum of five years varied legal experience including work with legal research and drafting legal documents.
- Legal experience in representing county offices of education, school districts, or other public agencies preferred.

LICENSURE AND OTHER REQUIREMENTS:

- Successful passing of the California Bar Examination. Active member in good standing of the California State Bar
- Valid California driver's license; when driving for work, maintain automobile liability insurance in accordance with California Insurance Code section 11580.1 or maintain other statutorily authorized financial responsibility.
- Enrollment in the California Department of Motor Vehicles Government Employer Pull Notice Program at time of hire and throughout employment with the County Superintendent.

WORKING CONDITIONS:**ENVIRONMENT:**

- Drive a vehicle to conduct work, using own transportation.
- Office, school facility and/or court/hearing room environment.
- Regular interruptions.
- Small and large group meetings.
- Virtual platforms.

PHYSICAL DEMANDS:

- Bending at the waist, kneeling or crouching; climb or balance.
- Eyesight corrected or uncorrected sufficient to read a variety of materials, including but not limited to fine print and computer screens.
- Hearing with or without use of hearing aid(s) sufficient to hear any conversation with others; understandable voice and speech patterns.
- Manual dexterity and coordination sufficient to operate office and/or classroom equipment.
- Sitting, standing and/or walking for extended periods of time.
- Use hands to handle and/or feel; reach with hands and arms.
- Must frequently lift, push, pull or carry up to ten (10) pounds and occasionally lift and/or move up to twenty five (25) pounds.

The physical demands and working conditions described here are representative of those that must be met by an employee to successfully perform the essential functions of this position, subject to reasonable accommodation.

HAZARDS:

- Abusive and potentially disruptive communication and behavior.

This position description may not be an exhaustive list of all duties, knowledge, or abilities associated with this classification, however it is intended to accurately reflect the principal job elements. Related duties, knowledge, or abilities to those expressly stated may also be required for successful performance of the position.

APPROVED:

Effective: 11/03/2014 November 3, 2014

Revised: 07/01/2018; 10/01/2020