



## JULY 2017

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## Resignation Triggers Halt to Fringe Benefits

In an arbitration decision published June 12, a grievance calling for a school district’s employment benefits to continue past the effective date of a teacher’s resignation was denied. After three teachers retired, their health insurance benefits ceased, but the teachers’ association demanded that the school district continue to provide and pay for these benefits up to the end of the school year, defined by the contract as August 31.

The basic facts of this grievance were undisputed. Both the school district and the teachers’ association agreed that the collective bargaining agreement (CBA) contained the agreed terms regarding employment benefits. These terms noted that all full-time employees are eligible to participate in the district’s insurance plan on a “yearly basis.”

Three employees who had participated in the insurance plan submitted their resignation to be effective on the last working day of the school year. Because they had fulfilled their contractual obligation to work the required

number of days, they continued to receive payment for the school year through August. However, their health and other fringe benefits ceased as of the effective date of their resignation or the last day of the month of their resignation, in accordance with the CBA.

The teachers’ association filed a grievance arguing that the fringe benefits should continue through the entire school year, as defined by the CBA to end on August 31, as the employees had received their paychecks through that period.

The district argued that its past practice had always been to terminate employment benefits as of the effective date of resignation and was able to show that it had consistently held to that practice. Furthermore, employees who were contemplating retirement were routinely advised of severance matters by the district treasurer, including notification that health, dental, vision, and/or life insurance generally would end as of the effective date of resignation.

Interestingly, the previous teachers’ association president, who had more than two decades of leadership in the association, provided testimony that when an employee resigns or retires, the employee severs the employment relationship, and the fringe benefits and other contractual entitlements cease as of the date of resignation or at the end of the month. Additionally, she had encouraged the association to bargain for fringe benefits to continue through the end of the school year but was unsuccessful in bargaining for this very provision.

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The arbitrator agreed with the Board of Education and held that an employee ceases to be an employee as of the effective date of resignation and as such ceases to be a member of the bargaining unit covered by the CBA. The arbitrator went so far as to declare that the association is “estopped from taking a contrary position through this Grievance since it has been long-standing and it has been aware of the District’s practice.” The association, the arbitrator held, must bargain for this provision in the contract if it is so desired.

### **What This Decision Means to Your District**

As the arbitrator found, an employee ceases to be an employee as of the effective date of his or her resignation. Although a school employee’s salary may continue into the summer months for work performed while school was in session, an employee who has resigned is no longer an employee and therefore is not eligible to receive fringe benefits such as health insurance. School districts should be consistent in advising retiring or resigning employees of all severance matters. Teacher and other employee associations may wish to bargain for a provision to extend fringe benefits to continue beyond employment. If so, districts should discuss any such provision with legal counsel.

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## **Supreme Court Petitioned Once Again to Hear Fair Share Fees Case**

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In 1977 the U.S. Supreme Court decided in *Abood v. Detroit Board of Education* that public employees who choose not to join a union may be required to pay fair share or agency fees for a union’s representation that applies to them. That decision has been challenged repeatedly in the 40 years that have passed, but no lower court has the power to overturn the Supreme Court’s decision.

In 2014 the Supreme Court agreed to hear this issue again in a case from Illinois, where home health aides who were compensated by the state were required to pay fair share fees. Instead of ruling on the issue, however, the Court held that the aides were not actually public employees. Therefore, the issue remained.

In 2016 the Supreme Court again heard arguments in a fair share fees case filed by a group of public school teachers in California in the case *Friedrichs v. California Teachers Association*. However, before the justices could issue their opinion, Justice Antonin Scalia died, leaving eight justices on the bench and ending this case in a 4-4 deadlock. The Court was asked to rehear the case after Scalia was replaced, but the Court denied the petition.

On June 6, 2017, the Supreme Court was petitioned to hear another fair share fees case: *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. This petition asks the Court to consider whether *Abood* should be overturned and public-sector agency fees declared unconstitutional under the First Amendment protections of freedom of association, and whether employees’ First Amendment rights are violated when they are required to affirmatively object to paying fees for union representation rather than being required to affirmatively consent to paying for representation.

The speculation is that, had Scalia’s opinion counted in the *Friedrichs* decision, *Abood* would have been overturned, thus declaring fair share fees unconstitutional. With the new Justice Neil Gorsuch on the Court’s bench, the anti-union advocates are essentially counting on his vote to tilt the scales to a 5-4 decision in *Janus* against union fees.

