**NOTICE: REQUEST FOR RESUMES GENERAL ATTORNEY (Civil Rights)**

**GS-905-12**

(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, District of Columbia Office (OCR Metro) 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:

Regional Director

United States Department of Education

Office for Civil Rights

400 Maryland Avenue, SW

Washington, DC 20202

Alternatively, resumes and cover letters may be emailed to Ralph.Suris@ed.gov. The subject line should state "Resume File." All materials become the property of OCR Metro and will not be returned. Many vacant positions in the Department of Education are filled through a resume file maintained for that purpose. OCR Metro 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 District of Columbia Office resume file.

The position of General Attorney (Civil Rights) in the U.S. Department of Education, Office for Civil Rights (OCR) is responsible for participating on a civil rights compliance and enforcement team that supports the mission of the Department and OCR's Strategic Plan. The position is located within a regional civil rights office. 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, the Boy Scouts of America Equal Access Act, and their implementing regulations.

MAJOR DUTIES AND RESPONSIBILITIES

* Makes civil rights compliance determinations and ensures that complaints and proactive enforcement activities are processed in accordance with the Assistant Secretary’s directives, regulations, policies, case law, and conform to established case-processing procedures. Ensures that appropriate remedies, including systemic remedies were necessary, are obtained.
* Participates in all aspects of complaint and proactive enforcement investigations including one-site investigations. Duties include: evaluating complaints; planning investigations; determining legal issues; determining investigation and legal strategy; conducting legal research; providing legal/policy advice; collecting/analyzing/interpreting investigation data/information and conducting necessary interviews; implementing approaches to organizing and conducting evaluation, planning, investigation, resolution and/or enforcement activities; drafting letters (e.g., dismissal letters, notification letters, administrative closures, data requests, letters of finding) and other documents (e.g., statements of the case, legal memoranda, resolution agreements); negotiating resolution agreements and/or conducting early complaint resolution; monitoring implementation of resolution agreements; assisting supervisors/managers with case work; and maintains caseload of appropriate size and complexity.
* Conducts legal research and serves as a legal and policy advisor to team members on complex factual and legal issues related to the investigation, negotiation, resolution of complaints, and compliance reviews and directed investigations, the acceptance and monitoring of resolution agreements. Assists in the conduct of enforcement actions through judicial or administrative litigation.
* Where compliance is sought through referral to the Department of Justice for the initiation of court litigation, or through the initiation of administrative enforcement proceedings, participates in the development of the agency’s legal position, formulates supporting legal theories, prepares evidentiary materials and witnesses.
* 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.
* Assists with the development of technical assistance materials (i.e., responses to recipient inquiries) and reviews such materials to ensure conformity with established legal and policy standards. Provides technical assistance to stakeholders.
* Performs other duties as assigned.

*Knowledge Required by the Position*

Thorough knowledge of civil rights laws and regulations enforced by OCR. Skills to analyze and resolve legal problems which have an absence of readily available precedent and concern difficult and complex concepts which require considerable skill in legal research and analysis. Knowledge of investigative, analytical, negotiation, mediation and resolution techniques. Skills in oral and written communications are required. The position requires admission to the bar.

*Supervision and Guidance Received*

Reports to the Team Leader who sets goals and objectives. Independently plans, organizes and conducts analyses and research, but where needed receives guidance from senior attorneys on cases involving complex and sensitive legal or factual questions. Where cases involve legal questions that potentially broaden or restrict the activities of the agency, the incumbent works under the general supervision of the Chief Attorney or senior managers in developing strategies for the investigations and sound resolution of these cases. Written work is expected to be accurate with respect to legal citations and the treatment of facts; sound in approach, argument and application of legal principles; and consistent with policies, procedures and regulations of OCR.

*Guidelines*

Guidelines are broadly stated and non-specific, e.g., broad statutory and regulatory language that requires extensive interpretation. They include civil rights statutes, Department regulations, policies, guidelines and legal standards, and relevant judicial decisions. The incumbent uses ingenuity and in adapting and extending available guidelines to novel situations. The incumbent frequently must adapt and extend available guidelines to novel situations.

*Complexity*

Assignments are broad in scope and involve complex, sensitive and difficult issues without clear precedent that affect the interest and practices of a significant segment of the school districts, State education agencies, state and local vocational rehabilitation agencies, and public and private institutions of higher education which are recipients of Federal financial assistance and the interest of persons protected by the civil rights statutes for which the Department is responsible or an important program of the Department.

*Scope and Effect*

The purpose of assignments is to develop and/or apply civil rights regulations, policies, legal standards or guidelines to recipients of Federal financial assistance. The objective of the work is to promote compliance with civil rights regulations to eliminate discrimination within educational institutions.

*Personal Contacts*

Personal contacts are made with a variety of persons, including complainants, top attorneys and high-ranking officials within and outside the agency. Contacts are not routine or of an established nature, but may deal with controversial or sensitive issues. Frequently, these contacts involve issues which receive considerable public and media attention.

*Purpose of Contacts*

The purpose of contacts is to negotiate or settle significant and controversial determinations of noncompliance with civil rights laws and regulations.

*Physical Demands*

The work is primarily sedentary except for occasional periods of standing or walking. No special physical demands are required to perform the work.

*Work Environment*

The work is primarily in an office setting. Car and air travel are required.

**NOTICE OF IMPORTANT INFORMATION**

1. 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.
2. 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.
3. 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.
4. 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).
5. 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.
6. Supervisory attorney positions require submission of a financial disclosure statement.
7. OCR reserves the right to fill vacancies in attorney positions located in OCR from any and all appropriate sources, consistent with merit system principles.