

KATHRYN I. PERRICO



Kathryn I. Perrico, a partner with Weston Hurd's Education Law Group, focuses her practice on special education law, general school law, and school litigation. She provides counsel to boards of education in relation to special education and Section 504 of the Rehabilitation Act, student services, student discipline, residency and custody, student records and confidentiality, public records requests and sunshine law issues, employee leave, discipline and termination, and constitutional issues arising in education. In addition to providing general counsel to school boards as issues arise, Kathy frequently provides training and in-services in each of

these areas.

Kathy provides preventive measures such as in-services, reviewing Individualized Education Programs (IEPs) and Evaluation Team Reports (ETRs) for legal compliance, attending IEP and ETR team meetings, representing boards of education in direct requests for mediation, and issuing guidance relating to systemic and programmatic matters. She has represented boards of education in student matters before the Ohio Department of Education and U.S. Department of Education, and in state and federal court. Furthermore, Kathy handles student, employment, and general board litigation, and has represented boards of education in these matters before the Equal Employment Opportunity Commission (EEOC), Ohio Civil Rights Commission (OCRC), and state and federal court.

Kathy is known for her immediate responsiveness, making her a valuable advisor in a crisis. She has been praised for her innovative and creative approach to problem solving, offering several options to issues, along with recommendations and explanations.

REPRESENTATIVE MATTERS

SPECIAL EDUCATION

- Represents school districts with respect to the development of legally defensible IEPs and ETRs and all aspects of Individuals with Disabilities Education Act (IDEA) procedural compliance
- Attends IEP and ETR meetings on behalf of school districts to provide legal support to teams in difficult situations
- Assists school districts with development of policies/procedures for Section 504 of the Rehabilitation Act of 1973
- Assists school districts with development of procedures for independent educational evaluations
- Counsels and trains school districts regarding special education laws and regulations
- Defends and pursues due process actions on behalf of school districts
- Defends and negotiates resolution agreements in proceedings before the Ohio and U.S. Departments of Education
- Amicably resolves special education disputes both prior to and during litigation.
- Conducts compliance audits of special education files

LABOR & EMPLOYMENT

- Represents school districts in proceedings before the Equal Employment Opportunity Commission and Ohio Civil Rights Commission with respect to claims of race, sex, age, gender, and disability discrimination
- Represents clients in federal court involving claims of race, sex, age, gender, and disability discrimination
- Represents school districts in teacher termination and discipline proceedings
- Represents school districts in proceedings regarding discipline and termination of classified employees
- Counsels clients regarding compliance with the Americans with Disabilities Act (ADA), Family and Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), Age Discrimination in Employment Act (ADEA), and other employment laws

STUDENT ISSUES

- Represents school districts in student discipline proceedings before boards of education, appointed designees, and in appeals to court
- Represents school districts in federal court litigation involving alleged violations of constitutional rights and Section 1983 (e.g., bullying, harassment, etc.)
- Counsels school districts regarding residency and custody disputes
- Assists school districts with responses to requests for educational records
- Counsels school districts regarding obligations under the Family Educational Rights and Privacy Act (FERPA)

SUNSHINE LAW & PUBLIC RECORDS

- Counsels school districts faced with voluminous public record requests and responding to same on behalf of clients
- Counsels school districts on various aspects of compliance with Ohio's Open Meetings Act
- Represents districts in court regarding public record and sunshine law claims

EDUCATION – GENERAL COUNSEL

- Assists school districts with policy review and development
- Reviews contracts on behalf of school districts and negotiates vendor contracts on behalf of school districts

PRESENTATIONS

- New Dyslexia Requirements, 2022
- Section 504 and OCR Enforcement, 2022
- Aid Services/LRE, 2022
- Discipline Procedures and Legal Ramifications, 2022
- IDEA and Section 504 Suspicion of Disability and Evaluations, 2022
- ETR Training, 2022
- Title IX Training, 2021
- Navigating the Boundaries of Staff/Student Relationships in the Age of Social Media, 2021
- Professional Development, 2021
- 504 Training, 2020
- Special Education Legal Update, 2020
- School Counselor and Social Worker Professional Development, 2020
- Beyond the Basics: Section 504 & Drafting Legally Defensible PR-01s, 2020
- Top 10 Special Education Challenges in Light of COVID-19, 2020
- Writing Better PLOPs, Goals & Objectives, & Progress Reporting, 2020
- Compliance Training, 2019
- Give & Take: Medical Marijuana and Schools, 2019
- Goal Writing, Data Collection and Progress Monitoring, 2019
- Legal Update and Medical Marijuana, 2019
- IEP/504 Plans, 2019
- Family Education Rights and Privacy Act, 2019
- Residency/Custody/Homeless Students, Juvenile and Family Law Symposium, 2018
- Legal Ethics in Education, 2018
- Disciplining Students with Behavioral Issues, 2018
- Compliance Officer Training and Conducting Investigations, 2018
- Student Possession and Use of Medical Marijuana Under Ohio's New Medical Marijuana Law and Regulations, 2018
- Special Education Legal Update, 2018
- Harassment Policy/Appropriate Behavior, 2018

- Transition Law, 2018
- Training for Intervention Specialists, 2018
- Special Education/Pupil Services, 2017

ASSOCIATIONS

- Member, Ohio School Boards Association's Ohio Council of School Board Attorneys
- Member, Ohio State Bar Association
- Member, Cleveland Metropolitan Bar Association

Contact Information

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