

POSITION DESCRIPTION

 MAJOR, LINDSEY & AFRICA

MAJOR, LINDSEY & AFRICA | 1 SOUTH WACKER DRIVE, SUITE 1750, CHICAGO, IL 60606 | 312-372-1010

August 2019

University of San Diego

5998 Alcalá Park

San Diego, CA 92110

<https://www.sandiego.edu>



University of San Diego (the “University” or “USD”) has engaged Major, Lindsey & Africa on an exclusive basis to conduct a search for a **General Counsel** to be located in San Diego, California. Interested candidates, please submit your resume (in MS Word format) to Heather Fine at hfine@mlaglobal.com and Joanna Herman at jherman@mlaglobal.com or to the MLA recruiter who contacted you about this position. Please do not contact the University directly; all resumes sent to the University will be routed to MLA for handling and will create delays.

GENERAL COUNSEL - SUMMARY INFORMATION

Overview: Reporting directly to the President of the University of San Diego, the General Counsel will oversee and manage all legal affairs of the University. The General Counsel will serve as an advisor and counselor to the President, Senior Leadership Team and Board of Trustees, among various other constituencies, and serve as a strategic thought partner on all critical matters involving the University. This individual will manage the legal function and will be an institutional leader providing guidance on a range of issues.

University: Located on 180 acres overlooking the city of San Diego, Mission Bay and the Pacific Ocean, the University of San Diego provides a rigorous and rewarding academic environment where students and faculty are partners in learning. USD is a private, Catholic institution with over 9,000 undergraduate, paralegal, graduate and law students. With students from 77 countries and 44 states, USD is the youngest, independent institution on the U.S. News & World Report list of top 100 universities in the United States and was recognized by Forbes magazine as one of America’s most entrepreneurial research universities. The University of San Diego is one of only 44 universities in the world designated as an Ashoka U Changemaker campus. Dedicated to the ongoing legacy of the founders, the University of San Diego is committed to confronting humanity’s urgent challenges and empowering students to live fulfilling lives as responsible, global citizens. For more information, please go to www.sandiego.edu.

Compensation: Competitive salary and benefits.



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Relocation: Yes. This is a national search.

Experience: The successful candidate will have at least 15 years of legal experience, and preferably a solid understanding of matters related to higher education law including employment law, ADA, VAWA, FERPA, Title IX and Clery, as well as experience handling litigation, investigations, IP, contractual matters, athletics, student affairs, academic affairs, facilities and public safety, among other areas. The successful candidate must have significant experience interacting with senior leadership teams; excellent verbal and written communication skills; an ability to exercise sound judgment on challenging issues and perform tasks with professionalism, diligence and integrity; and the ability to work collaboratively with a broad range of constituencies. **Experience in higher education is strongly preferred. Experience serving in a prominent leadership role and working effectively with various constituencies is a clear advantage. Some experience with private, faith-based higher education is a plus.**

Bar Admission: Admission to a State Bar of any jurisdiction in the United States and the ability to become a Registered In-House Counsel in California (or already admitted to the California Bar).

University Overview

Located on 180 acres overlooking the city of San Diego, Mission Bay and the Pacific Ocean, the University of San Diego provides a rigorous and rewarding academic environment where students and faculty are partners in learning. USD is a private, Catholic institution with over 9,000 undergraduate, paralegal, graduate and law students. With students from 77 countries and 44 states, USD is the youngest, independent institution on the U.S. News & World Report list of top 100 universities in the United States and was recognized by Forbes magazine as one of America's most entrepreneurial research universities. The University of San Diego is one of only 44 universities in the world designated as an Ashoka U Changemaker campus. Dedicated to the ongoing legacy of the founders, the University of San Diego is committed to confronting humanity's urgent challenges and empowering students to live fulfilling lives as responsible, global citizens.

Vision

The University of San Diego sets the standard for an engaged, contemporary Catholic university where innovative changemakers confront humanity's urgent challenges.

