

CCSA Virtual Spring Workshop

May 17, 2024

Live Sessions (available for Participatory MCLE)

9:00 am – 10:15am (1.25 MCLE)	Workplace Violence Prevention Plans- Senate Bill 553 brought with it a plan for school districts and other public entities to develop and implement workplace violence prevention plans ("WVPP"). The law requires that these WVPPs be in place by July 1, 2024, but there is a significant amount of work that needs to be done prior to that date for timely implementation, including plan design, training employees, and negotiations obligations, among other items. This presentation will cover the various requirements for a WVPP and what attorneys can do to support their clients in navigating this complicated process. Presenters: Stephen McLoughlin, Paul McGlocklin, Michael Davis, AALRR
10:30 am – 11:45am (1.25 MCLE)	"To Fund or File?: Considerations When Parents Request an IEE - This presentation will begin by providing a brief overview of a district's legal obligations in responding to IEE requests. We will then delve deeper into how to respond to more complicated situations, such as when a district agrees to fund the IEE, but then other disagreements arise. For example, what is a district's obligation when parents request an assessor that does not meet SELPA criteria? Or when the chosen assessor does not meet the cost containment within the SELPA policy? We will review recent cases and guidance on these topics." Presenters: Ankita Thakkar, Elizabeth Schwartz, F3 Law
1:00 pm – 2:15pm (1.25 MCLE)	Speak-up Culture: Navigating Employee Complaint - This presentation will address the uptick in workplace complaints in public schools and will discuss appropriate and lawfully compliant management of complaints, with an eye toward keeping peace in the workplace while identifying and solving for problems. Specifically, the presentation will discuss complaint triage, including determining whether a concern raised should be handled informally or formally, when complaints must legally be investigated, and the pros and cons of internal versus external investigation. The presentation will also highlight strategies for dealing with conflict in a progressive manner so as to minimize negative impacts on morale. It will also discuss best practices for conducting investigations, including identifying proper investigation procedure, notices to witnesses, what restrictions can and can't be set on witnesses' ability to talk about the matter during an investigation, and summary reports. Presenters: Ilana Parmer Mandelbaum, Parmer Mandelbaum Law

Pre-Recorded Sessions (available for Participatory MCLE)

1 hour (1 MCLE)	The 54957.5(b) Debacle: How do we even comply with that? - After the Court of Appeal noted challenges for compliance with this Brown Act provision in <i>Sierra Watch v. Placer County</i> (2021) 69 Cal.App.5th 1, Government Code section 54957.5(b) was revised by Assembly Bill 2647 in a perceived effort to make compliance easier for agencies. However, AB 2647 failed to resolve many foreseeable obstacles for public agencies in complying with the law, and created yet more issues complicating the ability to comply; these issues remain to be resolved. This session would review recent trends with groups manufacturing situations where public agencies are unable to comply with this law, and even bringing legal claims on this basis, and would serve as a call to action regarding a need to reform these laws or educate our school boards to try to mitigate potential legal issues. Presenters: Amy Estrada, AALRR; Jeff Frey, AALRR; Jennifer Carbuccia, Sweetwater Union HSD
1 hour (1 MCLE)	Negotiations Over The Common Good - The California Teachers Association has supported local unions (particularly in large urban districts) in negotiating over "common good" issues—support for unhoused students and their families, access to free transportation, and other important issues outside of the traditional scope of bargaining. Districts, and their legal counsel, need to understand the law and be prepared with a strategy on how to respond. This presentation will survey the relevant legal landscape and share the story of how Oakland Unified School District responded to the common good demands of its teachers' union, which included a 7-day strike. Presenters: Joshua Daniels, CSBA

(5.75 total MCLE: 3.75 Participatory MCLE (live sessions), 2.0 Participatory MCLE (pre-recorded sessions))