LCW LIEBERT CASSIDY WHITMORE

Laura Schulkind

Partner

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With over 20 years of experience in school and public sector law, Laura Schulkind has developed an extensive background in the successful resolution of many employment and education-related issues and is experienced in all phases of school and employment law. Her areas of expertise include board governance and the Brown Act, student rights and discipline, certificated and classified evaluation and discipline, employee leave rights and the interactive process, contract grievance arbitration, harassment, employee investigations, education services for non-English speakers, employment and educational testing and accountability, school safety planning and hate crime prevention, OCR investigations, special education, desegregation, and designing lawful strategies to promote employment diversity. She is currently on the Board of Governors Title 5 Task Force, where she is assisting with revising the EEO and hiring regulations for community colleges.

Laura leads the firmwide practice regarding students with special needs--including the IDEA and state special education law, Section 504, and the proper use of general education services and "Response to Intervention" strategies to serve students within the general education program. Laura's expertise includes the proper designation of Section 504 eligibility and accommodations, serving students with diabetes, developing IEPs for students with autism, and the administration of medication at school. Under Laura's leadership, the Firm takes a highly collaborative approach to special education issues, looking for creative and cost-effective solutions that help forge lasting, positive relationships between educators and parents. Laura has successfully negotiated numerous resolutions that keep special education students in public schools.

Prior to joining Liebert Cassidy Whitmore, Laura was a partner at a Bay Area law firm that specializes in education and employment law. While there, she represented school districts and other public entities on a wide range of school law and employment issues. Among other things, she twice represented coalitions of school districts challenging aspects of the STAR testing program and has a particular interest in psychometrics and legal issues relating to testing.

A sought after presenter, Laura regularly conducts workshops for school districts, community college districts and professional organizations across the State in areas such as the Brown Act, conflicts of interest, harassment, best practices in management, certificated evaluation and discipline, school safety, employee leaves, student discipline, special education and EEO hiring. She is an Instructor at the University of California at Berkeley, School of Education, where she teaches education law in the Principal Leadership Institute and School Psychology Program. She also served as the legal member of the State Department of Education's hate crime prevention training team.

Education

JD, The New York University School of Law
BA, Wesleyan University

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Legal Expertise

Education Law
Investigations
Litigation Services

Representative Matters

Litigation:

Plaintiff v. Private University (2012) - Negotiated a favorable settlement of under $10,000 on behalf of a private university in a lawsuit brought by a former student asserting race discrimination and breach of contract claims.

Mosley v. West Contra Costa Unified School District (2011) -

Petitioner was a vice principal. The school district (District) served a timely notice pursuant to Ed. Code § 44951 on March 11 advising Petitioner she may be reassigned to a non-administrator position for the following year. In May, the District sent Petitioner a letter in error stating that her assignment for the upcoming year would be as a vice principal. The Superintendent wrote to Petitioner in June informing her that the May assignment letter had been sent in error and the Board had not approved her assignment as an administrator. The Board subsequently assigned Petitioner to a counseling position. Petitioner filed a writ challenging the District's action.

The court held that the May assignment letter did not rescind the March notice, that Mosley remained on notice of potential reassignment, and the district properly exercised its authority to assign Mosley to a counseling position.

Affiliations

President, California Council of School Attorneys

Publications

The Two Faces of Retaliation, *The Recorder*, September 2006

Presentations

Board Efficacy - San Jose-Evergreen Community College District - San Jose - November 26, 2013

Ethics - San Jose-Evergreen Community College District - San Jose - October 22, 2013

Mandated Reporting & Preventing Harassment, Discrimination and Retaliation in the Academic Setting/Environment - Solano Community College District - Fairfield - August 7, 2013

Understanding and Managing the Brown Act - Small School Districts' Association (SSDA) 2013 New Superintendents' Symposium - Sacramento - July 16, 2013

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The Brown Act - San Jose-Evergreen Community College District - San Jose - June 11, 2013

Things That Go Bump in the Night: When and How to Put District Need before Seniority in a Layoff - California Council of School Attorneys (CCSA) 2013 Sping Workshop - San Diego - May 10, 2013

Legal Aspects of Violence - SCCCD ERC - Webinar - April 19, 2013

Ethics in Public Service - Bay Area Air Quality Management District - San Francisco - April 18, 2013

The Disability Interactive Process - Bay Area CCD ERC - Dublin - April 12, 2013

Accommodating Bad Behavior: The Limits on Disciplining Disabled Employees - Bay Area CCD ERC - Dublin - April 12, 2013

School Board Ethics - Small School Districts' Association (SSDA) 2013 Annual Conference - Sacramento - April 11, 2013

Don't Leave it Up to Chance: How to Track and Manage Leaves to Avoid Abuse And Runaway Leaves - Liebert Cassidy Whitmore Annual Conference - Newport Beach - March 21, 2013

504 Issues - Santa Barbara Unified School District - Santa Barbara - February 27, 2013

Building a Successful Human Resource Partnership - Association of California Community College Administrators (ACCCA) Annual Conference - Monterey - February 20, 2013

EEO Training - Yuba Community College District - Marysville - February 13, 2013

The Brown Act - California School Board Association (CSBA) Regional Training - Millbrae - February 1, 2013

Preventing Harassment, Discrimination and Retaliation in the Academic Setting/Environment - Peralta Community College District - Oakland - December 6, 2012

LAUSD and Stull Act, Teacher Evaluations and Related PERB Cases - California Council of School Attorneys (CCSA) Annual Workshop - San Francisco - November 30, 2012

Layoffs: What Board Members Need to Know to Make the Tough Decisions - CSBA/CCSA Legal Symposium for Experienced Board Members - San Francisco - November 28, 2012

Preventing Harassment, Discrimination and Retaliation in the Independent School/Environment - The Branson School - Ross - November 13, 2012

Investigations - California State University, Monterey Bay - Seaside - November 8, 2012

Management Training Series - San Jose/Evergreen Community College District - San Jose - November 2, 2012

Town Hall Meeting - The Association of Chief Human Resource Officers (ACHRO) - Stateline, NV - October 25, 2012

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Going Outside the Classified Service: Short-Term Employees, Substitutes and Professional Experts - Bay Area CCD ERC - Pleasanton - October 12, 2012

Sick and Disabled Employees - Bay Area CCD ERC - Pleasanton - October 12, 2012

The Disability Interactive Process - Mendocino County ERC - Ukiah - October 10, 2012

Front Line Defense - Mendocino County ERC - Ukiah - October 10, 2012

Community College Legal Update - California Council of School Attorneys 2012 Fall Workshop - San Diego - September 14, 2012

Preventing Harassment, Discrimination and Retaliation in the Academic Setting/Environment - Peralta Community College District - Alameda (AM) & Berkeley (PM) - August 17, 2012

Speaking Freely or Shouting Fire: Freedom of Expression in Community Colleges - San Jose / Evergreen Community College District - San Jose - June 22, 2012

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