



**October 2020**

Ohio Ethics Commission Advisory Opinion..... 1

Special Education Spotlight: Restraint and Seclusion Regulations Undergo Changes .... 3

Board of Education Meeting Minute Refresher ..... 4

IDEA Coronavirus Litigation: Records Request Update..... 6

Ennis Britton's Special Education Team works with LRP's Special Education Connection..... 7

Connect with Ennis Britton at the OSBA Capital Conference!.....8

Ennis Britton's 2020-21 Administrator's Academy Seminar Series ..... 9

Upcoming Presentations ..... 10

## Ohio Ethics Commission Advisory Opinion

The Ohio Ethics Commission recently issued an opinion on public officials attending ceremonial events. The opinion considered whether public officials or employees may attend and accept ceremonial gifts when they are performing ceremonial or honorary functions on behalf of their public office. The Commission also provided a list of criteria to apply to determine whether attendance on behalf of the public agency is appropriate and in compliance with Ohio's ethics laws.

### Accepting Anything of Value

R.C. 102.03(D) and (E) prohibit public officials from using the authority of their office to secure things of value or accepting things of value that would be an improper influence upon them.

An item is considered "anything of value" if it is "of such a character as to manifest a substantial and improper influence" on a public official or employee. (See OEC Adv. Op. 76-005) This includes money, goods and chattels, gifts, meals, travel expenses, and entertainment. (See Adv. Ops. No. 95-001, 2001-03, 2001-04, and 2009-01)

The Ethics Commission previously had determined that an unsolicited, ceremonial gift given to a public official or employee with little intrinsic,

marketable, or utilitarian value which is intended for presentation, is not of such a character to have a substantial or improper influence on the public official is not a thing of substantial value pursuant to R.C. 102.03. (See Adv. Op. No. 2019-01)

Thus, the Commission determined that a public official is generally not prohibited from accepting things such as personalized plaques, pictures, framed certificates, trophies, or other similar ceremonial or honorary items. The Commission noted that some ceremonial gifts of this nature may *not* fall under this exception if the gift has general desirability or marketability as a valuable object or a collectible item, has significant utilitarian value, or incorporates materials of significant value. Under these circumstances, the

**Cincinnati:** 1714 West Galbraith Road • Cincinnati, OH 45239 • (513) 421-2540 • Toll-Free Number: 1 (888) 295-8409  
**Cleveland:** 6000 Lombardo Center • Suite 120 • Cleveland, OH 44131 • (216) 487-6672  
**Columbus:** 300 Marconi Boulevard • Suite 308 • Columbus, OH 43215 • (614) 705-1333

[www.ennisbritton.com](http://www.ennisbritton.com) | [www.twitter.com/EnnisBritton](https://www.twitter.com/EnnisBritton) | [www.linkedin.com/company/ennis-britton-co-lpa](https://www.linkedin.com/company/ennis-britton-co-lpa)

ceremonial gift would be considered a thing of value and may not be accepted pursuant to R.C. Section 102.03.

### **Accepting Additional Compensation**

Public officials also may not accept compensation for the performance of their duties from any other entity than the agency they represent. Additionally, the Commission determined that R.C. 2921.43 does not prohibit a public official from accepting a ceremonial gift of sentimental value. That statute does not specifically define the term “compensation.” However, the Commission has opined that it refers to “wages, remuneration, and payment for services provided in exchange for an act that is clearly within the performance of the public servant’s official duties.”

With that in mind, the Commission has determined that providing a ceremonial gift such as a personalized framed plaque with only sentimental value to a public official would not be considered “compensation.” However, a public official *would* be prohibited from accepting a monetary award from a community association for performing their official job duties, if the award is used as a general supplement to their public compensation.

### **Attendance at Ceremonial Events**

The Commission went on to state that the Ethics Law would not prohibit a public official from accepting an invitation to a public event where the public official or employee is present in a ceremonial or honorary capacity. A ceremonial role was defined as “an act performed at an event by the official as a representative of the official’s agency at the request of the holder of the event, where for a period of time, the focus of the event is the act performed by the official.”

