**Job Title:** General Counsel

**Prepared Date:** August 30, 2022

**Work Year:** 240 days

**Department:** Superintendent’s Office

**Reports To:** Superintendent

**SUMMARY** Provides in-house legal services to the Superintendent, Executive Team, and District Administrators. Represents the District in court hearings and administrative proceedings and provides day to day advice and counsel to central and site administration on a variety of legal matters, including Constitutional law, special education law, and employment law. Coordinates the development and revision of District and Board of Education policies. Serves as Nondiscrimination Title IX Coordinator and is responsible for the administration of the District process and procedures for investigating and resolving Title IX and other discrimination complaints. Coordinates all legal services required by the District.

**ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following. Other duties may be assigned.

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| D | 20% | |  | | --- | | Provides day to day advice and counsel to the Superintendent, Executive Team, central administrators and school administrators on a variety of legal matters impacting students, staff, schools and the District. Provides legal opinions, legal interpretations, and recommendations to the Superintendent, Executive Team, department/school administrators, and the Board of Education for the purpose of ensuring the District maintains compliance with local, state, and federal regulations. Investigates and researches legal issues in all areas of District service operations to assist administrators in making legally defensible decisions. | |
| D | 10% | |  | | --- | | Serves as a resource on compliance with Section 504, Individuals with Disabilities Act (IDEA), American Disabilities Act (ADA) and Title IX. Provide trainings to District staff in these areas and other legal matters. Serves as the District’s Nondiscrimination Title IX Coordinator, directing processes and ensuring compliance with Title IX procedural and legal requirements. Develops, revises and implements procedures to identify students who require accommodations under Section 504 and education services under IDEA. Assists with IDEA due process cases. | |
| D | 10% | |  | | --- | | Reviews, revises and drafts proposed District and Board policies. Stays updated on changes to local, state and federal laws that impact District policies and procedures. | |
| D | 10% | Provides legal guidance on employment matters, including Colorado Department of Education regulations, employee grievance procedures and dismissal processes. Assists in the development, revision and implementation of employment practices and policies that meet regulatory requirements. |
| D | 10% | |  | | --- | | Provides legal guidance on special education matters. Attends IEP-related meetings if a family’s lawyer is involved. Represents the District in special education administrative complaints and investigations conducted by outside agencies/organizations. | |
| D | 10% | |  | | --- | | Serves as the District’s hearing officer for applicable student and employee grievances, complaints, and appeals as required by law and/or policy. Coordinates and/or conducts timely and thorough internal investigations on behalf of the District concerning reported violations of District policy, Office of Civil Right (OCR), Colorado Civil Rights Division (CCRD), Equal Employment Opportunity Commission (EEOC), discrimination, harassment, Section 504, IDEA, ADA, Title IX and any other legal matters. Maintain a tracking system of investigation outcomes. Analyze data and develop proactive measure to address trends and patterns. | |
| D | 5% | |  | | --- | | Drafts or reviews all legal documents including contracts, negotiated agreements, complaint responses and position statements. Assists in responding to Colorado Open Records Act (CORA) requests, subpoenas duces tecum, and request for educational records under the Family Educational Rights and Privacy Act (FERPA). | |
| W | 5% | |  | | --- | | Advises and assists with compliance of competitive procurement and purchasing contract requirements. | |
| W | 5% | |  | | --- | | Provides representation in court and other administrative processes, including truancy cases, expulsion hearings, OCR reviews and complaints, mediations, subpoenas, etc. | |
| M | 5% | |  | | --- | | Attends Board of Education meetings and executive sessions. Advises Board of Education on legal matters and parliamentary procedures. | |
| A | 2% | Advises and represents the District in the negotiation process with charter school applicants and existing HSD2 charter schools. |
| M | 2% | |  | | --- | | Coordinates legal services provided by outside law firms, including administering contracts, oversight of court litigation, and expenditure of District funds. | |
| A | 2% | Maintains files and retrieval systems for legal information of relevance to the District. |
| A | 2% | Serves as the Designated Election Official for the District. |
| Ongoing | 2% | Perform other duties as assigned. |

*To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

**EDUCATION AND TRAINING Juris** Doctorate degree

**EXPERIENCE** Minimum of five years of experience, preferably in Colorado K-12 school law and/or working in a law firm representing school district clients

**SKILLS, KNOWLEDGE, & EQUIPMENT**  Advanced knowledge of education law (federal and state). Ability to maintain a positive and effective relationship with the Superintendent, staff, and Board of Education. Critical thinking, problem-solving and analytical skills. Effective communication skills with an ability to communicate, interact and work effectively and cooperatively with all people including those from diverse ethic and educational backgrounds. Ability to protect and maintain confidentiality in all aspects of the job. Ability to work under deadlines; to be flexible in meeting the ever‐changing needs of the District. Ability to manage multiple priorities. Ability and willingness to adhere to attendance requirements, including regular and punctual employee presence. Ability to promote and follow Board of Education, Superintendent, building, and department policies and procedures. Ability to recognize the importance of safety in the workplace, follow safety rules, practice safe work habits, utilize appropriate safety equipment, and report unsafe conditions to the appropriate administrator. Operating knowledge of and experience with personal computers and peripherals. Operating knowledge of and experience using word processing software and the ability to perform legal research on Internet and legal websites. Operating knowledge of and experience with typical office equipment, such as telephones, copier, fax machine, e-mail, etc.

**CERTIFICATES, LICENSES, & REGISTRATIONS** Valid Colorado license to practice law. Valid Colorado Driver’s License. Criminal background check and District fingerprinting required.

**SUPERVISION/TECHNICAL RESPONSIBILITY** No supervisory responsibilities. It is acknowledged that the General Counsel is subject to, and required to comply with, the Colorado Rules of Professional Conduct adopted by the Colorado Supreme Court in 1992, which shall supersede any conflicting or inconsistent provision hereof.

**BUDGET & RESOURCE RESPONSIBILITY** Responsible for developing, administering, monitoring, and coordinating assigned budgets.

**JUDGMENT AND DECISION-MAKING** Work is assigned by supervisor and self. This position requires strong leadership, management, independent judgment, problem solving, and decision-making skills. Decision making requires collaboration with Superintendent and department/school administrators. Supervisor is occasionally involved in decision making.

**SAFETY TO SELF AND OTHERS** Low exposure to self to bruises and cuts due to typical office accidents and to repetitive motion injuries due to keyboarding.

*The physical demands, work environment factors, and mental functions described below are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

**PHYSICAL DEMANDS** While performing the duties of this job, the employee is regularly required to talk and hear. The employee is frequently required to sit; use hands to finger, handle or feel; and reach with hands and arms. The employee is occasionally required to stand; walk; climb or balance; stoop, kneel, crouch or crawl; and taste or smell. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception, and ability to adjust focus.

**WORK ENVIRONMENT** The noise level in the work environment is usually moderate.

**MENTAL FUNCTIONS** While performing the duties of this job, the employee is regularly required to compare, analyze, communicate, coordinate, copy, compute, synthesize, evaluate, instruct, use interpersonal skills, compile, and negotiate.