



NOVEMBER 2017

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U.S. Supreme Court Hears Arbitration Case

On October 2, 2017, the U.S. Supreme Court heard oral arguments in a matter regarding arbitration of employer–employee disputes, where the Court consolidated oral arguments of three cases due to the issues under consideration. Each of the three cases arose after the employee entered into an arbitration agreement prior to filing a class action or collective action lawsuit.

The three cases centered on two federal laws with contradictory provisions. The Federal Arbitration Act (FAA) provides that arbitration agreements “shall be valid, irrevocable, and enforceable”; yet under the National Labor Relations Act (NLRA), employees have the right to engage in “concerted activities” for “mutual aid or protection,” such as filing a class action or collective action lawsuit. Furthermore, the NLRA specifically provides that denying employees this right “shall be an unfair labor practice.” Both of these federal laws date back nearly 100 years.

In the first case, employees of Murphy Oil filed a collective action proceeding against the company. Murphy Oil asked the court to order arbitration based on the employer’s arbitration agreement with its employees. The court did so, but after the employees failed to arbitrate, the court dismissed the case. The National Labor Relations Board charged Murphy Oil with committing an unfair labor practice; however, the Fifth Circuit Court of Appeals ruled for the employer, upholding the arbitration agreement.

In the second case, an employee of Wisconsin software company Epic Systems filed a federal lawsuit against the company. The court rejected Epic’s motion to compel arbitration and allowed the federal lawsuit to proceed. The Seventh Circuit held that Epic’s arbitration provision was unenforceable as an unfair labor practice.

In the third case, employees filed a class action against Ernst & Young. The district court ruled that the employer’s arbitration provision was enforceable, but the Ninth Circuit reversed and held that it was unenforceable.

The issue before the Supreme Court is whether arbitration clauses and waivers of collective and class proceedings are prohibited as an unfair labor practice and therefore unenforceable. While the employers ask the Supreme Court to harmonize the FAA and the NLRA, the employees argue that arbitration agreements should be viewed as unenforceable contracts if they are illegal.

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An analysis of the oral arguments reported that the justices seemed likely to uphold employment agreements that require dispute resolution through arbitration, therefore waiving the right to class action or collective action proceedings. However, both sides presented strong arguments, and the Supreme Court justices expressed thoughtful concern. While the justices seemed reluctant to invalidate employment agreements that cover about 25 million people across the United States, they also were concerned that a decision that denies people the right to class action or collective action would bring radical change to labor laws.

Attorneys present at the oral argument represented employers, employees, and the federal government. In an interesting turn of events, the attorney representing the U.S. government sided with the employers’ arguments, contrary to the brief that was initially filed by the National Labor Relations Board during the previous presidential administration. The employers’ attorneys seemed to win over the more conservative justices, and the employees’ attorneys, the more liberal justices. During arguments, Justice Kennedy seemed to side with the conservatives, but Justice Gorsuch was reportedly “harder to read,” and Justice Thomas was silent.

What This Case Means to Your District

This case has the potential to bring widespread change to well-established labor laws. It is more likely, however, that some aspects of both of these two federal laws will change without overturning our entire current employment system.

– *Epic Systems Corp. v. Lewis*, consolidated with *National Labor Relations Board v. Murphy Oil USA, Inc.*, and *Ernst & Young LLP v. Morris*

Unboxing the Education Deregulation Bill: What’s Inside SB 216

Senate Bill 216, introduced on October 10 by Ohio Sen. Matt Huffman, is the product of a collaboration of legislators and school superintendents, including a working group of a BASA committee and more than 40 superintendents from Senate District 12. The bill has been assigned to the Senate Education Committee and had its first hearing on October 18. SB 216 was drafted specifically to eliminate many unnecessary regulations and simplify many areas – such as substitute and aide licensure – that have become overly burdensome from a regulatory standpoint. Following is a summary of the provisions in SB 216.