A public official may accept an invitation to attend ceremonial events such as the opening of a new exhibit, a groundbreaking or ribbon-cutting ceremony or other similar events, where the official is performing a ceremonial or honorary function appropriate to his or her public position. The Commission provided these criteria to determine whether attendance at such a ceremonial event is related to the official’s position:

- a) The event is clearly presented as ceremonial in nature;
- b) The event is formally scheduled, advertised, and open to the public and media;
- c) The official or employee is invited to attend the event as a representative of his or her public agency;
- d) The event is related to the work of the public agency the invited public official or employee serves;
- e) The attending public official or employee is performing a designated ceremonial or honorary function appropriate to his or her public position; and
- f) The attending public official or employee stays at the event for the time reasonably necessary to perform his or her official duties.

If the above criteria are present in the facts of an individual situation, the opinion finds no conflict of interest exists. If these criteria are met, a public official’s presence at the ceremonial or honorary functions serves a public purpose and does not violate the Ethics Law.

### **What this means for your district:**

You may be invited to attend events and ceremonies in an honorary or ceremonial role. The opinion finds that Ohio’s ethics laws do not prohibit public officials or employees from attending events such as the

opening of a new exhibit, groundbreakings, or ribbon-cutting ceremonies, so long as they are performing a ceremonial or honorary function appropriate to their public office.

Accepting such invitations may be appropriate if the criteria above applied to the facts of the situation are met. Remember, if any family members also wish to attend, they must purchase tickets and other items at fair market value. The Commission cautioned that the ethics laws *would* prohibit a public official from soliciting an invitation to an event of substantial value from an entity that is doing business, seeking to do business, or is interested in matters before or regulated by the public entity the official serves.

This opinion will help public officials decide if accepting that invitation is appropriate, and whether and what token items you may accept. A ceremonial commemoration such as a personalized plaque or framed certificate that has little intrinsic, marketable or utilitarian value and is intended merely for presentation is acceptable. Contact us if you need further information.

---

## **Special Education Spotlight: Restraint and Seclusion Regulations Undergo Changes, Expected Approval This Year**

---

For over a year, the Ohio State Board of Education has been considering changes to the policy and standards for the implementation of positive behavior intervention and supports (PBIS) framework and the policy and standards for the use of physical restraint or seclusion with students. These updates are being made pursuant to the general five-year rule review process, and to ensure that the PBIS and restraint and seclusion policies and standards are in line with the changes made to R.C. §3319.46 by House Bill 318 (November 2018).

Notably, the expected changes are as follows:

1. Updates to definitions within OAC 3310-35-15, including a definition for “functional behavior assessment,” which has not been previously defined in Ohio’s regulations.
2. Creation of a “Positive Behavior Intervention and Supports Leadership Team” to develop PBIS plans, as well as to coach and monitor PBIS implementation.
3. Required professional development beyond that required in existing law for the implementation of PBIS to occur at least every 3 years and provided by the PBIS Leadership Team or an appropriate state, regional or national resource.
4. Requirements that physical restraint or seclusion may only be used with appropriately trained staff, continual observation of the student, use of communication and de-escalation strategies, and necessary post-action reports.
5. Requirement that after the third incident of physical restraint or seclusion in a school year, for students on IEPs or 504 plans, the student’s team meet within 10 school days of the third incident to conduct, develop or amend a functional behavior plan or behavior intervention plan. If a student is not on an IEP or 504 plan, the student’s team should still meet within 10 school days of the third incident to discuss the need to conduct or review a functional behavior assessment and/or develop a behavior intervention plan.

6. Required annual training in evidence-based crisis management, de-escalation techniques, use of restraint and seclusion.
7. Modification of a school district's complaint procedures for PBIS implementation and the use of restraint and seclusion. Such modifications include informing the parents of additional options to file complaints (Police, ODJFS, ODE, etc.) and meeting with the parents within 30 days of a complaint filed.
8. Modification of a school district's PBIS and restraint and seclusion policies and procedures to include annual review of all relevant policies and procedures; annual notice to parents of district policies and procedures on PBIS, restraint and seclusion and local complaint process, and ensuring all substitute teachers have a support plan in place if they need assistance with PBIS, crisis management, de-escalation, and restraint and seclusion.
9. Establishing a complaint process with the Ohio Department of Education, Office of Integrated Student Supports. Complaints must be dually filed with this office and with the school district servicing the student within one year of the alleged violation. There has previously not been ODE authority to review complaints. While not part of the regulatory changes, ODE would need to establish internal rules and procedures for carrying out complaint reviews. Such rules and processes could significantly shape the impact of the new regulations, and their development is not required to go through the public comment and votes to which the regulation is subject.

