

ST. MARY'S COUNTY PUBLIC SCHOOLS SUPERVISORS AND ADMINISTRATORS POSITION DESCRIPTION

GENERAL COUNSEL

POSITION: General Counsel

REPORTS TO: Superintendent of Schools

LOCATION: Office of the Superintendent

NATURE OF WORK:

ESSENTIAL FUNCTIONS:

Serves as internal general counsel to the administrative and school staff by performing the full range of legal services customarily associated with private practice and governmental practice. Recommends alternative legal and administrative approaches to the solution of major issues; renders oral and written opinions, memoranda, and correspondence on legal matters; represents the School System at all levels in the Courts, and may serve as the school system liaison to the State Legislature and participate in lobbying efforts. Serves as the Chief Negotiator representing the Board of Education.

DUTIES AND RESPONSIBILITIES:

These examples are illustrative and not all-inclusive:

- Serves as general counsel to the administrative and school staff on school system legal matters.
- Researches, interprets and provides advice on legal matters involving Board policies and administrative regulations, educational law, federal, state, and county laws and regulations, MSBE Bylaws, negotiated agreements, and other contracts, instructional programs, and related functions and services of the school system.
- Prepares and recommends alternative legal and administrative approaches to the solution of major problems/issues.
- Renders oral and written opinions, memoranda, and correspondence to administrative and school staff for guidance on legal matters/issues.
- Reviews pending legislation and court decisions as to their impact on the school system and advises the Superintendent of Schools, and staff accordingly.
- Analyzes legal controversies and recommends disposition.
- Prepares and conducts litigation at all levels in the courts; handles appeals; recommends settlement on the basis of professional evaluation of the nature and implications of the proceedings.
- Conducts pre-trial investigations, interviews witnesses, argues motions, prepares documents for the trial of cases; and tries cases as appropriate.
- Discusses case results with the Superintendent of Schools and staff to evaluate and improve performance for future cases.
- Drafts agreements, leases, sale/purchase contracts in which the school system is a party.
- Represents the school system in connection with matters affecting its legal relations with federal, state, and county governments.
- Attends all Board of Education meetings, and gives advice on legal implications of actions taken.
- Reviews contracts and agreements and approves their legality as appropriate.
- Works with and provides advice to school-based personnel on legal issues, including parent-child custody disputes, student discipline, subpoena responses, and complaint resolution.
- Prepares and presents personnel and student cases before the Board.

- Manages legal matters and proceedings in cases involving student rights under special education and other federal laws, including mediation and due process proceedings.
- Drafts and reviews Board policies and regulations.
- Advises the Superintendent of Schools and the Board in all contracts and negotiations.
- Leads the negotiations for all bargaining units representing the Board of Education.
- Performs other duties as assigned.

QUALIFICATIONS:

- Graduation from an accredited school of law, admission to the Bar of the State of Maryland.
- Three (3) years of professional experience as an attorney in court, administrative proceedings and trials. Experience in employment law, arbitration, education law, and special education law preferred.
- Knowledge of education law and MSBE Bylaws, court and administrative hearings, and effective techniques in the presentation of such cases.
- Resident of St. Mary's County or willing to relocate to St. Mary's County within three months of employment.
- Ability to analyze legal issues, facts, evidence, and precedents in highly complex legal documents and instruments.
- Ability to prepare contracts, other legal instruments, and court presentations with high effectiveness.
- Ability to deal tactfully and effectively with school system officials, county officials, court officials and personnel, and the public.
- Thorough knowledge of the common law and of county, state, and federal laws and precedents.
- Thorough knowledge of judicial procedures and of the rights of evidence.
- Thorough knowledge of principles, methods, and practices of legal research.
- Demonstrated ability to effectively work and communicate with diverse populations.
- Ability to employ business technology tools as required of all SMCPS employees, e.g. E-mail, obtaining relevant SMCPS employee information through the SMCPS Intranet, employing the electronic benefits enrollment tool and any other electronic tools implemented in the future.

TERM OF EMPLOYMENT:

Full-time twelve-month position.

SALARY GRADE RANGE:

The salary for this EXEMPT position will be based on SMASA salary schedule (#5) for eleven and twelve-month employees – Range E.

BARGAINING UNIT ELIGIBILITY: SMASA