Mission

The University of San Diego is a Roman Catholic institution committed to advancing academic excellence, expanding liberal and professional knowledge, creating a diverse and inclusive



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community and preparing leaders who are dedicated to ethical conduct and compassionate service.

Core Values

The University of San Diego expresses its Catholic identity by witnessing and probing the Christian message as proclaimed by the Roman Catholic Church. The University promotes the intellectual exploration of religious faith, recruits persons and develops programs supporting the university's mission, and cultivates an active faith community. It is committed to the dignity and fullest development of the whole person. The Catholic tradition of the University provides the foundation upon which the core values listed below support the mission.

The University of San Diego has crafted a mission statement and core values that help articulate the common ground upon which its principles and aspirations have been built. These ideals, combined with the vision statement and strategic goals, guide the university community in decisions and directions. They are the foundation of the work at the University of San Diego.

Academic Excellence

The University pursues academic excellence in its teaching, learning and research to serve the local, national and international communities. The University possesses that institutional autonomy and integrity necessary to uphold the highest standards of intellectual inquiry and academic freedom.

Knowledge

The University advances intellectual development; promotes democratic and global citizenship; cultivates an appreciation for beauty, goodness, and truth; and provides opportunities for the physical, spiritual, emotional, social and cultural development of students. The University provides professional education grounded in these foundations of liberal learning while preparing students to understand complex issues and express informed opinions with courage and conviction.

Community

The University is committed to creating a welcoming, inclusive and collaborative community accentuated by a spirit of freedom and charity, and marked by protection of the rights and dignity of the individual. The University values students, faculty and staff from different backgrounds and faith traditions and is committed to creating an atmosphere of trust, safety and respect in a community characterized by a rich diversity of people and ideas

Ethical Conduct

The University provides a values-based education that informs the development of ethical judgment and behavior. The University seeks to develop ethical and responsible leaders committed to the common good who are empowered to engage a diverse and changing world.



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Compassionate Service

The University embraces the Catholic moral and social tradition by its commitment to serve with compassion, to foster peace and to work for justice. The University regards peace as inseparable from justice and advances education, scholarship and service to fashion a more humane world.

About the President

James T. Harris III, D.Ed., became the University of San Diego's fourth president on August 3, 2015. Throughout his academic career, Dr. Harris has worked closely with cross-discipline teams to spearhead new civic and community engagements, connecting academic environments with intractable issues faced by society. Previously, Dr. Harris served for 13 years as the president of Widener University, a private, independent institution educating more than 6,300 students on four campuses in two states — Pennsylvania and Delaware. Prior to his appointment at Widener, he was the President of Defiance College in Defiance, Ohio, where he established the McMaster School for the Advancement of Humanity and developed a service-learning program that was ranked among the top 25 in the country.

The span of Dr. Harris's career includes volunteer leadership service in numerous local, state, and national roles. Examples of his leadership include his service as Chair of Association of Independent Colleges and Universities of Pennsylvania, Chair of the Pennsylvania Campus Compact, and as Vice Chair of National Campus Compact, a national coalition of 1,200 college and university presidents dedicated to promoting civic engagement among college students. He also served on the executive committee of the NCAA and as Chair of the NCAA Division III Presidents Council. Currently, he serves as a board member of the Monarch School, a board member of the Association of Catholic Colleges and Universities, and the Chair of the Council for Advancement and Support of Education (CASE) Board of Trustees, one of the largest educational associations in the world.

In recognition of his considerable contributions to education and the communities he has served, President Harris is the recipient of many awards and honors, including leadership awards from the NAACP for his work on defending civil rights. Earlier in his career, he was named by the John Templeton Foundation as one of the Top 50 Character-Building Presidents in America, and in 2011, he received the Chief Executive Leadership Award from CASE. Defiance College recognized him in 2002 with its highest recognition, the Pilgrim Award; and Widener University bestowed upon him the lifetime title of President Emeritus in 2015. In 2014, he was recognized with the College and University Public Relations and Associated Professionals' Ciervo Award, presented to one who exemplifies the association's fundamental purposes of supporting and advancing the understanding of higher education.