### **What this means for your district:**

It is anticipated that the Ohio State Board of Education will act during its November 2020 meeting to approve these changes. You can expect that your policies and administration guidelines on PBIS and restraint and seclusion will need updating. Once the State Board of Education has acted, the Team at Ennis Britton will provide an in-depth review. Look for a webinar to be scheduled for later in November, pending approval from the State Board of Education, to discuss these changes.

---

## **Board of Education Meeting Minute Refresher**

---

The Open Meetings Act requires that minutes of all meetings be promptly prepared, filed, and maintained by all public bodies. The minutes must also be open to public inspection. As for executive sessions, the minutes need only specify the general subject matter of those discussions.

The Ohio Attorney General's Sunshine Law Manual provides a summary of relevant court decisions that address a public body's obligations under the Open Meetings Act. It can be accessed via this link <https://www.ohioattorneygeneral.gov/yellowbook> and states:

### **1. Content of minutes**

A public body must keep full and accurate minutes of its meetings. Those minutes are not required to be a verbatim transcript of the proceedings, but they must include enough facts and information to permit the public to understand and appreciate the rationale behind the public body's decisions. The Ohio Supreme Court holds that minutes must include more

than a record of roll call votes, and that minutes are inadequate when they contain inaccuracies that are not corrected. A public body cannot rely on sources other than their approved minutes to argue that their minutes contain a full and accurate record of their proceedings.

## **2. Making minutes available “promptly” as a public record**

A public body must promptly prepare, file, and make available its minutes for public inspection. The term “promptly” is not defined. One court has adopted the definition applied by courts to the Public Records Act (without delay and with reasonable speed, depending on the facts of each case), to define that term in the Open Meetings Act. The final version of the official minutes approved by members of the public body is a public record. Note that a draft version of the meeting minutes that the public body circulates for approval, as well as the clerk’s handwritten notes used to draft minutes, may also be public records.

## **3. Medium on which minutes are kept**

Because neither the Open Meetings Act nor the Public Records Act addresses the medium on which a public body must keep the official meeting minutes, a public body may make this determination for itself. Some public bodies document that choice by adopting a formal rule or by passing a resolution or motion at a meeting. Many public bodies make a contemporaneous audio recording of the meeting to use as a back-up in preparing written official minutes. The Ohio Attorney General has opined that such a recording constitutes a public record that the public body must make available for inspection upon request.

There is another statute that is specific to minutes of boards of education. In summary, R.C. 3313.26 requires the treasurer to do the following:

1. Record the proceedings of each meeting in a book, which shall be a public record;
2. Ensure the record of proceedings is read at the board of education’s next succeeding meeting;
3. Correct and obtain the approval of such record at the meeting where they are read;
4. Note the approval in the record of proceedings for the meeting in which they are approved; and
5. Obtain the signature of the board of education president on the record of proceedings and attest to the accuracy of the information contained therein.

The statute also allows a board of education to waive the reading of the record of proceedings as long as they have been distributed to the board of education at least two days prior to the next succeeding meeting and copies are made available to the public and news media. A board of education must adopt a resolution to waive the reading of the record, which resolution will remain in effect indefinitely until it is amended or rescinded by the board of education.

As noted above, the Open Meetings Act simply requires that meeting minutes be prepared “promptly.” That term is not defined in the Open Meetings Act so courts have held that they should be provided without delay and with reasonable speed, depending on the facts of each case. However, R.C. 3313.26 requires that a board of education’s minutes must be read, corrected and approved at the next succeeding meeting. The apparent conflict between these two statutes was addressed in *State ex re. Young v. Bd. of Edn. Lebanon School Dist.*, 2013 Ohio 1111, 2013 WL 1196877, wherein a resident sued a school district



claiming that it failed to timely approve minutes. Specifically, the resident argued that the Open Meetings Act and R.C. 3313.26 should be read together to require the district to prepare, correct, and approve the minutes of a previous meeting at the next respective meeting. The court agreed with the resident in finding that the school district was several months behind in approving its meeting minutes.

