

SCHOOL DISTRICT OF FLAGLER COUNTY

JOB DESCRIPTION

SCHOOL DISTRICT'S **GENERAL COUNSEL** BOARD ATTORNEY

QUALIFICATIONS:

- (1) Law degree from an accredited university.
- (2) Member of Florida Bar, minimum of 5 years **preferred**.
- (3) Minimum of 10 years practicing law in the United States **preferred**.
- (4) 3-5 years as an ~~School Board~~ Attorney dealing with governmental services **preferred**.

KNOWLEDGE, SKILLS AND ABILITIES:

- General Knowledge of Board Policies, State & Federal law and general knowledge of judicial proceedings, rules of evidence and methods of legal research.
- General knowledge of local government law.
- Skills in conducting research on complex legal matters and preparing sound legal opinions.
- Demonstrating ability to interpret and apply legal principles and precedents in resolving complex legal problems.
- Ability to communicate clearly and concisely, orally and in writing.
- Ability to participate in the preparation and presentation of civil litigation matters before County, state and Federal Courts.
- Ability to establish and maintain effective working relationship with public officials, management, staff, subordinates and general public.
- Proven record of excellence in legal counseling and advising senior management or Boards.
- Proven experience in structuring, negotiating, and drafting documentation for complex transactions.
- Knowledge of institutional/corporate governance issues and concerns.
- Experience in and familiarity with a highly regulated industry/agency.
- Strong management, legal analysis and writing skills.
- Ability to handle highly charged and intelligent professional employees and lawyers.
- Understanding of the need for appropriate risk assessment and management on behalf of the Board.
- Knowledge of judicial procedures, rules of evidence and methods of legal research.
- Skill in conducting research on complex legal problems and prepare sound legal opinions.
- Broad breadth of legal experience and/or able to surround oneself with counsel to handle complex cases in such areas as;
 - Constitutional law
 - Civil rights law
 - Local government agency laws
 - Administrative procedures act
 - Government contracts procurement process
 - Public Records laws
 - Sunshine laws
 - Labor/employment/collective bargaining
 - Commercial
 - Real estate/construction law
 - Experience with regulatory compliance

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REPORTS TO:

School Board Superintendent

JOB GOAL

To provide **effective** legal services and legal advice to the **Board, Superintendent, and District staff** within the Flagler County School District.

SUPERVISES: N/A Clerical Staff, Confidential Professional Staff and Paralegals as needed

PERFORMANCE RESPONSIBILITIES:

- (1) Counsel the Superintendent and staff in matters of a legal or technical nature relating to the interpretation of statutes, charters, ordinances, contracts, and Federal and state regulations.
- (2) Attendance at all regular or special School Board meetings and such workshop meetings as deemed appropriate by the ~~attorney or the School Board~~ Superintendent. ~~rendering legal advice and counsel.~~
- (3) Prepare and conduct litigation and administrative law hearings as directed by the Superintendent, including, but not limited to, the preparation of all pleadings and trial and appellate briefs, negotiation between parties, the conduct of trial and hearings at the level of original jurisdiction or on appeal, and all other court or hearing appearances in order to represent most effectively the interests of the district.
- (4) Consultation with the School Board appointed team of bargaining agents for collective bargaining in an advisory capacity, ~~when needed.~~
- (5) ~~Representation of the School Board in administrative hearings, including appeals of administrative action.~~
- (6) Represent the Superintendent in due process hearings, grievance/arbitration hearings, employee discipline proceedings, student discipline cases, bid protests and other administrative proceedings of the Board.
- (7) Provide legal assistance in the drafting of legal documents, contracts, resolutions, applications and all other legal or quasi-legal papers upon request.
- (8) Provide legal assistance in the drafting of state legislation proposed by the district for presentation to the state legislature, as requested.
- (9) Maintain a current file of all legislation introduced in the state legislature and interpret the impact of such legislation on the interests of the district.
- (10) Prepare, or review and approve, contracts and other legal documents and instruments before submission to Superintendent for execution or inclusion on Board agenda.
- (11) Coordinate district responses and ensure compliance with subpoenas.
- (12) Consult with district staff to ensure compliance with public records requests.
- (13) Attend IEP meetings and advise school personnel regarding compliance with exceptional student education mandates, as needed.
- (14) Work collaboratively with school and District personnel.
- (15) Assist with charter school application approval process and monitoring.
- (16) Review periodically the ~~policies and procedures manual~~ of the ~~School Board and Superintendent~~ to determine ~~if it is in~~ compliance with state and Federal law and regulations. Shall advise the ~~School Board Superintendent~~ which policies ~~and procedures~~ should be changed and recommend the appropriate content of the change.
- (17) ~~Informing the School Board regarding any pertinent changes in state and Federal law and advising~~

