



Office of Human Resources and Equal Opportunity Administrator Job Description

GENERAL COUNSEL

DEPARTMENT: Chancellor's Office
COLLEGE: Foothill-De Anza Community College District
SALARY GRADE: A1 – 12

POSITION PURPOSE:

The General Counsel serves as the District's staff attorney and provides legal advice to the Board of Trustees, Chancellor, and management of the district; represents the District in litigation, arbitration, administrative proceedings, and grievances; and advises on complex legal, and policy matters to protect the District from liability. The General Counsel is also responsible for regular review of board policies and administrative procedures.

NATURE and SCOPE:

The General Counsel reports to Chancellor and is the primary legal advisor and legal representative of the District. The General Counsel's primary responsibilities include: 1) providing legal advice to the Chancellor, Board of Trustees, and management of the district on a vast array of complex governance and policy issues, including but not limited to 2) providing legal advice on legal issues, including California education code, general public education law, labor and employment law, litigation and claims, contracts 3) protecting and preserving the legal, ethical and financial stability of the District; and 4) as a member of the senior management team, serving as an expert representative of the College District and a participant in all major policy discussions.

KEY DUTIES and RESPONSIBILITIES:

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 accurately reflect the principal job elements.

1. Serves as the District's chief legal officer and advisor on all transactions and issues arising from programs and activities in the areas of governance, academic affairs, student affairs, financial management, facilities management, business management, information technology, and human resources.
2. Assumes responsibility for ensuring that the programs and activities of the District are legally conducted in compliance with applicable laws, statutes, codes, and regulations.
3. Assesses the merits of court cases, regulatory inquiries, and other legal actions filed against or on behalf of the District; works with the appropriate executives to define strategic positions, legal remedies, and/or defenses; recommends and approves settlements of disputes where warranted.
4. Participates and advises in the development of District policies, procedures, and related business documents.
5. Advises the Board of Trustees, Chancellor, and executive staff on legal matters related to governance and the policies, programs, and projects of the District.
6. Negotiates the most complex and sensitive contracts, agreements, and settlements on behalf of the District which are consistent with District interests, law, and relevant rules of professional responsibility.
7. Identifies, anticipates, analyzes, and responds appropriately to risks which have legal implications that may adversely affect realization of the District's educational and business objectives; advises executives and managers regarding the legal aspects of their exposure and liability to identified risks.
8. Assures adequate and appropriate systems and processes are in place to identify compliance violations; advises executives and managers regarding the legal aspects of their compliance systems, exposure, and decisions.
9. Identifies need and develops educational and training programs and activities for the purpose of keeping executives and managers informed of the latest changes in the law and policy and to prevent errors in their interpretation and application.
10. Regularly attends meetings of the Board of Trustees and Board committees to provide legal analysis and advice on legal and procedural matters.
11. Functions as an integral partner within the chancellor's senior leadership team.
12. Responds to California Public Records Act requests.

13. Performs related duties as required.

EMPLOYMENT STANDARDS

Knowledge:

1. Legal principles, practices, and procedures related to civil, constitutional, contract, employment, administrative, business law, and collective bargaining/labor law.
2. Methods, procedures, and practices used in the conduct of civil litigation.
3. Judicial procedures and rules of evidence.
4. Methods of legal research.
5. Fact-finding methods and procedures.
6. Methods and techniques for evaluating legal risks and liabilities and the business and practical consequences of related legal strategies.
7. Methods and techniques used to effectively manage and contain legal expenses and costs.
8. Business practices and legal aspects of corporate governance, academic affairs, student affairs, financial management, facilities management, business management, information technology, and human resources.
9. Capabilities of computer systems and applications applicable to assigned areas of responsibility.
10. Provisions of federal, state, and local legislation, statutes, codes, procedures and court decisions related to community college education and operations.
11. Mission, goals, organization, and key personnel of the District.
12. District Board Rules and administrative policies.
13. Principles of business and public administration.
14. Leadership and management skills.
15. Principles of public and community relations.
16. Principles of training, team building, and managing a legal team.

Skills and Abilities:

1. Formulate a clear organizational vision, strategic plan, and appropriate operational goals, objectives, and outcomes for the legal services of the District.
2. Administer legal services of the District in a manner that is data and principle driven, manages risk and exposure, ensures compliance, attains cost management goals, and achieves organizational effectiveness.
3. Successfully navigate and thrive in a multi-campus institution context through persuasion, influencing others, consensus, and effective communication.
4. Establish and implement a comprehensive program of reporting and communication.
5. Develop and implement the operating policies and procedures to ensure organizational effectiveness and compliance with performance standards and goals.
6. Anticipate conditions, plan ahead, and establish priorities; act independently and promptly to situations and events.
7. Recognize the critical elements of problems, develop and evaluate data, and determine solutions.
8. Prepare and present effective oral and written communications, presentations, and reports.
9. Effectively communicate highly technical information concisely and in understandable terms.
10. Establish and maintain effective working relationships with industry representatives, officials of public and private organizations, internal stakeholders, and the public.
11. Work effectively with individuals from diverse communities and cultures; possess cross-cultural communications skills and multicultural competency.
12. Project executive presence including gravitas, integrity, confidence, political acumen, and poise under pressure; maintain moral and ethical standards that reflect trust, honesty, integrity, credibility, and reliability.
13. Travel to offsite meetings and events.

Minimum Qualifications:

1. A Juris Doctor degree from an accredited American Bar Association school of law.
2. Three years of litigation experience related to contracts and torts, and five years as a practicing attorney.
3. Two years of experience supervising or managing staff.
4. At least two years writing clear, legal briefs for management which demonstrate documented research and critical

thinking skills.

5. License to practice law in the State of California.
6. Membership in good standing with the California Bar Association.
7. Possession of a valid Class C California driver's license must be obtained within 10 days of establishing residency in the State of California.

Preferred Qualifications:

1. Three years of experience in working with collective bargaining.
2. Three years of experience in working directly with Governing Board members or a CEO in the educational and/or public sector.

WORKING CONDITIONS:

Environment:

1. Typical office environment, including mobile and connected interactions.
2. May travel throughout the state and nationally.

Physical Abilities:

1. Hearing and speaking to exchange information in person and on the telephone and make presentations.
2. Dexterity of hands and fingers to operate a computer keyboard.
3. Vision sufficient to read various materials.
4. Sitting for extended periods of time.
5. Bending at the waist.
6. Lifting and carrying objects up to 20 lbs.

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Creditable Service: PERS