

Education Law

Roetzel's Education Law Group provides comprehensive legal support tailored to the needs of educational institutions. We serve public school districts, K-12 schools, charter schools, public and private colleges and universities. Our team understands the unique challenges each institution faces and is dedicated to helping them achieve their goals efficiently. With deep knowledge of Ohio's educational landscape and offices located across the state, we offer guidance on a wide range of legal and operational issues.

We act as general legal counsel for educational institutions, whether they have in-house legal departments or rely entirely on external counsel. Our cross-disciplinary approach, involving collaboration with our real estate, construction, public law, public finance, and labor and employment practice groups, ensures we effectively address all our clients' legal needs.



What We Do

General Counsel Services

- Handle complex public records requests
- Respond to subpoenas and file motions to quash
- Draft and review contracts, including vendor and facility use agreements
- Provide board policy advice, interpretation, and training
- Resolve vendor contract disputes
- Address Ohio Open Meetings and Public Records issues
- Answer Ohio Ethics Law inquiries
- Conduct in-service and compliance training
- Manage pupil transportation, attendance, and waiver issues
- Draft response letters to legal inquiries (i.e., litigation threats, board practice questions from national organizations, etc.)
- Oversee insurance defense counsel

Special Education, Pupil Services and Other Pupil-Related Matters

- Advocate for special education, including IEP, MFE, and Section 504 guidance
- Handle due process proceedings
- Resolve district of responsibility issues
- Advise on pupil First Amendment issues
- Manage discipline, suspension, and expulsion issues
- Ensure privacy, confidentiality, and FERPA compliance
- Draft and interpret Codes of Conduct

Labor and Employment

- Conduct and advise on Title IX and other internal workplace investigations
- Negotiate labor contracts and handle grievance proceedings and arbitrations
- Represent clients in unfair labor practice cases

- Manage workers' compensation proceedings and subsequent court appeals
- Advise on OTES 2.0/eTPES evaluation, non-renewal, and RIF issues
- Handle discipline and termination matters, including investigatory interviews and pre-disciplinary hearings
- Respond to EEOC and OCRC charges of discrimination
- Represent clients in OCR charges and proceedings

Real Estate, Finance and Tax

- Serve as bond counsel and advise on capital funding and public finance matters
- Manage levy resolutions and campaign issues
- Represent clients at Board of Revision Hearings
- Handle acquisition, disposition, joint-use, and general real estate transactions
- Manage construction contracts, bidding, and disputes
- Provide tax valuation, planning, and guidance

Consulting Services

- Offer crisis avoidance and management consulting
- Assist with levy campaigns
- Advocate for local government and state issues
- Facilitate public-private partnerships
- Create and execute Community Engagement Plans

Our Experience

- Successfully defended a Northeast Ohio school district from administrative proceedings to the U.S. Supreme Court against a parent's challenge to the scope of special education services provided by the district; the case set the standard for the provision of "extended school year" services for students with disabilities
- Secured dismissal of charges of discrimination filed with the Equal Employment Opportunity Commission (EEOC) and unfair labor practice charges filed with National Labor Relations Board (NLRB)
- Prepared comprehensive policy manuals to bring school districts into compliance with federal, state, and local statutory requirements, including policies targeting copyright issues and acceptable use of the Internet in hiring protocols and community relations
- Drafted comprehensive policies on behalf of a university system relating to intellectual property assets, copyright issues, and acceptable use of the internet
- Served as bond counsel for The University of Akron, Kent State University, The University of Toledo, Northeast Ohio Medical University, Cuyahoga Community College, Clark State Community College, and Shawnee State University
- Represented Maple Heights City School District as bond counsel for \$55,734,932, Ohio General Obligations School Facilities Improvement Bonds
- Represented Springfield Local School District as bond counsel for \$33,724,861, General Obligations School Facilities Improvement Bonds
- Served as underwriter counsel for \$81,000,000, Strongsville City School District Improvement
- Represented a two-year state community college on its move from one location to another; this included all aspects of property acquisition, approvals, design, and construction
- Handled tax complaints before the Board of Revision and Board of Tax Appeals on behalf of school districts to assist them in maximizing funding
- Provide legal support for day-to-day issues regarding Individualized Education Programs (IEPs), Evaluation Team Reports (ETRs), PR-01s and related Individuals with Disabilities Education Improvement Act (IDEIA) documentation
- Represented a board of education in litigation before the Ohio Supreme Court that established the supremacy of negotiated reduction in force procedures

- In administrative proceedings before an Impartial Hearing Officer and a State Level Review Officer, a parent's demand for private school placement was overruled; the board of education's complaint for recovery of attorney fees from the parent and attorney is now pending review in U.S. Northern District of Ohio; this attorney fee case is one of the first attempts to recover attorney fees from a parent under a new provision of the Individuals with Disabilities Education Improvement Act of 2004
- Defended a local school district against a zoning challenge to the use of modular classrooms
- Reviewed and negotiated a managed care plan for an area community college
- Performed real estate work for a public school system which involved acquiring real estate for the School Construction Program, including the acquisition of an \$8 million office facility being retrofitted as a transitional school facility to house students during construction at existing facilities
- Represented a four-year state university and several two-year state community colleges in eminent domain and land acquisition proceedings
- Represented several two-year state community colleges on the design and construction of campus buildings, including the drafting of contracts and negotiating architect agreements, claims, disputes, and close-out operations
- Handled issues related to public employees in the education industry, such as public records act matters, issues related to Revised Code Chapter 2744, and civil service issues
- Represented a public school system in connection with real estate matters pertinent to the development of a new high school and athletic fields
- Represented a state university in its bargain price acquisition, including all aspects of title and conveyancing, and subsequent sale and disposition of a 1,500 acre estate
- Represented a community seeking to transfer territory to a different school district
- Counseled on underground storage tank compliance issues, asbestos compliance issues related to demolition and renovation projects, as well as solid and hazardous waste management issues, including the requirements applicable to the onsite transportation of hazardous wastes
- Represented a state university in the construction of new dormitories
- Represented a four-year state university in litigation initiated by the school against an architect, contractor, and subcontractors over design and construction of the school's football stadium
- Handled unemployment claims for a state university
- Represented a village in a school transfer case before the Ohio Department of Education
- Represent school districts in special education due process hearings before Impartial Hearings Officers and State Hearings Officers and/or Federal Courts
- Represent school districts in responding to U.S. Department of Education Office for Civil Rights complaints
- Represent school districts in responding to Ohio Department of Education, Office for Exceptional Children complaints
- Represented public school board in discrimination lawsuit filed by former administrator whose contract was not renewed
- Represented a charter school and board members in discrimination lawsuit
- Investigated workplace discrimination complaints for public schools