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President Harris believes in the transformative power of education. “Education can change individuals and society for the better and it’s one of the great forces in the world today,” he said. President Harris was a first-generation college student whose life was transformed through three profound experiences during his college years. First, he found his Catholic faith, inspired in part by the charismatic spiritual leadership of Pope St. John Paul II. Secondly, he found his vocation and fell in love with the idea of teaching and of being an educator. And third, he found the love of his life, his wife, Mary. President Harris and his wife Mary have been married for 35 years and have two adult sons, Zachary and Braden.

President Harris earned his undergraduate degree from the University of Toledo, a master’s degree in educational administration from Edinboro University of Pennsylvania, and his doctorate in education from Pennsylvania State University. All three of his alma maters have recognized him for his leadership in education and in 2013, The Pennsylvania State University Board of Trustees named him a Distinguished Alumnus, the highest honor the university bestows upon a graduate.

Position Information

The General Counsel will serve as the principal legal officer for the University, with overall responsibility for the vision and leadership of USD’s legal strategy. Reporting to the President, as a member of the Senior Leadership Team, the General Counsel will provide legal advice and counsel to the President, Board of Trustees and other members of the community on all significant matters affecting the University. This is an excellent opportunity to work for a mission-driven institution with true growth potential where the General Counsel will serve as a key thought leader within the community.

Responsibilities

Specific responsibilities of the General Counsel will include, but are not limited to:

- Providing legal counsel and guidance to the University’s President, Board of Trustees and Senior Leadership Team on matters pertaining to the University’s activities and operations.
- Developing a vision for legal services in conjunction with the President and Vice Presidents that aligns with the University’s mission and vision and sharing best practices and recommendations for how to execute legal services with an eye to institutional risk and ongoing support for academic initiatives and programs.
- Working closely with the Board of Trustees and advising and counseling on all governance matters, as well as regularly participating in meetings of the Executive and Audit Committees and attending other Committee meetings as needed.
- Leading, managing and overseeing the Office of the General Counsel, including developing and mentoring employees within the Office.



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- Advising and counseling the senior leadership team, deans, Human Resources staff, and managers from across campus on a wide range of employment-related matters involving faculty, administrators and staff.
- Advising and counseling the Student Affairs staff on a variety of issues such as Title IX compliance and sexual assault and other conduct hearings; disability accommodation issues for students; and student issues involving the intersection between mental health and conduct issues.
- Advising and counseling the provost, deans, and department chairs on faculty matters, intellectual property questions, academic integrity violations, research issues, and various other matters arising out of their areas.
- Advising and counseling Athletics leadership on various facilities, game and other business agreements, coach separations, coach agreements, and issues involving student-athletes, and at times on NCAA compliance issues.
- Advising and counseling the Public Safety leadership on a variety of matters including, policies, investigations, Title IX compliance, Clery compliance, no trespass orders, and other safety-related issues impacting the USD community.
- Providing advice and guidance to the Finance team, the Facilities Management team, Information Technology Services, and University Advancement, among other constituencies.
- Reviewing, consulting on, and drafting, as necessary, contracts and other legal documents and handle issues raised within contractual relationships.
- Representing or overseeing the representation of the University in judicial and administrative proceedings.
- Keeping abreast of compliance/regulatory related changes and providing executive and managerial education on legal issues in higher education for University constituents as it relates to their work.
- Serving as a member of and advising the following: the Senior Leadership Team, the President's Cabinet, the Compliance Oversight Committee, the Retirement Investment Committee, the Clery Compliance Committee, the Research Council, the President's Task Force on Immigration, the Intellectual Property Policy Task Force, the Athletics Compliance Committee, the Emergency Operations Committee, the GDPR Working Group and the Alcalá Village Working Group
- Determining when external resources will be necessary and retaining resources for legal assistance.
- Supervising and managing work performed by outside legal counsel.
- Maintaining professional growth and development through seminars, professional affiliations and other means to keep abreast of developments in legal matters affecting the University's activities and operations.



