

NOTICE: REQUEST FOR RESUMES
SUPERVISORY GENERAL ATTORNEY
(TEAM LEADER), GS-905-14
(Schedule A, Excepted Service)

THIS IS NOT A VACANCY ANNOUNCEMENT

This is a request for resumes from interested persons. Resumes received will be held in a resume file maintained by the U.S. Department of Education, Office for Civil Rights, Atlanta Office (OCR Atlanta) and may be used to fill future vacancies for positions in the Office when vacancies occur.

Interested persons may mail a resume to the following address:

Wendy Gatlin, Acting Program Manager
United States Department of Education
Office for Civil Rights
61 Forsyth St. SW., Suite 19T10
Atlanta, Georgia 30303

Alternatively, resumes and cover letters may be emailed to Wendy.Gatlin@ed.gov. The subject line should state "Resume File." All materials become the property of OCR Atlanta and will not be returned. Many vacant positions in the Department of Education are filled through a resume file maintained for that purpose. The OCR Atlanta Office maintains a resume file, which includes resumes from all sources, to assist in filling vacancies. For this reason, all individuals, whether or not currently employed by Department of Education, interested in being considered for this position are invited to submit resumes, for inclusion in the OCR Atlanta Office Resume File.

The position of Supervisory General Attorney (Team Leader) in the U.S. Department of Education, Office for Civil Rights (OCR) is responsible for ensuring that legal aspects of the civil rights compliance and enforcement program support the mission of the Department and OCR's Strategic Plan. The position is located within the Enforcement Division. The position serves as a Team Leader of a complaint resolution and/or compliance team. OCR operates under the jurisdiction of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act of 1990, and their implementing regulations.

MAJOR DUTIES AND RESPONSIBILITIES

- Supervises, participates, and provides expert legal and policy advice to complaint resolution and/or compliance team members, the Regional Chief Attorney (CA), Regional Director (RD), the Enforcement Director (ED), the Deputy Assistant Secretary (DAS) and the Assistant Secretary (AS) relating to the investigation, negotiation, resolution of complaints and compliance reviews, the acceptance and monitoring of corrective action agreements, and the conduct of enforcement actions through judicial or administrative litigation. Assists in the formulation of responses to policy related requests from the Secretary, member of Congress and other individuals or organizations. Is a member of the Regional Office Management Team.

- Supervises and participates in the activities of the complaint resolution and compliance team; coordinates with other OCR teams, plans and assigns work; assures quality and consistency within the office and nationally, assures quantity requirements are met; makes final decisions on team problems and proposes resolutions of those issues to higher level management; hears and resolves complaints from team members; effects minor disciplinary measures; evaluates work performance; and approves leave.
- Advises staff in interpreting legal standards and regulations and in applying OCR policy to ensure consistency across the Regional office and Division of application in the conduct of complaint investigations, proactive compliance activities, technical assistance, monitoring and other compliance-related activities. Consults with the CA, RD or ED on complex, sensitive or precedent-setting legal issues and provides guidance to teams.
- Participates in the development of the Regional Office annual enforcement plan which features proactive activities (including technical assistance and compliance reviews); partnership activities with recipients to initiate change; and civil rights targeting efforts. Participates in all aspects of planning and conducting complaint investigations and compliance reviews which contain extremely complex and difficult legal issues.
- Conducts legal research and analysis of state statutes and state agency regulations, policies and guidelines where conflicts may exist between state and Federal law. Recommends alternative approaches, amendatory language or new provisions for the implementation of state statutes, state agency regulations, policies and guidelines to resolve potential or actual conflicts with laws and regulations. Represents the Department and OCR in the negotiation of difficult cases.
- Advises teams with cases of extreme complexity or difficulty to assess the legal sufficiency of a case, to determine the validity of any alleged violations, and to ensure consistency with established legal standards, policies, and procedures.
- Provides legal guidance in matters of extreme complexity and difficulty in the analysis of evidence, such as through investigative reports, resolution letter and negotiated settlements. Analyzes proposed findings based on the evidence gathered, legal research, applicable legal statutes, regulations and guidelines to determine whether the compliance determination is legally supportable.
- Represents the Department and supervises other attorneys and investigators in enforcement actions, including administrative and court proceedings. Develops evidentiary materials; plans legal strategy and tactics; prepares all enforcement-related documents; and presents, argues, and summarizes OCR's position in the trial of the case and in all subsequent proceedings.
- Recognizes the need for, develops and presents program training to staff members on issues of extreme complexity, complex statutory and regulatory standards, changes in case law, new policy decisions, investigatory techniques, negotiation skills and other case development issues.

- Provides legal assistance to CA, RD, and team members in strategic planning and in the accomplishment of other OCR objectives related to EEO policies, operations, resource management, and human resource development.

