



DUTY STATEMENT

PR LOG #: FR25-180

CIVIL SERVICE CLASSIFICATION				WORKING TITLE	
Attorney, Assistant Chief Counsel				Assistant General Counsel	
BRANCH					
Legal, Audits and Charters Branch					
DIVISION				OFFICE	
Legal Affairs I					
CBID	WWG	PCN	POSITION NUMBER	SPECIFIC LOCATION	
M02	SE	3190	174-070-5871-002	Sacramento	
PROBATIONARY PERIOD		TENURE		TIME BASE	BILINGUAL POSITION
12 Months		Permanent		Full-Time	No
TELEWORK OPTION		SAFETY SENSITIVE POSITION		CONFLICT OF INTEREST CLASSIFICATION	
Hybrid		No		Yes	
DIRECTION STATEMENT AND GENERAL DESCRIPTION OF DUTIES					
<p>In the California Department of Education (CDE), under the general direction of the State Superintendent of Public Instruction (SSPI), the Chief Deputy Superintendent of Public Instruction, and the General Counsel of the Legal, Audits, and Charters Branch, the Attorney, Assistant Chief Counsel is responsible for management in Legal Affairs I in the Legal, Audits, and Charters Branch. The Attorney, Assistant Chief Counsel reports to the General Counsel.</p>					
CONDUCT, ATTENDANCE, AND PERFORMANCE EXPECTATIONS					
<p>All employees are expected to work cooperatively with others, maintain regular, consistent, predictable attendance, and possess integrity, initiative, dependability and good judgment.</p>					
SUPERVISION BY					
General Counsel					
SUPERVISORY RESPONSIBILITIES					
<p>The Attorney, Assistant Chief Counsel supervises the Deputy General Counsels (comprised of Attorney III and Attorney IV classifications) and may supervise two Education Administrator I supervisory positions in the Legal Affairs I Division within the Legal, Audits and Charters Branch.</p>					
WORKING CONDITIONS AND PHYSICAL REQUIREMENTS					
<p>Work in an office setting, daily use of computer and telephone.</p>					

ESSENTIAL/NON-ESSENTIAL FUNCTIONS

Relative % of Time Required: ☒ Essential Function ☐ Non-Essential Function

Duties Performed

Administer the Legal Affairs I unit of the Legal Division of the Legal, Audits, and Charters Branch. Manage and direct the work of Legal Affairs I in the Legal Division; directly supervise staff attorneys and one Education Programs Consultant; coordinate, direct, and set priorities for litigation and legal workload, including matters handled by Staff Counsel III's and IV's; direct the application of departmental policy to litigation and administrative hearings; independently determine tactical approaches to such hearings and litigation; direct the preparation of legislation, regulations, legal advisories and opinions, and the analysis of federal and state legislation and appellate court decisions; coordinate CDE's involvement in litigation brought by the California Attorney General's Office (AG's Office) on behalf of the State, and in requests by the AG's Office for assistance in commenting on federal legislation/regulations and in other matters.

Direct and manage Legal Affairs I's fiscal resources. This task incorporates managing the budget, developing, and implementing effective budgetary, personnel, and contracting plans for Legal Affairs I and for the Division, as necessary, on an annual basis, and directing the work to be accomplished.

Relative % of Time Required: ☒ Essential Function ☐ Non-Essential Function

Duties Performed

Administer the Categorical Programs Complaints Management (CPCM) and Education Equity Uniform Complaint Procedures (EEUCPO) offices of the Legal, Audits, and Charters Branch. Manage and direct the work of two offices implementing CDE Uniform Complaint Procedures (UCP); directly supervise two Education Administrator I supervisory positions; manage the development, planning, implementation, administration, and evaluation of a functionally centralized UCP process within CDE.

Direct and manage the fiscal resources of the CPCM and EEUCPO. This task incorporates managing the budget, developing, and implementing effective budgetary, personnel, and contracting plans for both offices on an annual basis, and directing the work to be accomplished.

Relative % of Time Required: ☒ Essential Function ☐ Non-Essential Function

Duties Performed

Develop, recommend, and review proposed state policy impacting K-12 educational programs throughout California. Develop and make recommendations to the SSPI and the State Board of Education (SBE) and its members; provide information to the Legislature, SBE, and the Governor's office regarding the legal impact of proposed policies; recommend changes in statute or policy to ensure legal compliance; present policy in official court actions; develop and/or review draft legal documents explaining policy. Attend CDE leadership meetings.

Relative % of Time Required: <input style="width: 100px;" type="text" value="15"/>	<input checked="" type="checkbox"/> Essential Function <input type="checkbox"/> Non-Essential Function
Duties Performed	
<p>Perform complex legal work. Research and write the most difficult legal opinions, motions, briefs, etc.; participate in major litigation preparation and conduct; oversee the implementation of decisions to intervene and file amici curiae briefs in federal and state courts on matters having national and statewide educational impact.</p>	

Relative % of Time Required: <input style="width: 100px;" type="text" value="10"/>	<input checked="" type="checkbox"/> Essential Function <input type="checkbox"/> Non-Essential Function
Duties Performed	
<p>Represent the California Department of Education and the State Superintendent of Public Instruction. Attend and provide legal advice to the various committees of the SBE as necessary; appear and present the most complex legal positions of the SSPI, the SBE and its members, and the CDE before legislative and judicial forums.</p>	

Relative % of Time Required: <input style="width: 100px;" type="text"/>	<input type="checkbox"/> Essential Function <input type="checkbox"/> Non-Essential Function
Duties Performed	

SPECIAL/ADDITIONAL REQUIREMENTS AND DESIRABLE QUALIFICATIONS

PERSONAL CONTACTS

Interaction with CDE employees; SBE staff; attorneys for students; advocacy groups; school districts; other state agencies, and court personnel.

EMPLOYEE ACKNOWLEDGEMENT

I have read and understand the duties and requirements listed above, and I am able to perform these duties with or without an accommodation. (If you believe an accommodation may be necessary, or if unsure of a need for an accommodation, inform the hiring supervisor or the Accommodations Coordinator at Accommodations@cde.ca.gov.)

EMPLOYEE NAME

EMPLOYEE SIGNATURE

DATE

MANAGER/SUPERVISOR ACKNOWLEDGEMENT

I certify this duty statement represents a current and accurate description of the essential functions of the position. I have discussed the duties of this position with the employee and provided the employee a copy of this duty statement.

MANAGER/SUPERVISOR NAME

MANAGER/SUPERVISOR SIGNATURE

DATE

HRD C&P ANALYST

HRD APPROVAL DATE

EFFECTIVE DATE

DATE UPLOADED

This form will be kept in the employee's Official Personnel File.

Original - Classifications & Pay Office

Copies - Employee and Supervisor