State assessments	Adds language that would force the American Institutes for Research to explain how questions on all prescribed state assessments for all grade levels relate to the academic content standards starting with 2018–19. Also requires AIR to provide districts with practice tests, study guides, and other prep materials.	R.C. § 3301.78
State assessments	Eliminates kindergarten diagnostic assessments for reading, writing, and math.	R.C. § 3301.079
State assessments	Adds language that prohibits requiring districts to administer assessments for grades 3, 4, and 5 online, and permits districts to choose paper format for the assessments or any combination of online and paper assessments on a student-by-student basis. Adds language defining “other public school” as a community school, STEM school, or college prep boarding school.	R.C. § 3301.0711
EMIS	Eliminates the need to report kindergarten assessments in EMIS after the effective date of the statute amendments (since the kindergarten assessment will be eliminated).	R.C. § 3301.0714
Kindergarten readiness assessment	Eliminates the ODE-provided kindergarten readiness assessment. Eliminates the ability of ODE to use the kindergarten readiness assessment data to calculate the district’s letter grade for improving literacy in K–3. Adds a new requirement for this school year (2017–18) for any district in which less than 80% of students score proficient or higher on the third-grade English language arts assessment to establish a reading improvement plan supported by reading	R.C. § 3301.0715

	specialists. The district board of education shall approve it before it is implemented.	
Kindergarten diagnostic assessment	Eliminates requirement for chartered nonpublic schools to administer kindergarten diagnostic assessments.	R.C. § 3301.163
Compliance checklist	Requires ODE to establish, distribute, and monitor a “school mandate report” for districts, which would complete and file the report annually. Districts would note compliance with mandates by checking “yes” or “no”. If not in compliance, a district will provide an explanation to its board of education within 30 days as to why the item is not completed along with a written action plan to address the problem. The checklist will include whether the district is in compliance with <ul style="list-style-type: none"> • training on use of physical restraint or seclusion, • training on harassment, bullying, and intimidation, • CPR and AED training, • crisis prevention training, • establishing wellness committees, • establishment and review of school emergency management plan, and • compliance with nutritional standards. 	R.C. § 3301.68
State report card	Eliminates requirement that districts where less than 5% of students have scored below grade level on the kindergarten assessment receive no letter grade in K–3 literacy.	R.C. § 3301.02
Educational choice scholarship program	Changes eligibility for scholarship to students in buildings where a D or F on was received on improving K–3 literacy in the last 2 of 3 years to grade 1–3 improving literacy.	R.C. § 3310.03
Third-grade reading guarantee	Eliminates kindergarten reading assessment for purposes of third-grade reading guarantee.	R.C. § 3313.608
Professional development standards	Adds language as to what professional development standards are to be used to guide development of professional growth plans and improvement plans resulting from teacher evaluations.	R.C. § 3319.075
Nonteaching employee continuing contract	Modifies the contract sequence for nonteaching employees and delays eligibility for a continuing contract. A new hire first receives a 1-year contract, followed by three 2-year contracts . At the end of the third 2-year contract, if the contract is renewed, the nonteaching employee would receive a continuing contract.	R.C. § 3319.081
Educational assistant and educational paraprofessional license/permits	Changes to educational assistant and educational paraprofessional license/permits: <ul style="list-style-type: none"> • Adds language to the definition of “educational assistants”: nonteaching employees <i>working in a federally funded program</i> that directly assist a teacher. • Requires ODE to issue educational aide permits and educational paraprofessional licenses for educational assistants who undergo a criminal background check without any of the offenses listed in current law (3319.31(B) and (C)). • Removes language that allowed ODE to prescribe minimum qualifications including special training of education courses and qualifications for education, health, and character. Retains the language that the ODE rules may provide for licenses of several types. • Provides that nonteaching employees that substitute as educational assistants are not required to hold an educational aide permit or educational paraprofessional license. 	R.C. § 3319.088
Teacher evaluations	Changes to teacher evaluations: <ul style="list-style-type: none"> • Provides that boards must update their standards-based teacher evaluation policy by July 1, 2018, to conform to the framework adopted under 3319.112, which will become operative when the collective 	R.C. § 3319.111