The requirement in R.C. 3313.26 can create problems when a school district holds back-to-back meetings within a short period of time. For instance, it may be necessary for a board of education to hold special meetings on successive days. In that case, R.C. 3313.26 and the holding in *Young* require that the board of education approve the minutes from the first meeting at its next meeting just one day later. As you can imagine, it might be difficult for a treasurer to timely prepare meeting minutes in that situation, especially if the first meeting was held in the evening and the second meeting is held the next morning. Thankfully, those situations are rare. However, they can arise, so school districts and treasurers are advised to comply with R.C. 3313.26 to the extent possible to avoid claims similar to those brought in *Young*.

### **What this means for your district:**

Treasurers and boards of education must ensure they comply with the requirements of the Open Meetings Act and R.C. 3313.26. Failure to do so may result in a resident seeking an injunction or writ of mandamus to prohibit a board of education from violating those statutes and enforce the requirements of Ohio law. A resident may also be entitled to a civil forfeiture of \$500 and an award of attorney fees and costs incurred as a result of instituting such legal action.

---

## **IDEA Coronavirus Litigation – Records Request Update**

---

Your school district may have received or may be receiving a public records request from the “Brain Injury Rights Group” for documents pertaining to federal IDEA funding and Medicaid payments received this year and the past two school years. This request stems from a class action lawsuit filed by the Brain Injury Rights Group against every school district in the country.

On July 28, 2020, a group of parents filed a class action lawsuit against, among others, all state departments of education and all school district in the country, stemming from the closure of schools in the spring of 2020 in response to the COVID-19. The suit filed in the United States District Court for the Southern District of New York alleges that school districts violated Constitutional and statutory rights by failing to provide special education services as a result of school closings.

The United States District Court judge presiding over the matter has indicated skepticism regarding the viability of the claims, particularly regarding the question of whether a District Court in New York City has jurisdiction over school districts outside of New York. Specifically, on September 2, 2020, the District Court issued a show cause order stating, “The court harbors considerable doubt that it has jurisdiction over any school district in any state other than New York, where it sits.”

While the District Court has yet to rule on the jurisdiction issue and despite strict rules for discovery under the Federal Rules of Civil Procedure, recently the Brain Injury Rights Group issued records requests to numerous school districts throughout the country.

The District Court acted swiftly when it learned of the records requests. On October 26, 2020, the District Court issued a “Memo Endorsement” stating, “Let me be clear: Plaintiffs counsel is to take no steps, either under or outside of the Federal Rule of Civil Procedure, to obtain information to use in the prosecution of

this case. No defendant need reply to any such request.” In the event you receive a records request from the Brain Injury Rights Group, we encourage you to contact counsel to determine whether a response is warranted. We will continue to keep you updated as the case proceeds.

---

## Ennis Britton’s Special Education Team Works with LRP’s Special Education Connection

---

Ennis Britton's Special Education Team members have been interviewed on several occasions recently by LRP Publication's Special Education Connection. Special Education Connection publishes articles designed to help educate and inform school professionals around the country about important legal and practical issues related to special education. This is a great honor for our Team, and speaks to our commitment to continue growing relationships that benefit you, our clients. LRP's Special Education Connection has given us permission to share this article with you. When additional articles are published, we will seek to provide you with the same access.

### Avoid appearance of predetermination in remote learning

Predetermination occurs when members of the IEP team decide a student’s placement in advance of an IEP meeting without the parents’ participation or input. Predetermination constitutes a denial of FAPE because it significantly impedes parental participation in the IEP development process. Though it often refers to students under the IDEA, predetermination can happen with students covered under Section 504 as well. And, it can happen when students are learning remotely.

Here’s how to avoid predetermination in a remote learning environment.

**Watch your language.** ‘It is all in your language choice and how you’re speaking...that can help argue predetermination or not,’ said **Erin Wessendorf-Wortman**, a school attorney at Ennis Britton Co., LPA in Cincinnati. Take, for instance, an accommodation on a Section 504 plan that makes sense for an in-person learning environment, such as preferential seating. Instead of automatically saying, ‘We don’t do that in a virtual setting,’ have a conversation about the need you are trying to meet with that accommodation, she said. Then ask how you can best meet that need in a virtual setting. ‘It’s phrasing,’ she said. ‘Coming into meetings saying, “We can’t do this” – the position of being all or none – is predetermination.’