The Supreme Court’s decision on whether or not to accept *Janus* is expected to be issued by July 10.

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## Supreme Court Revisits the Separation of Church and State

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In an opinion issued June 26, the U.S. Supreme Court held that a state may not prohibit a religious institution from participating in state programs solely on the basis of its religious identity.

A Missouri preschool and daycare that is operated by a local church was automatically denied a state grant because the preschool is owned by a church. The Missouri constitution includes an antiestablishment clause that prohibits providing financial assistance directly to a church. Therefore, the state-run department that provided the grants strictly and expressly denied grants to any applicant owned or controlled by a church, sect, or other religious entity.

While the parties agreed that the Establishment Clause of the First Amendment did not prevent the preschool from receiving the grant, Trinity Lutheran alleged that the Free Exercise Clause was violated.

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*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

*—First Amendment to the U.S. Constitution (emphasis added)*

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However, the Department of Natural Resources argued that withholding a subsidy that it was not obligated to provide did not burden the church's free exercise rights. Therefore, the department argued, it was free to follow the state constitution's antiestablishment provision.

Trinity Lutheran filed a lawsuit in district court, which dismissed the suit, holding that the Free Exercise Clause did not require the State to make funds available to Trinity Lutheran. The district court cited *Locke v. Davey*, a U.S. Supreme Court case which held that a state was not required to award scholarships toward a theology degree. Trinity Lutheran then appealed to the circuit court, which, though divided, affirmed the district court's decision. The Supreme Court disagreed.

The issue at hand stemmed from the preschool's playground, which was surfaced with pea gravel. The preschool applied for a grant to reimburse the cost of a rubber surface replacement made from scrap tires through Missouri's Scrap Tire Program, which was operated through the state's Department of Natural Resources. Because the department could offer only a limited number of grants, it assigned a score to applicants based on certain criteria. With this scoring system, the Trinity Lutheran preschool ranked number 5 out of 44 applicants. The department awarded 14 grants, so Trinity Lutheran would have been accepted, but the department rejected the preschool because of its ownership by Trinity Lutheran. In its denial letter, the department explained that according to the Missouri constitution, it could not provide financial assistance directly to a church.

The Supreme Court noted that laws imposing "special disabilities on the basis of ... religious status" trigger the strictest scrutiny, and that neutral laws must be distinguished from those that disfavor the religious. The Missouri Department of Natural Resources, the Supreme Court said, forced Trinity Lutheran to choose to participate in an otherwise available benefit program or remain a religious institution. With this, the Supreme Court distinguished this case from *Locke v. Davey*, as *Locke* itself noted that it did not "require students to choose between their religious beliefs and receiving a government benefit." When the State conditions a benefit on such a choice, the State imposes a penalty on the free exercise of religion that is subject to the most exacting scrutiny. If the benefit is denied, the State thereby punishes the free exercise of religion, which is exactly what the First Amendment protects.

Only two justices dissented from the majority decision, noting that the Establishment Clause forbids states from using public funds to benefit religious exercise and therefore Missouri *must* decline funding for this purpose. The dissent notes that the consequences of this decision will be much greater than a simple case of child-proofing a playground and will instead weaken the country's longstanding separation between religious institutions and civil government.

### **What This Decision Means for Your District**

During the past two decades, Ohio has significantly expanded public funding of private schools. An attempted challenge of this practice in the context of tuition voucher dollars overwhelmingly going to private religious schools was defeated in the closely split U.S. Supreme Court case *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002). *Zelman* found that such funding did not violate the Establishment Clause. The *Trinity Lutheran* decision further strengthens the position of private religious schools in relation to the Free Exercise Clause of the First Amendment. These decisions, combined with recent expansions of vouchers and other "school choice" programs, mean that the General Assembly and Congress will likely continue to explore methods that will increase the flow of public funding to private religious schools.

– *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 582 U. S. \_\_\_\_ (2017)

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## **New Procedural Safeguards Notice**

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In April the Ohio Department of Education issued a new procedural safeguards notice, *A Guide to Parent Rights in Special Education*. According to ODE, most of the changes were made for alignment with federal regulations and operating standards. Extraneous material was removed. Additionally, the forms were removed, but the new document contains links to forms such as due process complaint forms and others.

Below are highlights of the new information contained in the new notice.

