

Pepple & Waggoner

ATTORNEYS AT LAW

PRESENTATION AND INSERVICE MENU

General Potential Topics

1. Do I Have to Give Them a Copy? Responding to Requests for Public Records
 - a. How to Respond to a Request
 - b. What is a Public Record?
 - c. Paper v. Electronic Responses
 - d. Recent Developments

2. Understanding the New Standards: An Update and Refresher on the Fair Labor Standards Act
 - a. Employee v. Independent Contractor
 - b. New FLSA Rules
 - c. Hourly v. Salaried

3. FMLA and Pregnancy Discrimination Act
 - a. Eligibility for FMLA
 - b. Requesting Proof of Medical Need
 - c. Timelines for Processing FMLA Claims
 - d. Paid v. Unpaid Leave

4. Sick of Leave Questions? A Primer on Employee Leave
 - a. Fitness for Duty
 - b. Unrequested Leave of Absence
 - c. Policy, Statutory, and Bargaining Concerns
 - d. ADA, FMLA, and BWC Intersections

5. Is this Permissible? Ethics for Administrators and Board Members
 - a. Overview of the Ohio Ethics Law
 - b. Conflict of Interest Issues
 - c. Improper Compensation
 - d. Statutory Prohibition of Public Contracts
 - e. Ethics Issues Related to Negotiations
 - f. Ethics Issues Pertaining to Disclosure of Confidential Information

6. Is There Fire Under that Smoke?
 - a. Use of Cameras
 - b. Interviewing Students and Employees
 - c. Contractual Requirements
 - d. Police Involvement

7. The Line in the Sand: Disciplining Employees
 - a. Contractual and Statutory Requirements
 - b. Disciplinary Meetings
 - c. Due Process Requirements
 - d. Progressive Discipline
 - e. Last Chance Agreements

8. Watching Out for the Kids: Student Issues That Should Not be Ignored
 - a. Bullying – Avoiding Liability
 - b. Recognizing Signs of Abuse and Neglect
 - c. Communicating the Importance of the Duty to Report

9. Head Toward the Light! The Necessity of Complying with Ohio’s Open Meetings Act
 - a. How to Properly Give Notice of a Special Meeting
 - b. The Meaning and Importance of Public Deliberations
 - c. Lawful Bases for Going into Executive Session
 - d. Requirements for Minute Keeping
 - e. Committee Meetings

10. Student and Staff LGBT Issues
 - a. Impact of U.S. Supreme Court’s Decision in *Obergefell v. Hodges*
 - b. Transgender Student Issues
 - c. OHSAA Rules

11. Board Policies for 2016/Budget Bill
 - a. Revised Alternative Teacher Evaluation and Principal Evaluation Framework
 - b. Contracting with Hospitals for Student Health Care Services
 - c. Revised Graduation Pathway Options
 - d. Awarding Diplomas to Home Schooled Students
 - e. Revised Procedure for Declaring Impracticability of Student Transportation

12. Do I Need to Accommodate that Request? Issues Under the ADA
 - a. Definition of Disability
 - b. How to Obtain More Data Regarding an Alleged Disability
 - c. When and How to Provide a Reasonable Accommodation
 - d. ADA v. FMLA

13. Tips for Effective Grievance Responses
 - a. Definition of a Grievance
 - b. Preserving Timelines and Arbitrability Defenses
 - c. Effective Use of Grievance Hearings
 - d. When and How to Resolve Grievances

14. Evaluating and Serving Students with Emotional and/or Behavioral Disorders
 - a. Eligibility Criteria Under the IDEA and Section 504
 - b. Differentiating between “Emotional Disturbance” and “Social Maladjustment”
 - c. Requirements and Procedures for Conducting FBAs and Developing BIPs
 - d. Unique Issues with Respect to Placement

15. When the Long Arm of the Law Reaches into the Schoolhouse: Student Search and Seizure Issues Involving Police
 - a. Search of Student Lockers and Person
 - b. Effective Use of SROs
 - c. Police Interrogation of Students Suspected of Criminal Conduct

16. Effective Strategies for Administering Employee Discipline
 - a. Search of Student Lockers and Person
 - b. Effective Use of SROs
 - c. Police Interrogation of Students Suspected of Criminal Conduct

17. Student Discipline: Making Sure It Doesn’t Hurt You More than It Hurts Them
 - a. Adoption and Posting of Student Discipline Policy
 - b. What Due Process is Expected at Every Stage of the Discipline Process
 - c. Statutory Discipline Options v. Creative Discipline Agreements
 - d. Handling Student Discipline Appeals
 - e. Suspension of Students from Extracurricular Activities

18. NSFW: When Employee Investigations are Complicated by Computer and Technology Issues
 - a. Dealing with Potential Criminal Conduct Learned through Forensic Computer Examination
 - b. Employee Investigatory Meetings and Garrity Warnings
 - c. Involving Local Prosecutors and Law Enforcement Authorities

19. Understanding Ohio's Open Meetings Act
 - a. Regular, Special, and Emergency Meetings
 - b. When is a Meeting a Public Meeting?
 - c. Conducting Valid Executive Sessions
 - d. Board Committee and Subcommittee Meetings

20. Student-Related Search and Seizure
 - a. Understanding Student Privacy Expectations and the Reasonable Suspicion Standard
 - b. Identifying Your Rights and Limitations with Respect to Locker Searches, Strip Searches, and Drug Testing
 - c. Searching Student-Owned Cell Phones and Other Devices after Riley v. California
 - d. Adopting Legally-Compliant and Effective Board Policies

21. Employment Contracts – Beyond the Four Corners of the Document
 - a. Nonrenewal Issues
 - b. Supplemental Contracts
 - c. Rights of Long-Term Substitutes

22. Are You Sure We Can Do That? Board and Administration Ethics Issue
 - a. Collective Bargaining
 - b. Hiring
 - c. Contracts