**Pull out evaluation.** Take a look at the student’s evaluation to see what needs his accommodations are meeting, Wessendorf-Wortman said. Then look at the evaluation with a ‘virtual lens’ as opposed to an ‘in-person lens.’

It’s two dramatically different ways to engage with academics, she said. For example, a student with ADHD may be inattentive during class. During an in-person class, the teacher may be able to simply walk by and tap the student on the shoulder to remind her to engage in the lesson. In a virtual environment, however, it may require an app reminder or prompt in a meeting chat feature.

**Check in more often.** To see if accommodations and modifications are working during virtual learning, staff may need to check in with the student more often, Wessendorf-Wortman said.

For example, send an email every quarter that asks how the accommodation is working for the student. If it is age appropriate to do so, include the student on the message as well. This will help you adjust how

you are providing services in remote learning and let you know if you need to come back to the table for further discussion, she said.

‘In person, we had an easier time seeing with our own eyes if an accommodation was working,’ Wessendorf-Wortman said. ‘Virtually, we may not.’

**Keep notes and communicate.** Take notes during virtual meetings and keep documentation of all communication with parents, Wessendorf-Wortman said. Have meeting notes of what was discussed and any disagreements. Note the discussion around how you plan to check in at the end of each quarter or semester to see how things are working. If you plan to provide a certain accommodation, take notes of what you will need. Documenting all this and communicating it to the student’s virtual instructors is key, Wessendorf-Wortman said.”

*Reprinted with permission from: Special Ed Connection®. © 2020 LRP Publications, 360 Hiatt Drive, Palm Beach Gardens, FL 33418.*

---

## **Connect with Ennis Britton at the OSBA Capital Conference!**

---

The pandemic has presented many challenges for all of us this year, including that we will not have the opportunity to gather in person for the Ohio School Boards Association’s Capital Conference. In spite of these challenges, the conference still will give us all “virtual” opportunities for connection, learning and conversation. Ennis Britton is proud to be a Gold Sponsor of the 2020 OSBA Capital Conference. We will be there with you virtually, and you will be able to see and interact with our team of attorneys and firm logo in many different places. Take a look below at our list of our presentations and events, and find out how you can connect with us through our virtual booth at the Trade Show.

This is the first time we have participated in the Trade Show. Stop by and chat or leave a message for us. We would enjoy “seeing” you visit our booth, which will be staffed by our Columbus legal assistant **Hannah Reichle**. She can tell you about all of the exciting opportunities we have in the upcoming year, and can help connect you with a member of our team.

This year, Ennis Britton will also host a Coffee Chat on Monday morning from 9:30 a.m. to 10:00 a.m. **Ryan LaFlamme, Pam Leist, Bob McBride** and **Hollie Reedy** will review “2020 Legal Lessons Learned.”

Finally, plan to join our attorneys presenting at Capital Conference this year for exciting, informative (and entertaining!) track sessions. Here is when and where you can hear from us:

**Monday, Nov. 9<sup>th</sup>**

**2:15 p.m. Addressing Employee Absenteeism**

Presented by John Britton

**9:30-10:00 a.m. Coffee Chat: Thanks for the Memories: 2020 Legal Lessons Learned**

Presented by Ryan LaFlamme, Pamela Leist, Robert McBride and Hollie Reedy

**11:00 a.m.-12:00 p.m. Developing threat assessment teams for schools**

Presented by Erin Wessendorf-Wortman



**Tuesday, November 10<sup>th</sup>**

**2:15 p.m. *Remote Control-Professionalism in the Digital Age***

Presented by Jeremy Neff and Giselle Spencer

We will certainly miss hosting you at Ennis Britton's Capital Conference reception this year. Stay tuned for next year, when we hope to gather in person and continue building the community of relationships we value now more than ever. Our reservation is already made.

We are proud to support OSBA as a Gold sponsor, especially this year. Let's connect next week!

