

DESERT COMMUNITY COLLEGE DISTRICT

GENERAL COUNSEL

BASIC FUNCTION

Serves as the District's principal legal advisor and head legal representative; responsibilities include managing all of the District's legal affairs and providing advice and counsel to the District's Governing Board, the Superintendent/President, and the President's Executive Team regarding a broad range of complex legal matters. Incumbent plays a significant role in supporting sound risk management and compliance efforts for the District. Serves as the District's litigation manager, which includes providing direction to outside legal counsel utilized by the District.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from assigned Superintendent/President. Exercises supervision over assigned District personnel.

EXAMPLES OF TYPICAL JOB FUNCTIONS

1. Provides legal opinions, legal interpretations, and recommendations on complex issues relating, but not limited to: District Governance, Employee Disciplines and Releases, Employee Leaves, American's with Disabilities Act (ADA), Interactive Process, and Reasonable Accommodations, Title IX and Title 5, complaints and grievances, California Education Code, Ethics and Conflicts of Interest, Educational Employment Relations Act (EERA), Emergency Response Efforts, public safety matters, Gifts of Public Funds, Student Discipline, Contracting, Real Property and other Business Transactions, Interpretation of Collective Bargaining Agreements, Labor Negotiations, Family Educational Right and Privacy Act(FERPA) and State Privacy Laws, the Brown Act and California Public Records Act, Fair Labor Standards Act (FLSA) and State Labor Code compliance, Constitutional and Administrative Law, Compliance with Local, State, and Federal laws, Copyrights, Potential and Pending Litigation, and Risk Management & General Liability.
2. Attends Board meetings, prepares resolutions, and advises the Governing Board on appeals, litigations, labor negotiations, and other sensitive closed session matters; may represent the District in EEOC, DFEH, OCR, PERB, and other matters brought before governmental agencies.
3. Prepares and conducts litigation and participates in federal, state and local administrative proceedings as directed by the Superintendent/President and authorized by the Board of Trustees.
4. Reviews and assists with the preparation of documents related to employee discipline and release, student discipline, complaints and grievances, and settlement agreements; Conducts legal review of District-related contracts.
5. Identifies, analyzes, and responds appropriately to risks which have legal implications that may adversely affect realization of the District's educational and business objectives.
6. Provides legal guidance and counsel in union-related matters, as requested by the District; Litigates Workplace Violence Restraining Orders and other judicial matters on behalf of the District; in coordination with internal departments, manages the investigation, evaluation, and resolution of complex legal disputes including, regulatory, governmental, and highly sensitive matters, both litigated and non-litigated.
7. Develops and conducts internal training for management and District staff;
8. Analyzes the merits of court cases, regulatory inquiries, and other types of legal actions filed

against or on behalf of the District; works with the appropriate executives to define strategic positions and/or defenses; recommends settlements of disputes where warranted; provides updates to management regarding new case law and legislation impacting the District.

9. Develops, revises, and interprets Board policies, administrative rules, regulations, and procedures; presents to the Board of Trustees; works with all stakeholders to ensure that all policies and procedures are up-to-date and timely.
10. Provide legal support and guidance to District compliance officers; monitors industrial and non-industrial interactive process outcomes with Human Resources department.
11. Performs other related duties as assigned.

QUALIFICATIONS

Knowledge of:

1. Education Code and relevant California Code of Regulations.
2. Employment and Labor Law Codes.
3. Understanding of, sensitivity to and respect for the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of the District's students, faculty, staff and community.
4. Files, records, and report management techniques
5. Litigation management processes and communication requirements;
6. Litigation best practices and processes to best represent the interests of the District;
7. Professional and tactful negotiation and persuasion skills to achieve objectives within the legal and governmental communities;
8. Communication methods to articulate points and information to constituency groups;
9. Problem solving techniques and analytical principles for situational analysis and the ability to offer counsel and advice on legal and policy-related matters;
10. Methods and techniques used to effectively manage and contain legal expenses and costs
11. Modern office equipment, practices, and software.

Ability to:

1. Strategic plan, action, and leadership.
2. Communicate and gain support for the District's mission, vision, and values.
3. Maintain confidentiality of communications, records, reports, etc.
4. Lead effectively through participatory governance and in collaboration with diverse stakeholders.
5. Communicate effectively through multiple modalities with diverse internal and external stakeholders.
6. Establish and maintain effective working and professional relationships with individuals from diverse communities.
7. Define issues, analyze problems, evaluate options, develop sound conclusions, and make appropriate recommendations to the Chancellor and Board of Trustees within applicable laws, regulations, policies, procedures, rules, and effective business practices.
8. Read, interpret, and apply laws, regulations, policies, and guidelines impacting the effective, efficient, and equitable performance of the assigned areas and the District's comprehensive operations.
9. Research, analyze, develop, and interpret policies and procedures impacting assigned areas of responsibility.
10. Manage, coordinate, and lead in planning/research, evaluating, monitoring, maintaining, and expanding human resources and administrative services programs in a community college district.
11. Operate and effectively use office technologies and software applications, including general business platforms and technologies and enterprise resource planning systems.
12. Learn from errors, determine appropriate corrective action, and prevent repeat occurrences.

13. Create a culture of shared accountability for effective performance within assigned areas.
14. Demonstrate clear evidence of sensitivity and understanding of the diverse academic, socio-economic, disability and ethnic backgrounds of students, staff and the community.

Education and Experience:

A law degree from an accredited law school; Active Member, in good standing, of the California State Bar; and at least five (5) years' experience providing labor & employment advice and counsel to employers and management; experience shall include at least five (5) years of state or federal litigation experience.

Desired Qualifications:

- At least five (5) years' experience providing legal advice and counsel to California public schools, public colleges/universities, non-profit or other public agencies;
- At least five (5) years' experience providing legal advice and counsel related to the California Education Code, Government Code, or Education Law;
- Prior judicial clerkship or federal/state/local government experience; Prior in-house legal department experience.

Licenses and Certifications:

N/A

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an individual to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions. Typical physical abilities for this position are prolonged and frequent sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping Moderate to heavy usage of hands in grasping, repetitive hand movement and finger coordination in keeping records and preparing reports using a computer keyboard. Speech and hearing to communicate effectively in group settings and by telephone to students, faculty, staff, and others.

WORKING CONDITIONS

Normal office environment.

EMPLOYMENT STATUS

Classified Management
Range: 15

Personnel Management Committee: August 1, 2023
BOT Approved: August 18, 2023