	<p>bargaining agreement in effect on the effective date of the amendment expires (and must be included in renewal or extension of such agreements).</p> <ul style="list-style-type: none"> • Eliminates requirement to use value-added data and provides that student performance data used as evidence in a teacher’s evaluation must be considered “high quality student data.” • Teachers rated “accomplished” on their most recent evaluation may still be evaluated once every 3 years as long as they submit a self-directed professional growth plan which focuses on specific areas identified in the observations and evaluations AND the evaluator determines that progress is being made on the plan. Removes language that states that the student academic growth measure must be average or higher for the most recent year that data is available for the teacher to remain eligible for the evaluation exemption. • Skilled teachers may still be evaluated once every 2 years as long as the teacher and evaluator jointly develop a professional growth plan which focuses on specific areas identified in the observations and evaluations AND the evaluator determines that progress is being made on the plan. Removes language that states that the student academic growth measure must be average or higher for the most recent year that data is available for the teacher to remain eligible for the evaluation exemption. • For accomplished or skilled teachers, in any year the teacher is not formally evaluated, the teacher will receive one observation and one conference with a qualified evaluator. Adds language that the conference must include discussion on progress on the teacher’s professional growth plan. • Removes language that allows a board by resolution to require only one formal observation of accomplished teachers as long as the teacher completes a project to demonstrate continued growth and practice at the accomplished level. 	
<p>Standards-based evaluation framework</p>	<p>Changes to standards-based evaluation framework:</p> <ul style="list-style-type: none"> • Requires ODE to revise the state framework based on the ESB recommendations, and the state board to adopt an updated framework by May 1, 2018. <p>Removes from the framework:</p> <ul style="list-style-type: none"> • The student growth measure as a component of the final evaluation rating • The requirement to use the value-added progress dimension as a component of the final evaluation rating for teachers who teach value-added courses • ODE’s list of student assessments that measure mastery of course content for grade levels and subject for which the value-added progress dimension or alternative student academic progress measure do not apply <p>Adds to what the framework must include:</p> <ul style="list-style-type: none"> • Use of student assessment instruments approved by the board of education • A prohibition on use of shared attribution of student performance data among all teachers in a district, building, grade, content area, or other group • A professional growth or improvement plan for a teacher that is based on the results of the evaluation and is aligned to the district or building improvement plan created in accordance with ESSA <p>Adds to what ODE must do to assist districts with the evaluation framework:</p> <ul style="list-style-type: none"> • Provide guidance on how high-quality student data may be used to attribute student learning to a particular teacher with examples of appropriate use of the data under the framework 	<p>R.C. § 3319.112</p>

