



WEST VIRGINIA STATE
UNIVERSITY



General Counsel Office of the University President

West Virginia State University

Founded in 1891, West Virginia State University (WVSU) is a public-land grant institution, which was originally founded as a historically black university, but which has evolved into a fully accessible, racially integrated and multi-generational institution serving approximately 3,514 students. The University is a community of students, staff, and faculty committed to academic growth, service and preservation of the racial and cultural diversity of the institution. WVSU offers 23 undergraduate and six graduate degrees through its four colleges. WVSU competes in athletics at the NCAA Division II level in five men's sports and five women's sports. WVSU is located in Institute, WV, a suburb of Charleston, the largest city and the capital of West Virginia. With more than 300,000 people living in the metropolitan area, it is an active, exciting and engaging community, boasting cultural and historical events, music, festivals and entertainment.

Position Description

The General Counsel's primary responsibility is to provide legal advice to the President and the West Virginia State University (WVSU) Board of Governors and to represent WVSU in legal matters. In addition, this position provides advice to all administrators, faculty, staff, and affiliated organizations as necessary, on all matters having legal implications for WVSU. The General Counsel performs the following activities in carrying out the responsibilities of this position: performs legal research, drafts legal documents, provides legal advice, monitors and assists outside attorneys hired to represent WVSU in litigation or to provide special expertise on complex legal matters, develops administrative regulations and policies, provides legal analysis of policies, state and federal statutes, and other issues affecting WVSU, participates in preparation of grant proposals, drafts and negotiated contracts with external organizations, entities, and agencies, and may represent the WVSU institution or its officials in legal and other proceedings.

This is an at-will, essential, FLSA exempt, full-time, benefits eligible position.

Responsibilities for the General Counsel

- Advise and potentially represent WVSU Board of Governors, President, Vice Presidents, Human Resources, and other faculty and staff members in legal matters related to their official capacity with the institution.

- Lead compliance efforts with Federal, State, and other regulatory agencies and bring legal issues and concerns to the attention of the administration and help them to respond appropriately.
- Attend Board of Governors meetings, advise the Board in legal matters, and approve all meeting minutes before being presented to the Board for approval.
- Drafts, edits, and finalizes reports, opinions, correspondence, articles, and other documents at the discretion of the President or WVSU Board of Governors.
- Provide counsel and advice concerning compliance with federal and state statutes and regulations affecting institutions of higher education.
- Develop, revise, interpret, and maintain official internal University policies, in accordance with the University procedures and coordinate the process of obtaining approvals by the President, the Board of Governors, and the Higher Education Policy Commission.
- Monitor and assist outside attorneys hired to represent WVSU in litigation involving the University or to provide special expertise on complex legal matters.
- Reviews contracts for the University, including purchasing agreements.
- Monitor and attempt to resolve disputes which may lead to litigation.
- Provide advice in all issues relating to employment law, discrimination, diversity, and equal employment opportunity.
- Provide advice regarding faculty governance and student academic and professionalism issues.
- Prepare standard preceptor contracts/affiliation agreements and handle non-routine questions regarding these agreements.
- Provide education and training to faculty, administration and staff to enhance understanding of and compliance with applicable federal and state statutes and regulations.
- Consult with faculty and staff on proposed legislation.
- Foster collaborative working relationships with all areas of WVSU and Higher Education.
- Serve as the Freedom of Information Act Officer in responding to all requests for documents under the WV Freedom of Information Act.
- Respond to all queries or complaints made under the WV Ethics and Open Meetings Acts.
- Facilitate and attempt to resolve Workmen's Comp and Unemployment Claims.
- Serve as point of formal legal contact between WVSU and external entities and acts as spokesperson on matters involving litigation.
- Work with legislative and executive branches including Higher Education Policy Commission as assigned.
- Assist in the preparation of agenda and materials for all Board of Governor Meetings.
- Attend all Board of Governor meetings and advise the Board on rules of order and other issues as necessary.
- Represent the University in real estate transactions, litigation, and settlements and issues of real property and land use.
- Provide legal advice in on-going faculty and student research activities and in the preparation of grant submissions.