---

## **Ennis Britton's 2020-21 Administrator's Academy Seminar Series**

---

We know that school districts face many challenges this year, and we are here to help! We are taking a different approach to the 2020-21 Administrator's Academy Seminar Series by offering five live interactive webinars rather than the typical that we have offered in the past. Our goal is to address a broader list of topics in a way that takes up less time from your busy day. The webinars will be presented in an interactive zoom webinar format. Attendees will have an opportunity to hear about hot topics from an Ennis Britton attorney, and will also have an opportunity to collaborate with colleagues and in smaller discussion groups. The webinars will take place from 11:00 a.m. to 12:00 p.m. on the following dates:

- October 22, 2020: Student Privacy Challenges
- December 10, 2020: Lame Duck Legislative Overview
- February 11, 2021: Managing Employee Leaves
- April 15, 2021: Shedding Light on Sunshine Laws
- July 15, 2021: 2020-2021 School Law Year in Review (from 10:00 a.m. to 12:00 p.m.)

***Due to the change in format, these events will not be archived or recorded.***

### **Registration**

You must be registered to attend any of these events. You may register on our website or by contacting Hannah via email or phone at 614.705.1333. Attendees will be provided a certificate of attendance. Any administrators and board members from your district are invited to attend.

We hope you can join us!

### **About Our Administrator's Academy Seminar Series**

At Ennis Britton, we believe our role is to provide key legal guidance to our clients before a problem arises. This way, clients can make informed decisions and avoid legal pitfalls. We created the Administrator's Academy to provide school district administrators and board members with the latest legal information to help them manage their districts in an efficient, effective, and proactive manner.

The Administrator's Academy consists of a series of presentations, each covering a specific topic or area of education law. Our experienced attorneys provide a legal overview as well as real-life examples to help administrators navigate and understand the complicated legal environment. Participants have the opportunity to ask questions and to hear different perspectives on topics pertinent to school management. The Administrator's Academy presentations are provided as a complimentary service to our clients and are free of charge. Ennis Britton will also work with LPDCs for the attainment of CEU credit.

---

## Upcoming Presentations

---

### Special Education Coffee Chats

The Ennis Britton Special Education Team invites you to join a series of facilitated conversations with student services personnel and Ennis Britton attorneys to discuss the COVID-19 educational impacts. We know that as educational leaders, you are great collaborators, and if there was ever a time for sharing your insights on how to serve students, it is now.

During the chats, our special education team of attorneys will provide a quick overview of hot topics – then turn things over to you and your colleagues across the state. We will help facilitate discussions and encourage you to take your conversations in the direction that best serves your students and school district.

This series has been offered since May. In light of the slowdown of new guidance and legislation we are moving to a monthly schedule. Just like you, we strive to be responsive to the changing situation with the pandemic and will revisit the scheduling and format of the Coffee Chats regularly.

If you are interested in joining us for this coffee chat, please contact our Legal Secretary, Hannah Reichle, at [hreichle@ennisbritton.com](mailto:hreichle@ennisbritton.com) to receive the Zoom conference link (it will be sent Thursday morning). If you have already signed up, you are on the list and do not need to sign up again. If you have changed positions, please forward this email to the appropriate people in your district. The general logistics are as follows:

- The next Zoom conference for the 2020-2021 school year is set for Thursday, November 5th starting at 9:00 AM. We aim to be done in less than an hour because we know you are very busy. Attendees will be placed in a virtual waiting room until the meeting begins. After brief introductions, you will be prompted to join a breakout room.
- The Zoom chat feature will be available throughout this session. You may send messages to all participants or send “private” messages to facilitators.
- Special Education Team members will be available by email or cell phone if you have follow-up questions.

We encourage you to continue sending us your suggestions for future chats! We're here to help you with the technical side of compliance, but we also want to make sure we are helping you with the bigger picture. If any professionals are up to the challenge of creatively solving problems and adjusting to ever-changing government directives, it is educators. We are inspired by your efforts and honored to be a part of your team. Thank you again!

## Other Presentations

We are currently scheduling administrator retreats for the 2020-2021 school year (in person or via videoconference). Contact us soon if you would like to schedule a retreat for your administrators!

