

# SENIOR LEGAL COUNSEL-SPECIAL EDUCATION

Apply at <https://www.pps.net/Page/2158> Job Number #21619 to review the full qualifications.

First screening will occur on October 23, 2020

Salary Range - \$124,803 - \$162,241

Check out this video: [Teaching In Portland 2020](#)

## **Cover Letter Request**

In your cover letter, please describe your experience(s) guiding special education service provision. This may be in both formal and informal settings. Please include a brief description of the types of teams, the size of the teams you have supported in your special education work.

## **BASIC FUNCTION**

Provide professional legal counsel and representation for highly complex legal compliance and litigation issues in support of Special Education, other assigned departments, the Superintendent, and Board of Education; manage litigation and administrative law hearings; supervise and evaluate the performance of assigned professional legal staff and other personnel.

## **REPRESENTATIVE DUTIES & ABILITIES**

*The classification specification does not describe all duties performed but provides examples of typical tasks performed.*

- Prepare and render legal opinions for the Board of Education, the Superintendent, and assigned departments, provide legal advice and/or draft legal documents, contracts, rules and regulations, resolutions, applications and other legal or quasi-legal papers upon request.
- Support and manage District litigation and/or administrative law hearings through close coordination with District outside counsel.
- Negotiate settlements of contested special education matters.
- Mediate contested special education matters.
- Prepare District response to federal and state agency complaint investigations. Oversee all facets of District response to complaint resolution.
- Provide technical legal expertise, information, and assistance to assigned departments, the Board of Education and the Superintendent; assist in the formulation and development of policies, procedures and programs to assure legal compliance; advise assigned departments, District General Counsel, the Board of Education, and the Superintendent of unusual trends or problems and recommend appropriate corrective action.
- Attend and provide legal advice at regular department meetings, meetings of the Board of Education, and other meetings as directed.
- Participate in the planning, organization, and implementation of long- and short-term activities of the district's legal department.
- Work with outside counsel to handle litigation matters as necessary; monitor and review the work performed by outside counsel; apprise District General Counsel of status of outside counsel efforts and activities.
- Appear before legislative bodies to present the District and assist in providing legal assistance in the drafting of State legislation proposed by the District for presentation to the Oregon State Legislature; interpret the impact of legislation on the interests of the District as such legislation is being considered by the legislature.
- Oversee preparation, prepare, and maintain a variety of legal, narrative and statistical reports, records and files related to assigned activities and personnel.
- Demonstrate a commitment to the Portland Public Schools Equity Initiative by developing a thorough knowledge and application of the district Racial Educational Equity Policy, Equity in Public

Purchasing and Contracting and other board policies; participate in staff development, in-services and trainings related to diversity, equity and inclusion in the workplace and in K – 12 education; model appropriate behaviors; develop, recommend and implement improvements to business and educational practices with awareness and understanding of their impact in a racially and culturally diverse community.

- Facilitate meetings, workshops, seminars and internal training; represent the District with a variety of local community-based organizations and coalitions to effect positive dialogue and relations in education legal matters; participate in and attend local, state and national organization meetings and conferences relating to education legal issues.
- Supervise the performance of assigned personnel; interview, select, evaluate, and train employees and recommend, as appropriate, transfers, promotions, reassignment, termination and disciplinary actions.
- Research special education case law, statutes and administrative rules and provide legal interpretation and direction to lay staff.
- Advise the District on public records and public meetings law.
- Coordinate with outside service agencies on service delivery to students.
- Develop and review District policy and procedure to ensure legal accuracy, implementation, and alignment with state and federal special education law.
- Provide district-wide special education training and facilitate staff and community meetings.
- Perform related duties as assigned.

### **DISTINGUISHING CHARACTERISTICS OF THE CLASS**

The Senior Legal Counsel is the supervisory-level classification in the district legal series job family. Employees provide direct legal services to assigned departments and staff of the District, recognizing the unique challenges associated with the law in public agencies, large urban school districts, and community stakeholders. Employees in this classification delegate assignments to professional in-house and outside legal staff and supervise, monitor and evaluate the work of assigned staff and contract counsel. Employees are sensitive and responsive to diverse populations, cultures and ethnic groups, and work collaboratively and efficiently in the conduct of investigations, preparation of pleadings and briefs, rendering of legal opinions and providing advice to District leadership.

The applicant must possess knowledge of special education law and policy and state and federal regulatory requirements in the field. The applicant must be able to interpret and guide District special education service provision.

### **EMPLOYMENT STANDARDS**

#### Knowledge of:

- State, federal and local laws, regulations and court decisions applicable to K-12 public schools
- Principles and practices of public administration, intergovernmental relations, and business operations
- Methods and procedures to provide legal services to administration and the governing body in a large urban public agency
- Labor law, affirmative action and employment discrimination Constitutional and administrative law
- District priorities and goals
- Rules of evidence
- Juvenile law, student rights and discipline
- Special Education law
- Public records and public meetings law
- Current economic, political and sociological conditions affecting school districts
- Current issues and challenges of large urban school districts and their communities.
- District labor and collective bargaining agreements
- Techniques and principles of high-quality customer service
- Internal consulting
- Principles and practices of effective leadership, management and supervision

- The ethnic, cultural, geographic, and socio-economic diversity of the populations served by the District Current technologies, statistical, financial, spreadsheet, presentation software
- Effective written and oral communication and presentation techniques

### **Education, Experience:**

A Juris Doctorate from an accredited law school and license or ability to get a license to practice law in the State of Oregon is required.

### **Experience:**

A minimum of seven (7) years of experience in the practice of law or equivalent combination of law practice and work in special education administration (graduate degree). Experience in private practice, government, nonprofit sector, representing school districts or parents in Special Education Law, or in-house counsel for an urban public jurisdiction is considered relevant legal experience.

### **Preferred**

- Graduate degree in Special Education with experience in a K-12 public school
- Experience working with a large urban school district (Approximately 10,000+ students)
- Expert (7+years) in Special Education Law (school or parent representation)

Any other combination of training and experience which demonstrates the applicant is likely to possess the required skills, knowledge, and abilities may be considered.

### **Special Requirements:**

Positions in this classification require the use of a personal automobile and possession of a valid Class C Oregon driver's license.

Work hours will routinely include irregular hours, evening and weekend meetings and district functions.

### **WORKING CONDITIONS**

*The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. 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.*

**Work Environment:** Work is performed primarily in an office environment. Work hours occasionally include irregular hours, evening and weekend, meetings and district functions.

**Physical Demands:** Primary functions require sufficient physical ability and mobility to work in an office; dexterity of hands and fingers to operate a computer keyboard and other technologies and office equipment; sitting, standing and walking for extended periods of time; kneeling, bending at the waist; lifting, pushing, pulling and carrying equipment, supplies and materials weighing up to 25 pounds; repetitive hand movement and fine coordination to use a computer keyboard; emotional stability to work effectively under pressure and to keep all aspects of the job under control; hearing and speaking to exchange information in person or on the telephone; seeing to read, prepare and assure the accuracy of documents.