	<ul style="list-style-type: none"> Provide guidance on how student surveys, peer review evaluations, teacher self-evaluation, and other components “determined appropriate by the district” may be used as part of the evaluation process Requires ODE to update the framework by July 1, 2018 	
Teacher licensure	Adds language that the resident educator license, professional educator license, senior professional educator license, and lead professional educator license shall state whether the license is K–8 or 6–12.	R.C. § 3319.22
Substitute teaching educator licenses	Requires ODE to issue substitute educator licenses only under new section of the Revised Code. ODE is to adopt rules on the standards and requirements for issuing a substitute license and renewing the license, but the rules for obtaining a substitute license may not require an applicant to hold a post-secondary degree in any specified subject area and may not restrict the number of school days a substitute teacher may work. Existing substitute licenses would remain in effect until expiration, after which they would be subject to the terms of this new section. This means that short- and long-term substitute licenses would no longer be used.	R.C. § 3319.226
Licensure and employment	Superintendents may employ a licensed teacher to teach a subject area and/or grade level for which the person is not licensed.	R.C. § 3319.361
Truancy law	Change to new truancy law (HB 410) <ul style="list-style-type: none"> Only unexcused absences would count toward requirement to provide parental notification of excessive absence (38 hours in one school month, 65 or more in one school year). Removes excused absences from being counted toward the threshold level for parental notification. 	R.C. § 3321.191
Preschool staffing ratios for children with disabilities	Reduces the staffing ratio requiring a full-time staff member from 16 to 12 for half-day preschool children with disabilities (retains the ratio of 8 full-day preschool children with disabilities to one full-time staff member). Adds new language that a minimum of 10 hours of services per week will be provided for each child served by a center-based teacher unless an IEP specifies otherwise.	R.C. § 3323.022
Gifted education	Prohibits ODE , in a new section of the Revised Code, from adopting any rule that would require a person with an educator license who is designated as a provider of gifted services but does not have a license or endorsement for gifted education from having to complete professional development related to gifted education.	R.C. § 3324.12
College Credit Plus	If a course is available on the secondary school campus that a student attends, the student would not be able to enroll in a comparable course on the college campus at another location or online. If the course on the high school campus exceeds maximum capacity for enrollment, the school superintendent may approve the student to attend the course on the college campus, at another location operated by the college, or online.	R.C. § 3365.03
College Credit Plus	Changes for the provision and arrangements for the payment of textbooks begin in 2018–19. Removes the requirement that the school district must pay for textbooks, and removes textbooks from the list of items that school districts and colleges may enter into an agreement for an alternative fee structure. New Revised Code Section 3365.072: Requires students from public, nonpublic, or nonchartered nonpublic schools to pay for 50% of the cost of all required textbooks , and requires the student’s secondary school to pay for 50% of the cost of all required textbooks. Requires ODE to adopt rules that define economically disadvantaged students, and provides that for students defined as such, the secondary school will pay 100% of the cost of the required textbooks. Requires that home-instructed students participating in CCP be responsible for 100% of the costs of the required textbooks.	R.C. § 3365.07
Uncodified	Requires ODE to conduct a study of the results and cost-effectiveness of the College Credit Plus program and to present a report to all school districts, ESCs, the governor, the Chancellor of Higher Education, and every member of	Section 3

	the General Assembly. The study must include information on whether participants save money on college tuition and reduce the time to complete a degree and whether it is cost-effective for school districts.	
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Legislation Seeks to Curtail Property Valuation Complaints

The 32nd General Assembly is deliberating a bill similar to other, previous versions that the Ohio legislature and school districts have seen on property values. House Bill 343 would require local governments that contest property values – such as school boards – to formally pass an authorizing resolution for *each* contest and to provide advance written notice to property owners. The legislation is an effort to prevent attorneys who work for school boards from filing board of revision complaints on behalf of the school board.

At a hearing in the House Ways and Means Committee, Rep. Derek Merrin, who sponsored the bill, said that attorney representatives file valuation complaints “without appropriate oversight of the legislative authority.” He and eight co-sponsors drafted the bill so that school boards would be required to authorize and approve each property valuation complaint.

Ohio School Boards Association representative Jennifer Hogue, director of legislative services, provided testimony at the hearing that school boards often prefer others to handle property valuation complaints and other fiscal accountability functions “to avoid the appearance of elected boards playing favorites by picking and choosing the property values that are challenged.” She also noted that this allows board members to spend their time on district matters including the students and staff.

The legislation would require boards of education to adopt a resolution for each board of revision complaint or counter-complaint by voting at a public meeting. Each resolution must be voted upon separately. The resolution must:

- Identify the parcel by street address and parcel number
- Name the parcel owner(s)
- Provide the statutory basis for the complaint

Furthermore, the board must provide written notice to the parcel owner at least seven business days before adopting the resolution. This notice would include the intent of the board to adopt the resolution, the date of adoption, and the statutory basis for the complaint. Boards of revision would be required to dismiss complaints or counter-complaints that do not include a copy of this notice.

What This Means to Your District

The sponsor of this bill has drafted similar legislation in the past to prevent school districts from collecting taxes on the fair market value of properties in their district territory. Past measures have not been successful, but every time an issue is heard is another opportunity for consideration.

