



DATE ISSUED: 09/18
FLSA: Exempt
PTO: VCS

JOB DESCRIPTION

TITLE

Associate Vice President and General Counsel

JOB SUMMARY

The Office of the Associate Vice President and General Counsel provides legal counsel to the Chancellor and President, Cabinet Members, and the Board of Regents striving to offer timely and responsible advice about the broad array of legal issues that face modern, public, complex institutions of higher education. Responsibilities include, providing counsel and advice on employment and civil rights complaints, tort/personal injury matters, student conduct, grievances, policies and procedures, and claims. Provides legal advice on matters concerning the rights, obligations, and privileges of the university including representation in hearings and other judicial proceedings. Performs accountable and responsible legal work involving representation and interpretation of statutes pertinent to the University. The position will work closely with department heads, deans, chairs, managers and supervisors, including related programs and individuals throughout the University to establish a culture of compliance with university policies, state and federal regulations.

ORGANIZATIONAL RELATIONSHIPS

Reports to: Chancellor and President

Supervises: Assistant General Counsel and Sr. Administrative Assistant.

ESSENTIAL DUTIES - *May include, but not limited to the following:*

Contractual

- Advises administrators on legal matters including legal documents, transactions and contractual obligations.
- Advises university personnel on all matters related to intellectual property.
- In accordance with state rules and university policies, handles negotiations and problems associated with contracts and agreements.
- Supports academic agreements, contract and document review and drafting.

- Handles real estate, sales, purchases and easements including oil and gas leases and contracts.
- Monitors and handles affiliation agreements and contracts for grants, and sponsored programs.
- Responsible for establishing job standards for subordinate staff and effectively evaluating staff under charge. The performance evaluation is conducted through the performance evaluation system and in accordance with the University Policies & Procedures.

Investigations

- Either coordinates with others or conducts fact-finding including interviewing the complainant, respondent and potential witnesses, assessing the credibility of witnesses, drawing conclusions, preparing detailed written investigatory reports and making recommendations for action.
- Handles mediations and other dispute resolution matters.

Statutes

- Oversees the Office of General Counsel.
- Provides counsel and advice on employment and civil rights complaints, tort/personal injury matters, student conduct, grievances, policies and procedures, and claims.
- Reviews and recommends changes to TWU policies and procedures by interpreting state and federal regulations.
- Issues and provides written legal opinions including documentation and research of legal opinions.
- Provides legislative review, analysis, and research as requested.
- Advises on Open Meetings Act, postings, and notices.
- Authorizes, supervises, and monitors the work of outside legal counsel.
- Works with Public Information Act Coordinator.
- Serves as the University Ethics Officer.
- Serves as General Counsel to the Board of Regents.
- Serves as board secretary to the Board of Regents.
- Serves as designated Open Records Officer for the University.
- Monitors and measures the effectiveness of the efforts in records retention, disclosure of public information for regulations such as FERPA, Clery Act, Titles VII, IX and ADA.
- Disseminates policies/regulations and university rules and procedures electronically, and maintains the related university policies website.
- Oversees HIPAA policies; including assured compliance with standards of privacy, security and data standardization of personal health information required by federal HIPAA and state privacy legislation.
- Communicates and interacts with the Attorney General's Office or other legal, contractual or regulatory dealings with state, federal or private organizations, including

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but not necessarily limited to the EEOC, OFCCP, DOL, TWC, TCHR, NCAA, OCR, athletic conferences, and similar agencies.

ADDITIONAL DUTIES

- Performs special projects for Chancellor and President and Board of Regents.
- Performs other duties as requested.

EDUCATION

J.D. or L.L.B. degree and Licensed Attorney in good standing with the Texas Bar Association.

EXPERIENCE

Ten years of extensive and progressively responsible legal experience. Experience in dealing with legal matters in an academic setting required. Must be familiar with Texas Higher Education Codes and Texas laws. Demonstrates knowledge of federal and state Equal Opportunity, Title IX, ADA and other nondiscrimination and educational opportunity laws, rules, and regulations. Experience with writing policies and procedures. Experience delivering training on various regulatory or legal issues.

REQUIREMENT

Regular and reliable attendance at the University during regular scheduled days and work hours is an essential function of this position.

KNOWLEDGE, SKILLS, AND ABILITIES - The following are essential:

- Ability to handle confidential and sensitive matters with discretion and neutrality.
- Ability to perform analytic thinking and attention to detail to detect patterns in data and derive improvement measures.
- Ability to negotiate and resolve highly sensitive, complex and/or unprecedented problems.
- Ability to plan, direct, and evaluate a complex operation, using human resources, time, funds, and other resources for the accomplishment of long-term and short-term goals of the institution.
- Ability to establish and maintain effective work relationships with administrators, students, faculty, staff, and the public.
- Ability to provide administrative guidance within area of responsibility, providing direct training and supervision as needed.
- Ability to apply budgetary and fiscal planning techniques within financial constraints.

- Ability to organize work effectively, conceptualize and prioritize objectives and exercise independent judgment based on an understanding of organizational policies and activities.
- Ability to integrate resources, policies, and information for the determination of procedures, solutions, and other outcomes.
- Ability to communicate effectively orally, by phone, in person, and in writing.
- Ability to make effective and persuasive speeches and presentations on controversial or complex topics to the Board and the university community.
- Ability to use a personal computer and other office equipment, including related university software and email.

PHYSICAL DEMANDS

The physical demands described in the Essential Duties and below are representative of those that must be met by an employee to successfully perform the essential duties of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential duties.

The employee may be required to travel.

WORK ENVIRONMENT

All employees are responsible for maintaining an environment that is free from discrimination, intimidation, harassment, including sexual harassment. Work is normally performed in a typical interior work environment.

SAFETY

TWU promotes a safe working environment. Employees are responsible for completing assigned tasks safely and efficiently, and supervisors are responsible for creating and maintaining a safe work environment. Employees must report any unsafe work conditions or practices, as well as any near-miss incidents, to their supervisor and Risk Management. Supervisors and employees should ensure that injury/accident reports are submitted to the Office of Human Resources and Risk Management within 24 hours of the incident.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

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Employee Signature: _____

Date: _____

Employee Printed Name: _____

Texas Woman's University strives to provide an educational environment that affirms the rights and dignity of each individual, fosters diversity, and encourages a respect for the differences among persons. Discrimination or harassment of any kind is considered inappropriate.

Texas Woman's University is committed to equal opportunity in employment and education and does not discriminate on the basis of race, color, religion, gender, sex, sexual orientation, ethnic origin, age, veteran's status, or against qualified disabled persons.

All positions at Texas Woman's University are deemed security sensitive requiring background checks.