- This update contains a form that districts must complete with the special education director's name and contact information. This may present a difficulty for special education directors in large urban and suburban districts, as the director may or may not serve as the contact for each of the topics.
- Schools should note that the FERPA information is not exhaustive; that is, there is much more to FERPA than is included in this update, such as directory information and other confidentiality exemptions. Keep in mind that the U.S. Department of Education has issued a guidance document that compares [IDEA and FERPA confidentiality provisions](#), which may differ.
- A school-level administrative review is the first step if a parent disagrees with a decision regarding a child's placement. Schools should know about each level of review and have a process in place for each.
- This notice contains a clear statement that an advocate "cannot practice law at the [due process] hearing and the advocate's involvement may be limited during the proceeding."

Districts should continue using *Whose IDEA Is This?* through July 31.

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## **Budget Bill Overview: Impacts on Education in Ohio**

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Every two years, Ohio legislators and the governor are tasked with passing a biannual budget for the state. Ohio's budget bill always has a direct effect on public education, from both a financial and an operational perspective. On June 30, Gov. Kasich signed a final version of House Bill 49. However, the governor vetoed 44 separate provisions, a number of which directly impact public schools.

As a final step, the House and Senate may vote to override any of the governor's vetoes. The House has already voted on 11 veto overrides (none of them related to education), and the Senate is expected to do so very soon. Both houses of the General Assembly must override gubernatorial vetoes by a three-fifths margin prior to the end of the legislative session, which is December 31, 2018.

Below are some of the education-related provisions in Title 33 of the Revised Code. These will be effective late September.

- Social studies has been removed from the required statewide achievement tests for the fourth and sixth grades. Instead, school districts will be required to teach and assess social studies in at least fourth and sixth grades, and may select any assessment tools for the subject. Results will not be reported to the Ohio Department of Education. Social studies has been removed from the list of subjects for which each district must provide prevention/intervention services to students who score below the proficient level established by the state.
- Beginning in July 2018, districts will be required to identify victims of any student who is disciplined for violent behavior in EMIS. Victims will be identified by classification (student, teacher, nonteacher, etc.) but not by name.
- Districts may administer certain portions of the kindergarten diagnostic assessment up to two weeks prior to the first day of school.
- Beginning on the effective date of the bill until October 1, 2021, no school district that is party to an annexation agreement shall transfer territory that is or will be used for nonresidential purposes to another school district that is party to the annexation agreement without the approval of both boards unless the territory of one of those boards overlaps with a new community authority created prior to January 1, 1993.
- As of January 1, 2018, the SERS board may increase each allowance, pension, or benefit payable to its members by the percentage increase (if any) of the consumer price index, which cannot exceed 2.5 percent.
- The deadline for students to apply for the Jon Peterson special needs scholarship has been eliminated. Students may apply anytime.
- A financial provision was added to help schools recover some of the property tax losses incurred because of the devaluation of power plants.
- STEM schools have been added to the list of entities that a public board of education must first offer an unused school facility for sale or lease. STEM schools will now have the same rights to such property that start-up community schools and college-preparatory boarding schools currently have.
- HB 49 modifies the recently enacted Lindsay's Law to state that students are required to *annually* submit a form that acknowledges they have received information about sudden cardiac arrest. Prior law required students to submit the form for each athletic activity each school year.
- Students who have an F-1 visa and attend an elementary or secondary school that operates a dormitory on its campus must now be permitted to participate in interscholastic athletics to the same extent resident students may participate.
- School districts may integrate academic content in a subject area for which the state board has adopted standards into a course in a different subject area including a career-technical education course in accordance with guidance that will be issued by ODE. The student may receive credit for both subject areas upon successful completion of the course. If an end-of-course examination is required for the subject area delivered through integrated instruction, the school may administer the related subject area exam upon completion of the integrated course.
- By December 31, 2017, ODE must develop a framework for school districts to use in granting units of high school credit to students who demonstrate subject area competencies through work-based learning experiences, internships, or cooperative education experiences. Districts must comply with the

framework and adopt changes to any of their policies regarding demonstration of subject area competencies by the start of the 2018–2019 school year.