OSERS Rescinds Numerous Guidance Documents

On October 20, the U.S. Department of Education’s Office for Special Education and Rehabilitative Services (OSERS) rescinded 72 guidance documents that it deems as “outdated, unnecessary, or ineffective.” Some of the guidance documents list “superseded” as the reason for rescission. The impetus for this move was President Trump’s February executive order to enforce regulatory reform and “alleviate unnecessary regulatory burdens.” The 72 guidance documents include 63 from the Individuals with Disabilities Education Act (IDEA) and 9 from the Rehabilitation Act of 1973. The guidance documents span the years from 1980 to 2014.

In response to Executive Order 13777, Enforcing the Regulatory Reform Agenda, OSERS established a Regulatory Reform Task Force. One of the purposes of the task force is to evaluate existing regulations and recommend repealing, replacing, or modifying those that:

- Eliminate jobs or inhibit job creation
- Are outdated, unnecessary, or ineffective
- Impose costs that exceed benefits
- Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies
- Are inconsistent with the Paperwork Reduction Act
- Derive from executive orders or presidential directives that have since been rescinded or substantially modified

The task force stated that it would develop priorities and an implementation plan, which would “include outreach to Department stakeholders to ensure that we understand both the benefit and burden of current regulations.” The first priority of the task force was to identify those regulations that were deemed outdated, unnecessary, or ineffective.

Ennis Britton attorneys are currently investigating the impact of these documents being rescinded. Although the guidance may be outdated or ineffective, it may have an effect on the work of special education professionals. Policies may need to be revised and other changes made for compliance with the rescinding of these documents.

OSERS has published a [chart](#) that lists the rescinded documents, along with the reason for rescinding.

OAC Change: Short-Term Substitute Licenses

The Joint Committee on Agency Rule Review has released a new rule effective November 2, 2017.

OAC 3301-23-44 allows an individual holding a short-term substitute license to teach in a given classroom for a maximum of 60 days *during the current school year*. On the 61st day, the district must employ an individual who is licensed to serve as a long-term substitute for the grade level(s) and subject area(s) taught in the classroom.

The prior version of the regulation allowed a short-term substitute to serve for only 5 days in a given classroom. Many districts rotated substitute teachers to cover longer periods of absence. However, while the new rule change will extend the length of service that a short-term substitute may serve in a particular classroom, a district *may not rotate short-term substitutes* to extend the 60-day limit. Regardless of how many short-term substitutes serve during the 60-day time period, a district must have a properly certified long-term substitute teacher on day 61.

It is anticipated that that some districts will have a difficult time finding licensed long-term substitutes in some subject areas. It is therefore imperative that districts take a proactive approach and initiate a search for candidates as soon as the district becomes aware that an absence may extend beyond 60 days.

This rule change may be subject to further revision through Senate Bill 216 or other legislative initiatives. For details, please refer to the chart on SB 216 under “Substitute teaching educator licenses” on page 5.

Legislation in the Works

Bullying Bills

A bill in the Ohio Senate (SB 197) proposes that repeated bullying be made a criminal offense. This bill requires districts to have a tiered disciplinary policy for harassment, intimidation, or bullying, and to provide annual student instruction in prevention of bullying. Students who repeatedly threaten peers with serious physical or emotional harm could face a charge of aggravated bullying as a third-degree misdemeanor. If convicted of this crime, students younger than 18 may be sentenced to house arrest, juvenile detention, and a \$150 fine. Students age 18 and older may be sentenced to 60 days in jail and a \$150 fine. If passed, this law would make Ohio one of the toughest states on bullying.

The Ohio House has a different version of an anti-bullying bill, HB 360, to enact the Ohio Anti-Bullying and Hazing Act. Under this act, a board of education would file a notice in the municipal court anytime a student is suspended or expelled for harassment, intimidation, or bullying, and the court or a person appointed would develop a community service plan during the term of suspension or expulsion. Hazing that creates a substantial risk of causing death would be a third-degree felony. Districts would develop a disciplinary policy that covers retaliation against a student for reporting bullying, intimidation, or harassment. A new section of the Revised Code would require a disciplinary policy of suspension up to 10 days for the first offense and expulsion up 182 days for the second offense within the same calendar year. Districts would be required to provide counseling to offenders and to offer counseling to victims.