Knowledge Required by the Job

Expert knowledge of all civil rights laws and regulations enforced by OCR. Expert knowledge of policy and legal issues related to enforcing civil rights statutes. Expert knowledge of civil rights theories, principles and practices and the roles of the Federal, state and local governments in order to plan, evaluate, and advise all parties on funded educational programs, their requirements, and all related issues. Broad knowledge of other departmental programs. Knowledge of management principles, techniques and methods in the areas of organizational design, administration, budget, labor management, personnel management, and supervision. Expert skills to analyze and resolve precedent-setting problems that concern difficult legal and extremely complex concepts which require advanced skill in legal research and analysis. Thorough knowledge of investigative, analytical, evaluative, dispute resolution, negotiation and mediation techniques. Expert knowledge of legal standards for litigation in Federal courts and before administrative tribunals. Expert skill in litigation techniques, preparing legal documents for litigation, and all matters related to evidentiary trials and subsequent appeals. The position requires admission to the bar.

Skill in communication and public presentation in order to deal successfully with elected officials, the Public, private managers, and media representatives in order to effectively present information and resolve controversy.

Supervisory Controls

Reports to the Regional Director who sets overall goals and objectives for the regional office consistent with national strategic objectives. In providing leadership and guidance, executes independent judgment and latitude in planning and carrying out all assignments within the limits of acceptable practices and administrative policy. Consults with the Regional Director, Chief Attorney, and other high level managers on major unexpected situations involving the application of new or questionable techniques and methods. Decisions and recommendations are considered technically authoritative and are normally accepted without change. Responsible for ensuring that the work of team members is of the highest quality consistent with national standards.

Guidelines

Guidelines are broadly stated and non-specific. Guidelines include basic laws and executive orders covering civil rights, nondiscrimination, and equal employment opportunity. Implementing guidelines include Departmental regulation, procedures, and policy statements – guidelines are subject to continuous interpretation and revisions. If guidelines and policy do not exist, or are tentative or controversial, the Supervisory Attorney must use a high degree of judgment and ingenuity in extrapolating and interpreting these guidelines and policies in new areas.

Complexity

The work involves leading a complaint resolution and/or compliance review team, which includes investigators and attorneys. The work is especially complex because of the controversial and rapidly changing nature of civil rights. Competing interests must be balanced. Precedent-setting decisions are made. The work is subject to legislative, executive, judicial, media and public scrutiny.

Scope and Effect

The purpose of the position is to serve as Team Leader of a complaint resolution and/or compliance team. The work includes the investigation of extremely difficult, important, and complex allegations of discrimination and the negotiation of settlements when violations are found. The work has a major effect on the accomplishment of OCR's mission.

Personal Contacts

Contacts are with top level officials within the national and regional offices of the Department; top officials from educational institutions, including chancellors, provosts, presidents, and superintendents; elected and appointed officials; media representatives; leaders of advocacy groups; top attorneys; and complainants.

Purpose of Contacts

Contacts are frequently urgent and for the purpose of defending and explaining controversial OCR decisions and recommendations. Responses must be timely and diplomatic. Contacts are often to secure remedial plans to resolve identified problems at educational institutions; to enunciate Departmental policy; to gain cooperation with high level officials and to respond to the concerns of elected and appointed officials. Contacts with OCR headquarters are to resolve difficult policy, program, and management and personnel issues.

Physical Demands

Although the work has no physical demands it is extremely stressful because of the controversy and deadlines.

Work Environment

The work is performed in a typical office setting. Frequent travel by car may be required.

NOTICE OF IMPORTANT INFORMATION

- I. All vacancies are filled without regard to political, religious, or labor organization affiliation or non-affiliation; marital status; race; color; national origin; sex; sexual orientation; age; non-disqualifying physical or mental handicap or any other non-merit factor.
- II. Individuals are advised that false answers or omissions of information in resumes, processing forms, or information provided, or inability to meet the following conditions may be grounds for non-selection, withdrawal of an offer of employment, or dismissal after being employed.
- III. Individuals must meet time- in-grade, qualification, and other applicable requirements. Individuals selected for attorney positions must be active members in good standing, of the bar of the highest court of a State, U.S. Territory, U.S. Commonwealth or the District of Columbia. If selected, an individual will be required to provide proof of such active membership in good standing.
- IV. For all attorney positions, selection is contingent upon proof of U.S. citizenship. Acceptable proof of citizenship includes (a) United States passport or (b) original or certified copy of a birth certificate issued by a state, county, or municipal authority bearing a raised seal, and a photo identification (e.g., driver's license).

- V. Position may require eligibility for a sensitive national security position or higher, including, but not limited to, access to sensitive information, in which case the selectee will be subject to a background investigation. Selectees must be favorably adjudicated as being eligible to hold a position of public trust or access to sensitive information at the level required for the position as a condition of employment.
- VI. Supervisory attorney positions require submission of a financial disclosure statement.
- VII. OCR reserves the right to fill vacancies in attorney positions located in OCR from any and all appropriate sources, consistent with merit system principles.