

Missouri Association of Educational Office Professionals

What's HOT and What's NOT?!

April 13, 2021

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What's HOT?!?!

- COVID Issues
- Transgender Students
- Medical Marijuana

What's NOT?!?!



What's New with SCOTUS?





SnapWHAT?

f

in



B.L. v. Mahanoy Area School District



B.L. by and through Levy v. Mahanoy Area School District, 964 F.3d 170 (3rd Cir. 2020)

- B.L., a rising freshman, tried out for cheerleading and made JV
- The next year, B.L. made JV
- On a Saturday, while hanging out with a friend, took a photo of herself and her friend with their middle fingers raised and posted it to her snapchat story.



- “F*** School, f*** softball, f*** cheer, f*** everything.”
- “Love how me and [another student] get told we need a year of jv before we make varsity but that’s [sic] doesn’t matter to anyone else? 🙄”



History of the Case

- Pennsylvania District Court
 - March 21, 2019
 - Sides with Student
- 3rd Circuit Court of Appeals
 - June 30, 2020
 - Sides with the Student
- Supreme Court
 - January 8, 2020
 - Grants “Certiorari” – a.k.a. agrees to hear the case

The Supreme Court

- Oral Arguments
 - April 23, 2021
- Anticipated Decision
 - Sometime this Summer



Amicus Briefs

- 36 briefs filed to date
- Acting Solicitor General to argue alongside the District
- Briefs being filed on both sides of the issue
- For District –
 - National School Boards Association
 - The United States Government
 - The Cyberbullying Research Center
- For Student –
 - Pacific Legal Foundation
 - Liberty Justice Center
 - Alliance Defending Freedom and Christian Legal Society

When Family and School Law Collide

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1917 California State Fair
Sacramento, CA

Increasing issues regarding rights of parents who are not a couple.



The Dual

- Parents are divorced.
- Motion to modify on file.
- One gives consent, and the other revokes.



The Power Play

- One parent has sole legal/physical custody.
- The other parent requests grade card.
- Custodial parent says no.



The Jealousy

- Dad brings his new girlfriend to parent-teacher conferences.
- Mom doesn't want her there.



The Stranger

- Unfamiliar man tries to pick student up.
- Produces recent court order granting visitation.
- Daughter refuses to go, lays on the floor screaming.



Step 1: Know Your Role

“School law” does not separately address the rights of parents.

State law and court order will govern.

Step 2: Know the Law

An outline map of the state of Missouri, with the text and list contained within its borders.

In Missouri

- Joint Legal
- Joint Physical
- Sole Legal
- Sole Physical

Joint Legal Custody

Parents share decision-making rights.

§ 452.375 RSMo.



Step 3: Read the Court Order



The *real* court order.
The *whole* thing.

Step 4: Be Practical

- Don't let a family law situation turn into a school law emergency.
- Mediating or resolving parent disputes is not your responsibility.
- Handle disruptions as you normally would.

Remember

- Visitation schedules and parenting plans are agreements between parents and are not binding on the district.
- A parent will have access to records and information unless that parent has been denied custody or visitation rights.

Anyone up for a Tour?





Friends of Responsible Agriculture

v.

Missouri Department of Natural Resources





Sunshine Law Violation!

**Sticks and Stones: Low Risk
Words and Phrases for
Administrators**

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The Situation



The New Times

“I am so sorry about the substitute’s treatment of your son. I agree it was inappropriate to refer to your son as ‘boy.’ I will look into the situation immediately.”

Alternatives to “I’m sorry”



