

Board Office Use: Legislative File Info.	
File ID Number	15-1720
Introduction Date	9/24/15
Enactment Number	15-1511
Enactment Date	9/24/15 <i>OK</i>



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools. Thriving Students

Memo

To Board of Education

From Brigitte Marshall, Chief Talent Officer
Jacqueline P. Minor, General Counsel

Board Meeting Date September 24, 2015

Subject **Adoption of Board Resolution No. 1516-0011 Approving Staff Attorney Job Description**

Action Requested **Adoption by the Board of Education of Resolution No. 1516-0011 Approving Staff Attorney Job Description**

Background/Discussion The Staff Attorney position in the Legal Division is being changed to better align with the reorganization of the combined Legal and Labor Departments into one Division. The newly created position is a generalist position, requiring both litigation and transactional skills.

Recommendation **Adoption by the Board of Education of Resolution No. 1516-0011 Approving Staff Attorney Job Description**

Fiscal Impact N/A

Attachments

- Resolution
- Job Description

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**RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
Resolution No. 1516-0011**

Approving Staff Attorney Job Description

WHEREAS, it is the goal of the District to ensure organizational effectiveness, efficiency and accountability to further student achievement;

WHEREAS, it is the intent of the District to develop a structure which focuses on providing high standards of service and increasing accountability across the system; and

WHEREAS, the job description aligns with the District's priority of a Full Service Community School District and to enhance service our students, schools and community, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby approves the Staff Attorney job description.

Passed by the following vote:

AYES: Nina Senn, Aimee Eng, Jumoke Hinton Hodge, Vice President Jody London, President James Harris

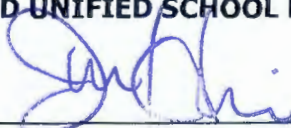
NOES: None

ABSTAINED: Shanthi Gonzales

ABSENT: Roseann Torres

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held September 24, 2015.

OAKLAND UNIFIED SCHOOL DISTRICT


James Harris
President, Board of Education


Antwan Wilson
Superintendent and Secretary, Board of Education

Legislative File	
File ID Number:	15-1720
Introduction Date:	9/9/15
Enactment Number:	15-1571
Enactment Date:	9/24/15
By:	DA



OAKLAND UNIFIED SCHOOL DISTRICT

Position Description

TITLE:	Staff Attorney	REPORTS TO:	Assigned Supervisor
DEPARTMENT:	Legal Office	CLASSIFICATION:	Classified Confidential
FLSA:	Exempt	WORK YEAR/HOURS:	261 Days/7.5 Hours, or Duty Days/Hours as assigned
ISSUED:	Revised: June 2007 Revised: September 2015	SALARY GRADE:	Employment Contract

BASIC FUNCTION: Employee shall serve as Staff Attorney for the District. In this capacity, Employee shall provide advice and counsel on regulatory matters, including but not limited to investigating, responding to and representing the District in EEOC/DFEH and PERB charges, OCR complaints, and California Commission on Teacher Credentialing inquiries; provide counsel to school sites and/or the Student Discipline Hearing panel regarding student discipline; advise and represent the District in labor and employment matters, including but not limited to drafting statutory notices and representing the District in OAH hearings, arbitrations, mediations, contract negotiations, labor management meetings and litigation; draft and review contracts and agreements; provide proactive legal advice to Human Resources, Payroll, IT, Risk Management, Procurement and other central departments, as well as school sites; draft restraining orders and represent the District in hearings; address conflict of interest matters; provide Section 504 advice and counsel; handle Public Records requests; provide student records/FERPA advice and counsel; represent the District in civil litigation and administrative hearings before state and federal courts and agencies; and provide training to District management and staff.

Maintain confidentiality of all personnel matters; some duties will involve access to confidential information concerning employer-employee relations and negotiations.

