



LEGAL ISSUES  
IMPACTING  
ADMINISTRATIVE  
ASSISTANTS

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# Current status of normal dysfunction

- Schools working to get back to baseline on basics
  - Dress code, behavior, timeliness, extra duties
- Political polarizations
  - Parent groups, alumni groups, groups to “take back the school”
- Anxious parents (et al)
- Unplanned transitions



# Legal Structure



Federal Structure

State Structure

School Structure

Good practices





Best practices

Best interest of the child

Best interest of community and school



# Battling Parents...



The Doctors Jones have been separating acrimoniously for three years. Their youngest child Ben, has been struggling in school, and the older two have moved on to college and boarding school. The mom has suddenly scheduled a meeting with the head of school, Ben, Ben's advisor, Ben's math and ELA teachers, and the school counselor for this afternoon. The mom is pretty mercurial, and Ben is panicky in front of you telling you that he is leaving early because his dad said he doesn't have to stay for this meeting. You are responsible for students checking themselves in and out. What do you do?

# Divorced / divorcing parents

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Schools are not part of the drama

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Best interest of child is center

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Both parents have rights under state law unless paperwork to the contrary.

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Educational records, school events, permission to come and go, pick up and drop off, etc.

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What is the school's process here? Has the father / son met the procedural requirements?



## Other considerations...

- History of certain behaviors may warrant special meeting times / circumstances
- Being ready to call security or interrupt a meeting
- Ensuring that certain people are not in the same space at the same time
- Knowing special “rules” for those who have been disruptive and tracking them

# Sex Offender

- The father of a fifth-grade girl, Rachel, is a registered sex offender, new news to the school. The father has left you a message saying that he is coming to the middle school play in which his daughter is performing. Can he come to school? What happens next? What have other schools done?

# Incredibly complex, but less uncommon

- Most schools will limit father's access to campus and students
- Set protocol for when father is on campus (notice, sometimes special parking, school chaperone for father)
- Understand school protocols and help ensure they stay in place
- Some of the historical triggers for this law are more concerning than others

# Political wrangling...

- Last night the chair of the history department got in a very public tiff with a former president's legal counsel on Twitter. The exchange has gone viral. There are two news station vans on the road in front of the school and you have 15 messages from local and national press asking you or your head for an interview or quote. What do you do? What happens next?

# Politics...

- Schools should only have one person authorized to speak to press
- All inquiries should come into one source
- Otherwise “not authorized to comment / speak on behalf of school” and take a message.
- Press are not allowed on private property or to be in a place that could potentially cause disruption or harm to those coming and going from campus
- Police or campus police can show them a safer / appropriate / legal place to be



# Board administrator

- A newer board member has asked you for access to the evaluation records for the administrative team. He specifically tell you that he has a right to these files as a board member and you should not tell anyone about this request. What happens now? What should you do?







# Board access

- It is not a best practice for a board member to access personnel records of any kind without process
- State law will often require board members to have access to anything they like as fiduciaries of the institution
- Process is your friend here. Board policy should be clear about what board members can and cannot see under normal circumstances and the process for doing so.
- No single board member should be on a fishing expedition
- You do not report to the board... who do you go to with this?



# After hours...

You have stayed after work to work on the board binders for the retreat this weekend. Students and staff are in the performing art center and practicing the high school play. During rehearsal, the theater teacher falls down the stage steps. You are called into the theater and see her laying on the floor at the base of the steps. She is clearly stunned and she has a lump on the back of her head, but she doesn't want you to call an ambulance or to go to any kind of emergency room. The HR and business office are gone for the day, and so is every other administrator. What do you do?