**THANK
YOU!**



*“Thank you for your patience
as we navigate this situation.”*

*“Thanks for bringing this to
our attention.”*

Empathy



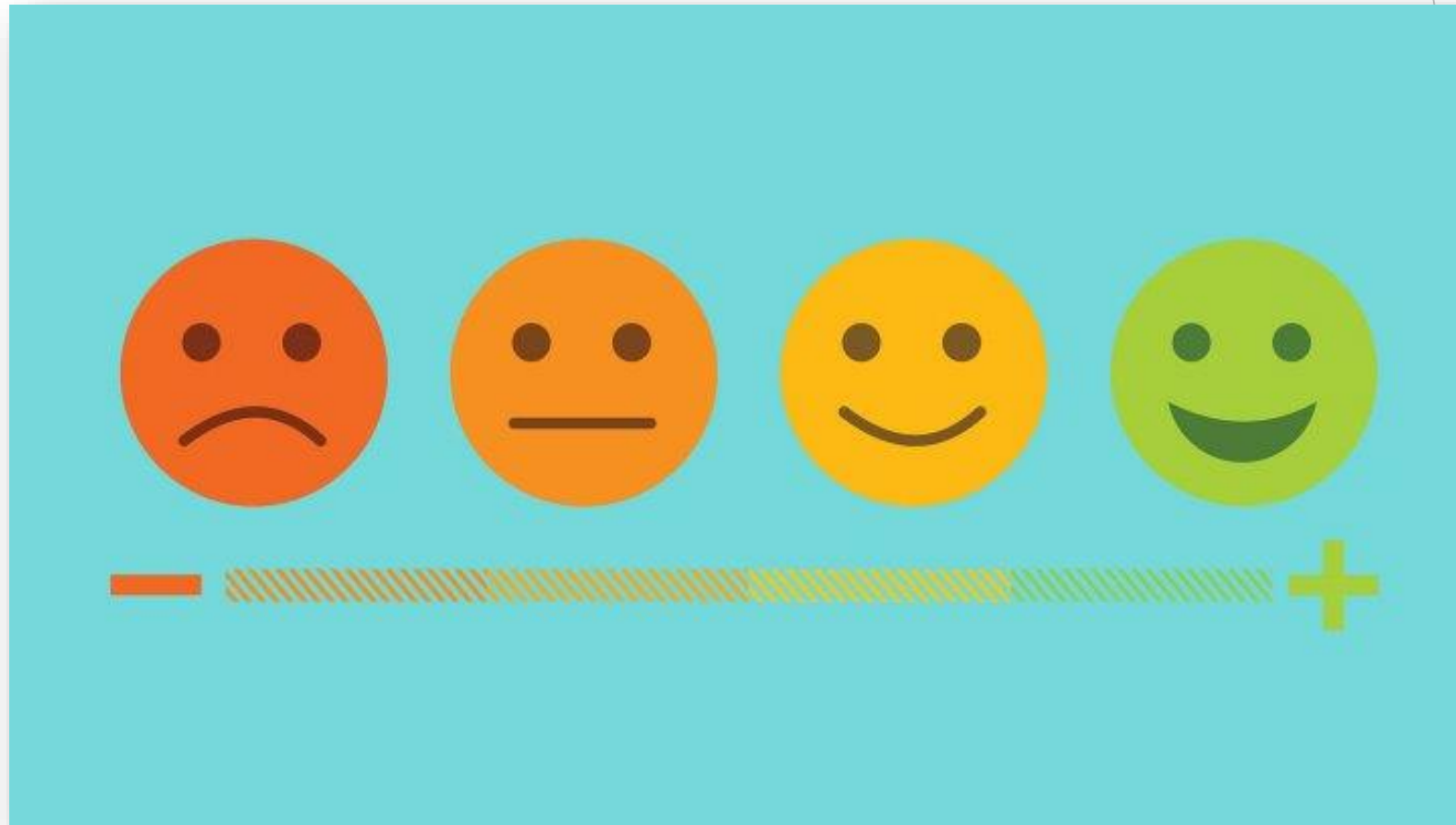
Sympathy



*“That must have been hard
for you to hear.”*

*“As a parent, I would be upset
if I heard that from my child.”*

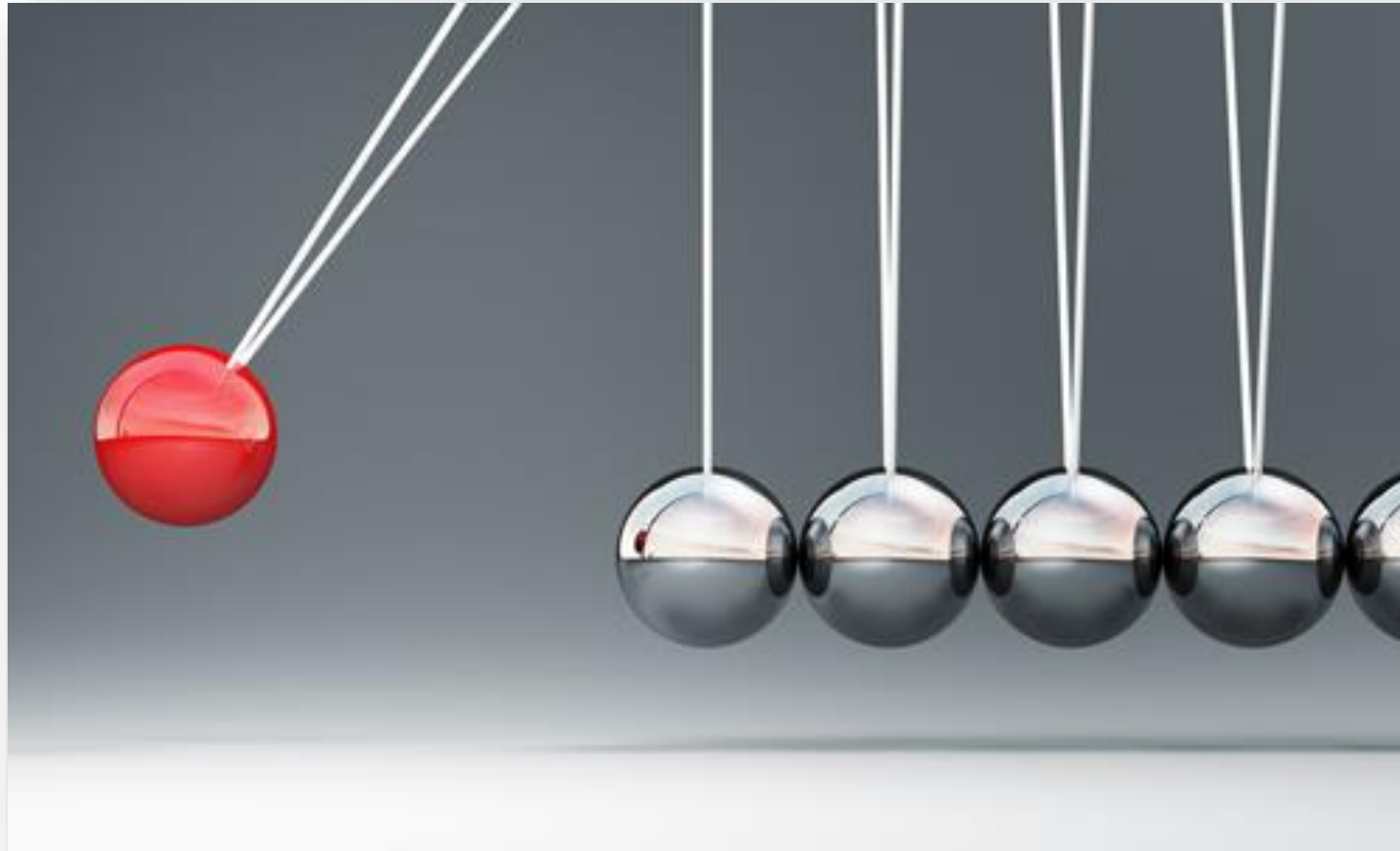
Acknowledge Feelings



“I realize that you are upset.”

***“I recognize your frustration
over the situation.”***

Acknowledge Impact



“I understand that because I was out of the building, you felt like an urgent issue was not being immediately addressed.”

State Desire



“Our desire is for your child to feel safe and supported at school.”

Commit to Future Action



“We will take steps to make sure your child is not inadvertently left behind in the classroom.”

Bringing it Back Home...