REPRESENTATIVE DUTIES: (Incumbents may perform any combination of the essential functions shown below. This position description is not intended to be an exhaustive list of all duties, knowledge, or abilities associated with this classification, but is intended to reflect the principal job elements accurately.)

ESSENTIAL FUNCTIONS:

Represent the District in administrative hearings, unfair labor practice proceedings, arbitration hearings, and certificated employee dismissal cases.

Advise the General Counsel, Governing Authority, and senior management staff of the District on the status of litigation matters.

Appear and represent District in State and Federal court and before quasi-judicial or administrative agencies.

Prepare Federal, State and Administrative (OAH, CTC, PERB, OCR, EEOC, DFEH, inter alia) litigation matters for hearings and trial.

Represent the District in mediation and settlement conferences; Make recommendations to General Counsel and Governing Authority on settlement issues.

Provide counsel to school sites and/or the Student Discipline Hearing panel regarding student discipline.

Draft, and review contracts and agreements.

Provide legal advice to Human Resources, Payroll, IT, Risk Management, Procurement and other central departments.

Conduct legal research, interview clients and witness, conduct related investigations, gather evidence, and handle other details necessary for litigation and trial preparation in all areas of law pertaining to school districts.

Interpret laws, rulings, and regulations for District and prepare legal memorandum on legal issues as necessary.

Draft, and review legal documents including contracts and responses to administrative agency requests.

Confer with special counsel on particular litigation matters to determine legal and factual bases for legal proceedings.

Perform related duties as assigned.

QUALIFICATIONS:

The District determines whether a candidate is qualified based on fulfillment of prerequisites, relevant work experience, ability to perform the essential functions, reference checks, effective interpersonal and communication skills demonstrated by interview performance and/or writing samples, and achievement on performance-based assessments (if applicable) that demonstrate the candidate possesses the requisite knowledge, skills and abilities. Meeting prerequisites only satisfies the initial screening process and does not indicate the candidate is qualified to perform the essential functions of the position.

KNOWLEDGE OF:

Government law, education law, labor law, affirmative action and employment discrimination

Constitutional and administrative law

Rules of civil procedure and evidence

Juvenile law, students' rights and discipline

Current economic, political and sociological conditions affecting school districts

Current issues and special problems of large urban school districts and their communities

Correct and persuasive English usage, grammar, spelling, vocabulary and punctuation

District policies, applicable sections of the State Education Code and other laws and regulations

ABILITIES TO:

Conduct investigations

Prepare pleadings and briefs

Prepare and render legal opinions

Conduct legal research

Communicate effectively orally and in writing

Use a computer

Understand processes and systems

Analyze, interpret and apply laws, rules, regulations and policies

Maintain effective working relationships

Deal with special problems of urban school districts and communities and be sensitive and responsive to diverse cultural and ethnic groups

Work collaboratively and efficiently

Manage time and be self-directed

PREREQUISITES

Graduation from an accredited school of law

Five (5) years of experience in education-related law or similar fields; legal experience in the public sector is highly desirable

Eligible for membership in the State Bar of California and admission to practice before the United States District Court for the Northern District of California

Valid California Driver's License, if applicable

PRE-EMPLOYMENT PROCESS:

Employment eligibility will include fingerprints, tuberculosis and/or other employment clearance

WORKING CONDITIONS

ENVIRONMENT:

Office and diverse school site environments; driving a vehicle to conduct work; fast-paced work; constant interruptions

PHYSICAL REQUIREMENTS:

Consistent mental alertness; sitting or standing for extended periods of time; lifting, carrying, pushing, and pulling objects up to 30 pounds, occasionally 30+ pounds; bending and twisting at the waist, reaching overhead, above the shoulders and horizontally; dexterity of both hands and fingers while performing duties; seeing to read, write and use the computer; hearing and speaking to exchange information, in person or on the telephone, and make presentations.

NON-DISCRIMINATION POLICY:

The Oakland Unified School District does not discriminate in any program, activity, or in employment on the basis of actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, sex, or sexual orientation.