- Schools are no longer required to train substitutes, adult education instructors who work the full-time equivalent of less than 120 days, or seasonal workers on operation of an AED as long as these individuals do not serve as a coach or supervisor for athletic programs.
- Students will be able to earn an OhioMeansJobs-readiness seal on their diplomas.
- The superintendent of public instruction is tasked to work with the governor's office and business officials to establish a committee that will develop a list of industry-recognized credentials and licenses that may be used to qualify for a high school diploma. The credentials must align with the in-demand jobs list published by the Ohio Department of Job and Family Services. The credentials will be used on state report cards.
- School districts that provide educational services to certain special education students who reside in a home or facility now have two options to receive tuition payments: directly from the district of residence or from ODE. If the school district opts to receive the tuition from the district of residence, it shall not receive a tuition payment for that student from ODE.
- School districts must now permit students to carry and self-apply sunscreen, and further are prohibited from requiring authorization from a health care provider to apply sunscreen (districts may still require parent authorization).
- Students are prohibited from using or possessing any substance that contains betel nut on school premises. Betel nuts are harvested from the Areca palm, which originates in Asia, and are considered a powerful stimulant when chewed. The nuts are believed to be a carcinogen and are linked to high rates of oral cancer.
- School districts which determine that for financial reasons they cannot establish state-mandated summer food service programs must permit an approved summer food service program sponsor to use the school facilities located in areas where at least half of the students are eligible for free lunches. The districts may charge the service program sponsor a reasonable fee and shall require the sponsor to indemnify the district for any liability that arises from the sponsor's food service operations.
- The superintendent of public instruction must develop standards for the operation of business advisory councils established by a board of education. These standards will, at a minimum, require the council to meet at least quarterly with the board and to develop a plan on how and about which matters it will advise the board. Current law requires that each school district board of education and ESC governing board appoint a business advisory council to advise and provide recommendations to the board regarding industry employment and skills needs.
- ODE will establish an option for career-technical education students to participate in pre-apprenticeship training programs that develop skills and knowledge needed for successful participation in a registered apprenticeship occupation course.
- HB 49 permits a school district to hire and pay a substitute educational aide who does not currently hold an aide permit and who fills in during an emergency or employee leave of absence. This provision creates an exception to the requirement that an educational aide/paraprofessional hold an aide permit from ODE before he/she may be paid to serve in that capacity. An individual may now serve as a "substitute educational aide" for up to 60 days provided that the school district superintendent believes that he/she has the qualifications to obtain an aide permit, the individual passes a criminal background check, *and* the individual has already submitted an application for the permit. The individual must stop working as a substitute when one of three things occurs: (1) ODE approves the application and grants a permit, (2) the application is denied, or (3) the application has not been approved after 60 days of work.
- ODE has express authority to reject or inactivate an educator license if the individual fails to submit fingerprints and written permission for a criminal background check.

- State law now recognizes creation of a STEAM community or nonpublic school, which stands for science, technology, engineering, *arts*, and mathematics. STEAM schools must meet certain requirements, including involvement of arts organizations.
- Bid bonds are no longer required for purchase of school buses unless the board of education or governing board requests that bid bonds be a part of the bidding process.
- The state board's rules for staffing ratios must now include two specific provisions for preschool programs that serve children with disabilities. First, the rules must require at a minimum that a school provide a full-time staff member when eight full-day or sixteen half-day preschool children eligible for special education are enrolled in a center-based preschool special education program. Second, the state board rules must also mandate a staff ratio of one teacher for every eight children at all times for a program with a center-based teacher, and a second adult must be present when nine or more children, including nondisabled children, are enrolled in a class session.
- State colleges must provide students enrolled in education preparation programs with instruction in opioid and other substance abuse prevention.
- A number of changes have been made to the College Credit Plus (CCP) program. The bill modifies the appeal process for students when a principal refuses to provide written consent for participation. The final appeal will now be heard within 30 days by the district superintendent rather than the state board of education. Also, to be eligible to participate in CCP, participants must now be remediation free for college entrance exams in one of the following: mathematics, science, reading, or writing. The college is required to pay for one assessment. Several funding provisions of CCP have been modified as well. Finally, the chancellor of higher education in consultation with the superintendent of public instruction must adopt rules that specify the conditions under which an underperforming student may continue to participate in CCP.
- Advisory group of school districts and other stakeholders to make recommendations for changes to EMIS to format standards and data definitions. Districts not using uniform data definitions and data format standards will have all EMIS funding withheld until the district comes into compliance.
- The court of claims received more than \$500,000 in each fiscal year to fund public records adjudications.
- Career-technical education enhancements:
  - New "Agricultural Fifth-Quarter Project" program funded at \$600,000 each fiscal year for work-based learning through supervised agricultural experience anytime outside of the school day. ODE will develop eligibility criteria and will fund as many programs as possible.
  - CTC programs (along with STEM, community schools, and city/local/exempted village districts) could pay the cost of earning an industry credential or journeyman certification recognized by the U.S. Department of Labor for economically disadvantaged students and be reimbursed by ODE pursuant to a \$750,000 appropriation.