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the School Board of any needed or suggested legislation that will benefit the School Board, and advising the School Board as to how proposed legislation would affect the school system of Flagler County, Florida.

- (18) ~~Conduct the examination of legal titles and other documents relating to the acquisition or sale of real property, including representation of the School Board in any necessary eminent domain proceedings, execution of documents, including deeds, at real estate transaction closings, after the real estate transaction contracts have been approved by the School Board, the preparation of leases, and the acquisition of appropriate title insurance when necessary.~~
- (19) Demonstrate proactive leadership and effective management skills to motivate and gain commitment of staff to facilitate task accomplishment.
- (20) Utilize appropriate strategies to make decisions regarding planning, utilization of funds, delivering services and evaluation of services provided.
- (21) Supervise assigned personnel, conduct annual performance appraisals and make recommendations for appropriate employment actions.
- (22) Be knowledgeable of and adhere to Board policies.
- (23) Assist in the interpretation of programs, philosophy and policies of the district to staff and the community.
- (24) Interact with parents, outside agencies, business and community to enhance the understanding of district initiatives and priorities and to elicit support and assistance.
- (25) Coordinating any litigation, including workers compensation, to which the School Board is a party, including appeals, by monitoring outside counsel, or by retaining the cases personally; delivering the information concerning said litigation in a timely fashion to the appropriate outside attorney; monitoring the progress and costs of any litigation to which the School Board is a party by regular consultation with the outside attorney.
- (26) Act as ~~the district's~~ general counsel rendering general legal advice to the ~~School Board and district~~ Superintendent and district staff on all legal matters relating to the school system of Flagler County, including but not limited to the following: employee and student rights, compulsory school attendance, rights of handicapped individuals, employee and student discipline, obtaining and procuring government grants, conflict of interest laws, government in the sunshine laws, and freedom of information laws.
Rendering such other legal services as the School Board may from time to time require including serving as lead counsel in selected cases involving the School Board.
- (27) Maintain confidentiality regarding school/workplace matters.
- (28) Model and maintain high ethical standards.
- (29) Plan, implement and evaluate staff development activities of assigned personnel.
- (30) Adhere to applicable safety standards.
- (31) Serve on school/district committees as required or appropriate.
- (32) Perform other duties as assigned.

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~~(33) Sending written reports to the School Board on a quarterly basis, or more frequently if directed by the School Board, as to the progress of litigation.~~

~~(34) Organizing, directing and evaluating the activities and performance of clerical and technical staff assigned to the Attorney's Office consistent with state law and School Board policies and procedures to ensure the effective and efficient delivery of legal services to the School Board.~~

PHYSICAL REQUIREMENTS:

Light Work: Exerting up to 20 pounds of force occasionally and/or up to 10 pounds of force as frequently as needed to move objects.

TERMS OF EMPLOYMENT:

Salary and benefits shall be paid consistent with the District's approved compensation plan.

Length of the work year and hours of employment shall be those established by the District.

EVALUATION:

Performance of this job will be evaluated in accordance with provisions of the Board's policy on evaluation of personnel.

*Essential Performance Responsibilities

Job Description Supplement Code 6

Salary Lane AYZ

Approved 06/19/2018

Revised 11/27/2023