Breakfast Bill

SB 191 would establish Breakfast After the Bell, a program to provide breakfast in the classroom or cafeteria, and grab-and-go breakfasts, for schools with 70 percent of the student body eligible for free or reduced-price lunch.

School Funding

HB 369 would enact a new section of the Revised Code. This section includes a formula that provides additional funding to eligible school districts, provided the formula results in a positive number.

Sexual Abuse Prevention

HB 377 changes school district requirements regarding prevention of and training about sexual abuse. The school curriculum would include annual age-appropriate instruction in child sexual abuse prevention in grades K–6. Grades 7–12 would add sexual violence prevention education, with free curricula provided from the Ohio Department of Education. Boards of education would be required to incorporate training on child sexual abuse into professional development in-service trainings.

Firm News: Capital Conference Reception

You are cordially invited to attend Ennis Britton's reception at the OSBA Capital Conference to celebrate another successful year!

Monday, November 13, 2017
4:00 p.m. to 6:00 p.m.
Hyatt Regency Columbus
Franklin Rooms A & B

Please R.S.V.P. to Barbara A. Billow
bbillow@ennisbritton.com

All Capital Conference attendees are welcome to attend.

Upcoming Deadlines

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.

- **November 1:** Deadline for classroom teachers to develop online classroom lessons (blizzard bags) to make up hours for which it is necessary to close schools (RC 3313.482(A)(3)(a))
- **November 7:** General Election Day (RC 3501.01)
- **December 15:** Deadline for filing post-general election campaign finance statement for certain candidates, detailing contributions and expenditures from 4:01 p.m. on the last day reflected in the previous statement through 4 p.m. on the seventh day before filing the statement (December 8) (RC 3517.10(A)(1))
- **December 31:** Deadline for treasurer to canvass the board to establish a date of the organizational meeting (RC 3313.14)
- **January 15:** Deadline for boards of education of city, exempted village, vocational and local school districts to meet and organize - RC 3313.14; last day for boards of education of city, exempted village, vocational and local school districts to adopt tax budgets for the coming school fiscal year (RC 5705.28(A)(1))
- **January 20:** Deadline for boards of education to submit fiscal tax-year budget to county auditor (RC 5705.30)
- **January 23:** Deadline to submit certification for May conversion levy to tax commissioner (RC 5705.219(B))
- **January 29:** Deadline to submit certification for May income tax levy to Ohio Department of Taxation (RC 5748.02(A))
- **January 31:** Deadline for educational service center (ESC) governing boards to meet and organize (RC 3313.14)

Upcoming Presentations

SAVE THE DATE! 2017–2018 ADMINISTRATOR’S ACADEMY SEMINAR SERIES

September 28, 2017: Low-Stress Solutions to High-Tech Troubles – [Archive available](#)

January 25, 2018: Take Hold on Public Relations
Live video webinar

April 5, 2018: Special Education Legal Update
Live seminar in Cincinnati

July 12, 2018: Education Law Year in Review
Live video webinar

The September and April Administrator’s Academy presentations will be provided at live seminar locations as well as in a live audio webinar option. The January and July presentations will be offered via a live video webinar

professionally produced by the Ohio State Bar Association. As always, an archive will be 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 may register on our [website](#) or contact Hannah via [email](#) or phone at 614-705-1333.

OTHER UPCOMING PRESENTATIONS

November 9: Ohio Association of School Business Officials

– Bronston McCord

November 13 and 14: OSBA Capital Conference

– John Britton: Fair Share/Right to Work: What's Next?

– Gary Stedronsky and Erin Wessendorf-Wortman: Board Meetings: The Good, Bad and Ugly

– Pamela Leist and Hollie Reedy: OCSBA School Law Workshop—Investigations: Critical Skills Debriefing

Ashland Leadership Academy Seminars: ALAS 2018

January 5 & 6, February 2 & 3, March 2 & 3

– John Britton, Giselle Spencer, Megan Bair Zidian

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**Want to stay up-to-date about important topics in school law?
Check out Ennis Britton's [Education Law Blog](#).**

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

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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

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