The governor vetoed a number of education-related provisions adopted in the enrolled version of HB 49. Some of the vetoed provisions include the following:

- A provision to permit districts to administer a paper version of state assessments.
- A provision to grant additional authority to the Joint Education Oversight Committee to invalidate a manual adopted by ODE that it develops to audit full-time equivalency student enrollment reporting by school districts. ODE is still required to develop the manual and submit it to the Joint Education Oversight Committee for review.
- A provision to permit an ESC with a rating of *effective* or higher to sponsor a community school regardless of whether the school is located in the ESC's service territory or a contiguous county.
- A number of provisions to eliminate the resident educator program, which new teachers must complete during their first four years in the profession. As a result, the resident educator and resident educator professional teaching license will continue at least for the upcoming school year.

- A provision to require College Credit Plus students to earn a grade of C or higher to continue participation in the program.

The budget bill will be discussed in detail at the upcoming Administrator's Academy webinar on July 13. Click [here](#) to register for the event.

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## Upcoming Deadlines

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As your school district prepares for the next couple of months, please keep in mind the following upcoming deadlines. For questions about these requirements, please contact an Ennis Britton attorney.

- **July 1:** Beginning of 2017–2018 school year (RC 3313.62); Board may begin to adopt appropriation measure, which may be temporary (RC 5705.38); Deadline for salary notices for teachers and nonteachers (RC 3319.12, 3319.082); Treasurer must certify available revenue in funds to county auditor (RC 5705.36)
- **July 10:** Deadline for teachers to terminate contract without consent of the board of education (RC 3319.15); Deadline for voter registration for August election (RC 3503.01, 3503.19)
- **July 15:** Deadline to adopt school library district tax budget on behalf of a library district (RC 5705.28(B)(1))
- **July 25:** Deadline to submit certification for November conversion levy to tax commissioner (RC 5705.219(B))
- **July 31:** Deadline to submit certification for November income tax levy to Ohio Department of Taxation (RC 5748.02(A)); Deadline to adopt a plan to require students to access and complete online classroom lessons (blizzard bags) to make up hours for which it is necessary to close schools (RC 3313.482(a)(1)); Deadline for semiannual campaign finance reports to be filed by certain candidates, political action committees, caucus committees (legislative campaign funds) and political parties (by 4:00 p.m.) detailing contributions and expenditures through June 30, 2017 (RC 3517.10(A)(4))
- **August 1:** Deadline to file statistical report with Ohio Department of Education (RC 3319.33)
- **August 4:** Deadline to submit November emergency, current operating expenses or conversion levy to county auditor for November general election (RC 5705.194, 5705.195, 5705.213, 5705.219)
- **August 8:** Special election day (RC 3501.01)
- **August 9:** Deadline for county auditor to certify school district bond levy terms for November election (RC 133.18(C)); Deadline for school district to file resolution of necessity, resolution to proceed and auditor's certification for bond levy with board of elections for November election (RC 133.18(D)); Deadline to certify resolution for school district income tax levy, conversion levy or renewal of conversion levy for November election to board of elections (RC 5748.02(C), 5705.219(C) and (G)); Deadline to file (by 4:00 p.m.) a nominating petition as a board of education candidate for the November general election (RC 3513.254, 3513.255); Deadline to submit continuing replacement, permanent improvement of operating levy for November election to board of elections (RC 5705.192, 5705.21, 5705.25); Deadline to submit emergency levy for November election to board of elections (RC 5705.195); Deadline to submit phased-in levy or current operating expenses levy for November election to board of elections (RC 5705.251(A))
- **August 28:** Deadline to file (by 4:00 p.m.) as a write-in candidate for November general election (RC 3513.041)



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## Upcoming Presentations

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### 2016–2017 ADMINISTRATOR’S ACADEMY SEMINAR SERIES

#### 2016–2017 Education Law Year in Review

July 13, 2017

Live video webinar

– Ryan LaFlamme, Hollie Reedy, and Megan Bair Zidian

#### Archives available:

**Tackling Issues in Student Discipline** – September 29, 2016

**School Employee Leave and Benefits Update** – January 26, 2017

**Special Education Legal Update** – April 20, 2017

Ennis Britton has listened to the valuable feedback from our clients! This year, we offer the Administrator's Academy seminars in a different format from previous years. The September and April presentations were provided at live seminar locations as well as in a live audio webinar option. The other two presentations are via a live video webinar professionally produced by the Ohio State Bar Association. As always, an archive is available for all presentations.