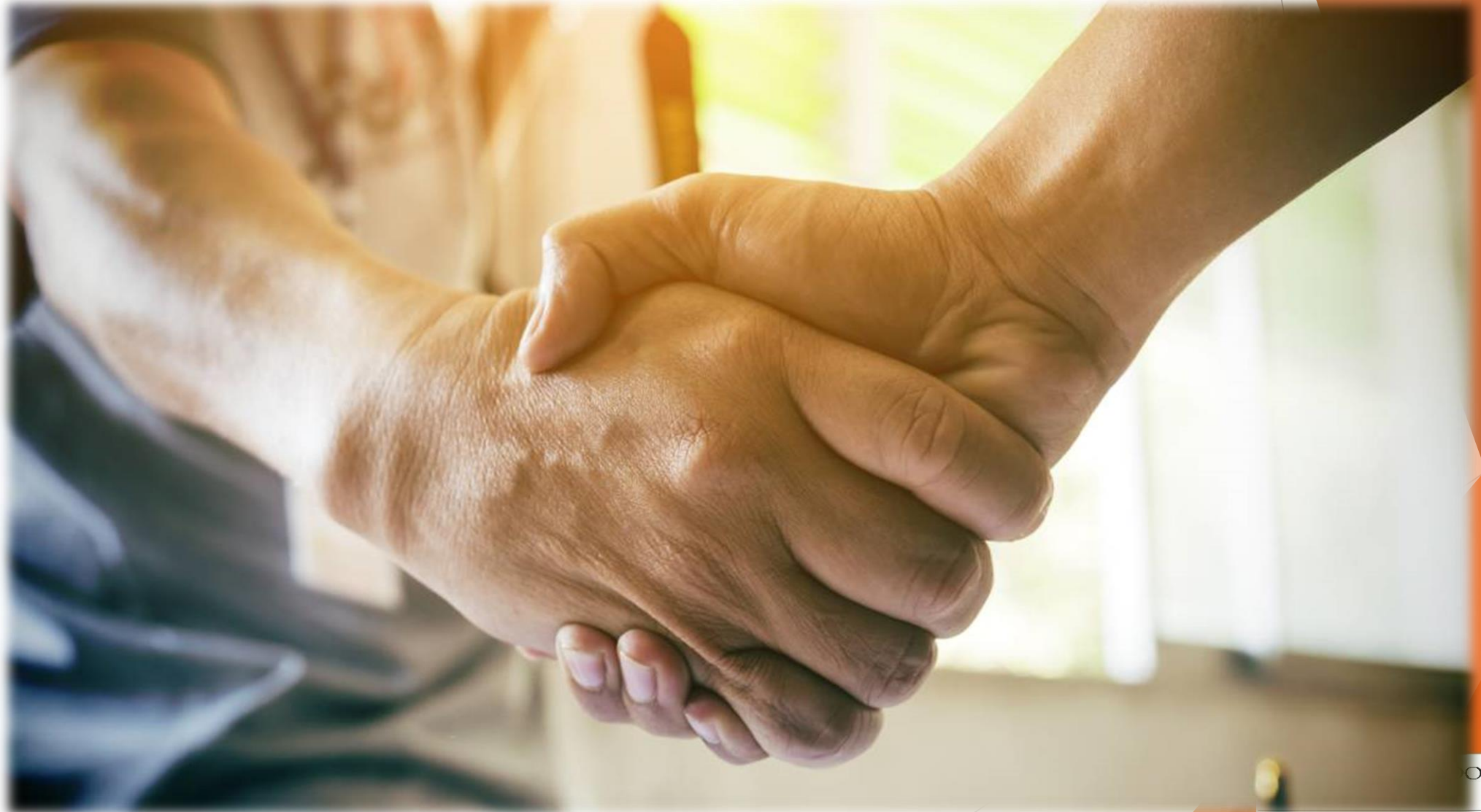
...we've got you covered!



“I am so sorry about the substitute’s treatment of your son. I agree it was inappropriate to refer to your son as ‘boy.’ I will look into the situation immediately.”

“Thank you for bringing this to my attention. That must have been hard for you to hear from your son. As a parent, I would be upset if I heard that from my child. Our desire is for your son to feel valued and supported at school. I will personally look into the situation. We will take steps to make sure your child is not referred to in that manner.”

The Result



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