**November 5: Ohio Association of School Psychologists Annual Conference**  
***Challenges of Remote Meetings***

Presented by Pam Leist

---

Follow Us on Twitter: [@EnnisBritton](https://twitter.com/EnnisBritton)

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:

### Labor and Employment

- School Employee Nonrenewal
- Employee Licensure
- School Employee Leave and Benefits
- Managing Workplace Injuries and Leaves of Absence
- Requirements for Medicaid Claims
- Discrimination: What Administrators Need to Know

### Student Education and Discipline

- New Truancy and Discipline Laws – HB 410
- Transgender and Gender-Nonconforming Students
- Student Discipline
- Student Privacy

### School Finance

- School Levy Campaign Compliance

### School Board Policy

- What You Should Know about Guns in Schools
- Crisis, Media, and Public Relations
- Low-Stress Solutions to High-Tech Troubles
- Ohio Sunshine Laws

### Special Education

- Three Hot Topics in Special Education
- Supreme Court Special Education Decisions
- Special Education Scramble (2018)
- Special Education Legal Update (2017)
- Special Education Legal Update (2016)
- Effective IEP Teams

### Legal Updates

- 2017–2018 Education Law Year in Review
- 2016–2017 Education Law Year in Review
- 2015–2016 Education Law Year in Review

# 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  
Robert J. McBride  
Bronston McCord  
Giselle Spencer  
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

### School Finance

Taxes • School Levies •  
Bonds • Board of Revision

#### Team Members:

John Britton  
Bill Deters  
Ryan LaFlamme  
Robert J. McBride  
Bronston McCord  
Jeremy Neff  
Hollie Reedy  
Giselle Spencer  
Gary Stedronsky



# Attorney Directory

**John Britton**

6000 Lombardo Center, Suite 120  
Cleveland, Ohio 44131  
P: 216.487.6673  
C: 216.287.7555  
Email: jbritton@ennisbritton.com

**William M. Deters II**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.200.1176  
Email: wmdeters@ennisbritton.com

**J. Michael Fischer**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.910.6845  
Email: jmfischer@ennisbritton.com

**Ryan M. LaFlamme**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.310.5766  
Email: rlaflamme@ennisbritton.com

**Pamela A. Leist**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.226.0566  
Email: pleist@ennisbritton.com

**Robert J. McBride**

6000 Lombardo Center, Suite 120  
Cleveland, Ohio 44131  
P: 216.470.3392  
Email: rmcbride@ennisbritton.com

**C. Bronston McCord III**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.235.4453  
Email: cbmccord@ennisbritton.com

**Jeremy J. Neff**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.460.7579  
Email: jneff@ennisbritton.com

**Hollie F. Reedy**

300 Marconi Boulevard, Suite 308  
Columbus, Ohio 43215  
P: 614.705.1332  
C: 614.915.9615  
Email: hreedy@ennisbritton.com

**Giselle Spencer**

6000 Lombardo Center, Suite 120  
Cleveland, Ohio 44131  
P: 216.487.6674  
C: 216.926.7120  
Email: gspencer@ennisbritton.com

**Gary T. Stedronsky**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.886.1542  
Email: gstedronsky@ennisbritton.com

**Erin Wessendorf-Wortman**

1714 West Galbraith Road  
Cincinnati, Ohio 45239  
P: 513.421.2540  
C: 513.375.4795  
Email: ewwortman@ennisbritton.com

**Cincinnati Office:** 513.421.2540

**Cleveland Office:** 216.487.6672

**Columbus Office:** 614.705.1333

**Cincinnati:** 1714 West Galbraith Road • Cincinnati, OH 45239 • (513) 421-2540 • Toll-Free Number: 1 (888) 295-8409

**Columbus:** 300 Marconi Square Road • Suite 205 • Columbus, OH 43215 • (614) 705-1333

**Cleveland:** 300 Marconi Square Road • Suite 205 • Columbus, OH 43215 • (614) 705-1333

[www.ennisbritton.com](http://www.ennisbritton.com) | [www.twitter.com/ennisbritton](https://www.twitter.com/ennisbritton) | [www.linkedin.com/company/ennis-britton-co-lpa](https://www.linkedin.com/company/ennis-britton-co-lpa)

Ennis Britton's School Law Review has been developed for use by clients of the firm. However, the review is not intended to represent legal advice or opinion. If you have questions about the application of an issue raised to your situation, please contact an attorney at Ennis Britton for consultation.