Participants must be registered to attend each event. All four webinars will be archived for those who wish to access the event at a later time. You can register on our [website](#) or contact Hannah via [email](#) or phone at 614-705-1333.

### OTHER UPCOMING PRESENTATIONS

#### July 27: BASA New Superintendent Transition Program

– John Britton

#### August 2: High AIMS Summer Institute

– Bill Deters and Bronston McCord

#### August 3: Clermont–Brown County Regional Network Team

– Bill Deters

#### August 3: Northwest Ohio ESC

– Pamela Leist

#### August 3: Clark–Champaign–Madison County Annual Retreat

– Bronston McCord

#### August 3: Hamilton County ESC

– Jeremy Neff

#### August 3: Southern Ohio ESC

– Ryan LaFlamme and Erin Wessendorf-Wortman

#### August 8: Ohio School Resource Officers Association

– Hollie Reedy and Giselle Spencer

**August 9–10: Trumbull County ESC**

– Pamela Leist, Erin Wessendorf-Wortman, and Megan Bair Zidian

**August 10: Mercer County ESC**

– Bill Deters

**August 31: BASA Regional Meeting, BASA Office**

– Hollie Reedy

**September 1: BASA Regional Meeting, Stark County**

– John Britton

**September 6: BASA Regional Meeting, Montgomery County ESC**

– Bronston McCord

**September 7: BASA Regional Meeting, Logan Hocking High School**

– Hollie Reedy

**September 8: BASA Regional Meeting, Wood County ESC**

– John Britton

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**Webinar Archives**

Did you miss a past webinar or would you like to view a webinar again? If so, we are happy to provide that resource to you. To obtain a link to an archived presentation, contact Hannah via [email](#) or phone at 614-705-1333. Archived topics include the following:

- New Truancy and Discipline Laws
- Supreme Court Special Education Decisions
- Employee Licensure
- Transgender and Gender-Nonconforming Students
- Contract Nonrenewal
- Ohio Sunshine Laws
- Managing Workplace Injuries and Leaves of Absence
- Special Education: Challenging Students, Challenging Parents
- Fostering Effective Working Relationships with Boosters
- Requirements for Medicaid Claims
- Effective IEP Teams
- Cyberlaw
- FMLA, ADA, and Other Types of Leave
- Levies and Bonds
- OTES & OPES Trends and Hot Topics
- Tax Incentives
- Prior Written Notice
- Advanced Topics in School Finance
- Student Residency, Custody, and Homeless Students
- Student Discipline
- Media and Public Relations
- Gearing Up for Negotiations

# Ennis Britton Practice Teams

At Ennis Britton, we have assembled a team of attorneys whose collective expertise enables us to handle the wide variety of issues that currently challenge school districts and local municipalities. From sensitive labor negotiations to complex real estate transactions, our attorneys can provide sound legal guidance that will keep your organization in a secure position.

When you have questions in general areas of education law, our team of attorneys help you make competent decisions quickly and efficiently. These areas include:

## Labor & Employment Law

## Student Education & Discipline

## Board Policy & Representation

There are times when you have a question in a more specialized area of education or public law. In order to help you obtain legal support quickly in one of these areas of law, we have created topic-specific practice teams. These teams comprise attorneys who already have experience in and currently practice in these specialized areas.

### Construction/Real Estate

Construction Contracts • Easements •  
Land Purchases & Sales • Liens •  
Mediations • Litigation

#### Team Members:

Ryan LaFlamme  
Bronston McCord  
Gary Stedronsky

### Workers' Compensation

Administrative Hearings •  
Court Appeals • Collaboration with TPAs •  
General Advice

#### Team Members:

Ryan LaFlamme  
Pam Leist  
Giselle Spencer  
Erin Wessendorf-Wortman

### Special Education

Due Process Claims • IEPs • Change of  
Placement • FAPE • IDEA • Section 504 •  
any other topic related to Special Education

#### Team Members:

John Britton  
Bill Deters  
Michael Fischer  
Pam Leist  
Jeremy Neff  
Hollie Reedy  
Giselle Spencer  
Erin Wessendorf-Wortman  
Megan Bair Zidian

### School Finance

Taxes • School Levies •  
Bonds • Board of Revision

#### Team Members:

John Britton  
Bill Deters  
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Jeremy Neff  
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