- Provide legal advice and training in areas of HIPPA, FERPA, Copyright and Intellectual Property. This may include identifying and retaining external subject matter experts in these areas.
- Serve in “Of Counsel” position providing legal advice to the executive directors and board of directors of the WVSU Foundation.
- Participate in continuing legal education through membership in the State and local Bar Associations and the National Association of College and University Attorneys, in addition to reading legal periodicals and attendance at legal seminars.
- Assist President with special projects as necessary.
- Under the direction and supervision of the President, the individual in this position will support all legislative and regulatory policy matters in a manner consistent with WVSU’s mission, values, goals and priorities.
- Foster and develop ongoing relationships with appointed and elected officials and other external stakeholders.
- Monitor budgetary issues and conduct policy analysis of pending and prospective legislative and regulatory proposals to determine impact on WVSU.
- Facilitate the resolution of policy issues that arise relative to legislative, regulatory and other related matters.
- Monitor any and all state legislation, regulations, and industry trends that may impact the mission, values, priorities and goals of WVSU, and collaborate on the development of strategy to effectively influence outcomes on relevant matters.
- As requested, prepare memos, draft regulations and legislation, prepare public testimony and develop advocacy materials.
- In conjunction with applicable internal stakeholders, prepare follow-up materials to meetings and requests for data or analysis by government, legislative, industry and academic stakeholders.
- Other related duties as assigned.

Education and Experience Required

West Virginia State University requires an earned Juris Doctor from an ABA-accredited law school, and demonstrated success in a senior legal position in the public sector, higher education and/or cooperate law is favorable. Must be licensed to practice law in West Virginia or be able to become licensed within one year after the date of appointment.

Substantive knowledge of legal principles, practices, and proceedings, and of the broad spectrum of laws, regulations, and policies that affect the University is required.

Excellent writing ability and advocacy skills expected. Demonstrated ability to establish productive working relationships in the delivery of legal services is required. The successful applicant should have evidence of senior level responsibility. The candidate must be able to demonstrate good judgment, work under time pressures, and have an ability to work effectively and collegially with a small legal team and a variety of senior-level administrators. The successful applicant must have a demonstrated strong client-service perspective; a keen understanding of the University’s operating environment, project management skills, business judgment, and creative problem-solving and strategic vision.

Knowledge, Skills, and Abilities Required

- Knowledge of higher education law.
- Knowledge of the principles and procedures of legal research.
- Knowledge of non-profit corporate structures and legal requirements.
- Knowledge of contract document composition requirements.
- Knowledge of employment law.
- Knowledge of legislative process.
- Ability to investigate and analyze information and draw conclusions.
- Knowledge of contracts and grants preparation and management.
- Ability to foster a cooperative work environment.
- Ability to conduct complex legal research using both on-line and hardcopy resources.
- Ability to create and conduct training for staff and others.
- Ability to analyze, draft, and edit legal opinions and other written materials.
- Strong interpersonal and communication skills and the ability to work effectively with a wide range of constituencies in a diverse community.

Salary Statement

Salary will be commensurate with education and experience.

To Apply

This position will remain open until filled. However, first consideration will be given to applicants who submit a resume, cover letter, academic transcripts, and the names and email addresses or phone numbers of three professional references, etc.) by September 28, 2020. All requested information must be submitted for your application to be considered.

Please submit application materials via email, mail or in person to: hr@wvstateu.edu or mail to:

West Virginia State University
Department of Human Resources
P. O. Box 1000, 105 Cole Complex
Institute, WV 25112

Contact

For further information regarding application procedures, you may contact Human Resources at (304) 766-3156 and/or hr@wvstateu.edu.

West Virginia State University conducts criminal background checks on all job candidates upon acceptance of a contingent offer. Any offer of employment is contingent upon the satisfactory completion of a background check.

West Virginia State University is an Equal Opportunity/Affirmative Action institution. No person shall be denied admission to educational programs, activities or employment on the basis of any legally protected status, or be subjected to prohibited discrimination involving, but not limited to, such factors as race, color, creed, religion, national or ethnic origin, marital status, citizenship, sex, sexual orientation, gender identity or expression, age,

disability, or protected veteran status. Upon request, reasonable accommodations will be made to provide this content into an alternate accessible format by contacting Justin Cherry at 304.766.3156 or Justin.Cherry@wvstateu.edu.