

2015 LAF Case Summary

Toledo et. al v. Ohio Dept. of Edn. – PENDING

Issue: whether school districts, as political subdivisions, have vested rights in their state funding levels that preclude the General Assembly from reallocating state funds, 2) whether school districts are political arms of the state, thereby precluding them from asserting a complaint against retroactive enactments by the General Assembly

Trustee approval:	7/18/15
Amicus brief filed:	9/1/15
Oral argument:	12/2/15
Decision rendered:	

Schott v. Wenk – PENDING

Issue: whether a school administrator retaliated against a parent in violation of the First Amendment by filing a child abuse report after the parent advocated to change his daughter's educational plan.

Trustee approval:	6/1/15
Amicus brief filed:	8/13/15
Oral argument:	
Decision rendered:	

Update: Case settled at lower level, but petition filed to request the U.S. Supreme Court to keep the petition active.

Talawanda v. Ohio Dept. of Taxation - PENDING

Issue: Whether school district real property is required to be used exclusively for a public purpose in order to qualify for an exemption from real property taxation.

Trustee approval:	11/5/14
Amicus brief filed:	1/28/15
Oral argument:	10/27/15
Decision rendered:	

School Choice Ohio v. Springfield - PENDING

Issue: whether school districts adopt policies allowing them to distinguish to whom a student's directory information is released

Trustee approval:	9/19/14
Amicus brief filed:	2/4/15
Oral argument:	
Decision rendered:	

Boone Construction v. Village of Piketon – PENDING

Issue: whether liquidated damages clauses are valid and enforceable in public construction contracts

Trustee approval:	9/19/14
Amicus brief filed:	12/5/14
Oral argument:	6/9/15
Decision rendered:	

Stewart v. Lockland - CLOSED

Issue: whether a public body may conduct an executive session to consider the termination of an employee when the employee requests the deliberations remain public.

Trustee approval:	9/19/14
Amicus brief filed:	9/23/14
Oral argument:	3/10/15
Decision rendered:	9/24/15

Decision: A public employee may require that a hearing about his/her employment status be held in public only when the employee is otherwise entitled to a public hearing.

Hope Academy v. White Hat– CLOSED

Issue: 1) whether public funds paid to a private entity to operate a community school are subject to public accountability after the entity is paid, 2) whether a private entity acts as a purchasing agent for a community school when it uses funds from ODE to operate the community school, 3) whether a private entity operating a community school has a fiduciary relationship with the school

Trustee approval:	9/19/14
Amicus brief filed:	6/13/14
Oral argument:	9/23/14
Decision rendered:	9/15/15

Decision: 1) An entity that manages the daily operations of a community school pursuant to contract with the school's governing authority is an operator within the meaning of RC 3314.02(A)(8)(a). 2) A management company that undertakes the daily operation of a community school has a fiduciary relationship with the community school that it operates. 3) The fiduciary relationship between an operator and its community school is implicated when the company uses public funds to purchase personal property for use in the school that it operates.

Ohio v. Clark – CLOSED

Issue: 1) whether an individual's obligation to report suspected child abuse makes that individual an agent of law enforcement and 2) whether a child's out-of-court statements to a teacher in response to teacher's concerns about child abuse qualify as "testimonial" statements subject to the Confrontation Clause.

Trustee approval:	11/21/14
Amicus brief filed:	11/24/14
Oral argument:	NA
Decision rendered:	6/18/15

Decision: Introduction of student's statements at trial did not violate the Confrontation Clause.