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Qualifications & Skills

The University of San Diego seeks an exceptionally accomplished attorney with a distinguished professional record. Personal and professional alignment within the University's culture is of paramount importance. Candidates must be self-motivated and exhibit a passion for understanding the University, its mission and serving as its attorney, as well as contributing in a meaningful way to strategy and long-term goals. In addition to possessing the requisite legal and technical skills, the successful candidate must approach this role as an experienced leader and demonstrate a high degree of strategic, conceptual and analytical thinking capabilities. This candidate will possess an understanding of and appreciation for an academic environment, the roles and relationships of faculty, staff and students, and the unique mission-orientation of USD.

Key Qualifications

- J.D. from an accredited law school and an excellent academic background.
- At least 15 years of progressively responsible legal experience. **Experience in higher education law is strongly preferred.**
- Some experience in private, faith-based higher education is a plus.
- A solid understanding of matters related to higher education including, employment law, ADA, VAWA, FERPA, Title IX and Clery is a clear advantage.
- Experience in some of the following legal areas: Advising Boards of Trustees; HR and Employment Matters; Student Affairs, including Disability Law; Academic Affairs; Finance; Facilities Management; Athletics; Public Safety; Information Technology Services; University Advancement; Preventative Campus Education; University Committees; and Estate and Gift Planning.
- Ability to handle litigation, government investigations and other claims; contract review and online repository; subpoena response management; trademark portfolio registration management; and FCC license registration management.
- Some experience working with Boards of Trustees and dealing with governance issues is preferred.
- Some experience with California employment law is a plus.
- Ability to communicate and make presentations in a clear and concise fashion.
- Exceptional interpersonal skills and the ability to communicate effectively with senior leaders and other professionals and colleagues at all levels of the University while utilizing excellent judgment in complex situations.
- Outstanding executive leadership and management skills in all aspects of a higher education environment with a proven ability to advise a successful, advancing institution.
- Superior intellect, with the ability to think critically and effectively communicate well-reasoned decisions; ability to see and handle more than the legal issues of a project; strong, pragmatic business acumen with the ability to recognize the broader



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consequences of a course of action and its impact on the many stakeholders in the University; a strategic and innovative thinker who can bring value and find creative solutions to complex legal issues.

- Ability to work collaboratively and with a strong sense of urgency as a member of a team while empowering colleagues and emphasizing accountability.
- Must be a team player and have the ability to build rapport with a diverse range of business and legal partners.
- A self-starter and someone who is University-focused with an ability to arrive at creative solutions to complex legal issues.
- A strong people-orientation and a desire to embrace USD's mission.
- Commitment to the highest ethical and professional standards; personal and professional integrity beyond reproach; unquestioned discretion in maintaining confidentiality.

THE UNIVERSITY OF SAN DIEGO IS AN EQUAL OPPORTUNITY EMPLOYER COMMITTED TO DIVERSITY AND INCLUSION AND IS ESPECIALLY INTERESTED IN CANDIDATES WHO CAN CONTRIBUTE TO THE DIVERSITY AND EXCELLENCE OF THE CAMPUS COMMUNITY.

THE UNIVERSITY OF SAN DIEGO IS A SMOKING AND TOBACCO-FREE CAMPUS. FOR MORE INFORMATION, VISIT WWW.SANDIEGO.EDU/SMOKEFREE.

Process

Please submit a resume in Microsoft Word format with a letter describing your interest and relevant skills addressed to:

Heather Fine
Partner
hfine@mlaglobal.com

Joanna Herman
Managing Director
jherman@mlaglobal.com

No calls please. Additional information can be found on www.mlaglobal.com. You may be required to complete additional documents to be considered for this position.