## When no one else is around...

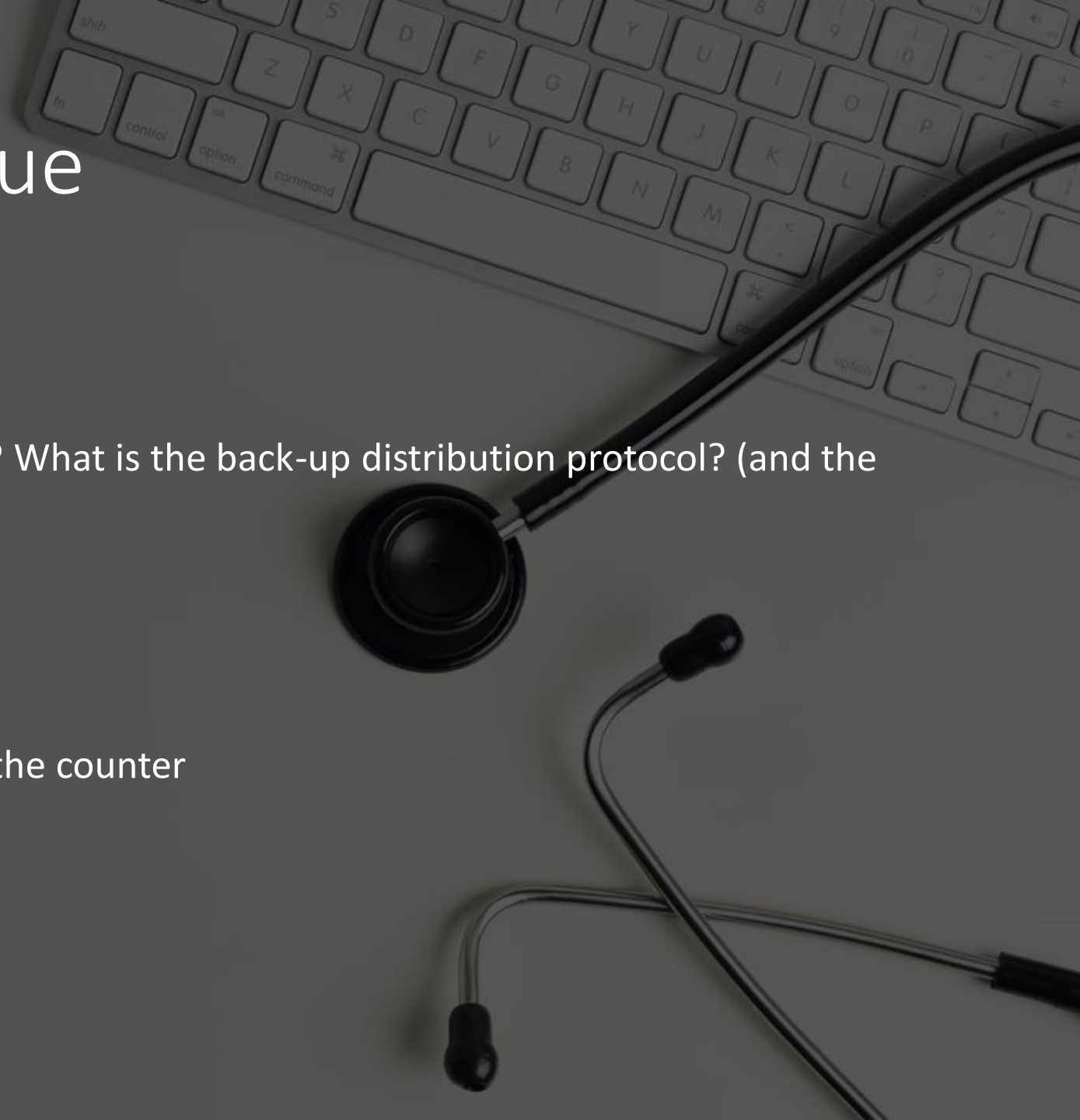
- There should be basic protocols for safety incidents for students and adults
- Particularly smaller schools, what are the expectations for a staff member, student, or other individual who is injured on campus?
- Ambulance? Ride to hospital? Making sure someone drives them home?
- Employees, workers compensation can be triggered. Always potential liability for issue on campus or during work time / school event regardless of location

# Medicines...

- You are the head's assistant / receptionist / air traffic controller for a 300 student 7-12 school. Part of this job involves tracking student medications and access to them. Is this okay? What systems do you use? Can you ever take a day off? What are you worried about?

# Bigger and bigger issue

- 1 in 5 students learning disability
- More medications per student
- Who can distribute(practically and legally)? What is the back-up distribution protocol? (and the back-up to the back-up)
- How and where are they stored?
- Who has access generally?
- What is the tracking protocol?
- Different for controlled substances v. over the counter
- Permissions and prescriptions
- End of year and receipt of meds
- Confidentiality



# Uh Oh

- Your head went to lunch with the executive committee and has not come back. The board chair just came back and told you that he will not be returning and she is going to send you a statement to send out to the entire parent body noting the head is going to take a sabbatical for the next academic year. She goes on to tell you that he will not be returning at all, but that this information is not public. She proceeds to tell you the business office is cutting off all of the head's access to email and other school systems.
- The head is texting you to ask you to send you his contacts from his email. What do you do? What happens next?

## What happens in an abrupt departure?

- Ideally someone on staff knows what is going on
- Ask who the new administrative leader, even if temporary, is going to be so that you can start reporting to that person
- Reach out to them as soon as possible to help the school maintain consistency in operations
- Board has the ability to take this step, an individual board member generally does not
- Encourage your head to synch contacts, etc., with external / personal email so that they have what they need at all times, same with other kinds of files

# Supervisor?

Part of your role is to oversee all of the admin assistants in the school. This includes scheduling, tracking overtime and workload, planning professional development, and standardizing practices across the school.

The administrative assistant who supports the division head and dean of the lower school just started last year, with the new division head. You notice that she is not physically present on Friday afternoons, ever. You ask her about this and she tells you that her division head told her she can work from home those afternoons.

The administrative assistant to the admissions office does not come in on Mondays, largely because she goes to radiation treatments on Monday mornings.

The rest of the administrative assistants are feeling mutinous because they perceive these as benefits they are not getting. Are they right? What happens next? What is happening with these trends? What do you do next?

## Lots to unpack...

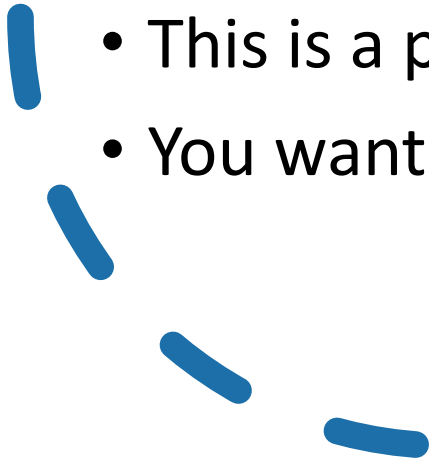
- Who is actually the supervisor in this structure?
- Flexibility in work location is definitely part of the new compensation currency
- Consistency is key. What is the process for getting this level of flexibility? How is it decided and by whom? Can be seasonal flexibility
- Still must track hours in an accurate way under FLSA
- ADA accommodations are required by law when an employee has a need, confidentiality is also in play. How do you maintain confidentiality in these situations?

# Overly Close?

At least three days a week you have seen the swim coach, Jay, driving a sophomore swimmer, Ellen, to school. This has been going on for the last two months. You also have seen them leaving together and Ellen and her friends seem to be in his office a lot when you go by. Your school has a policy of no babysitting and has been in the spotlight for historic sex abuse cases. What do you do? Do you have an obligation to do anything?



# Sex abuse in school...

- Studies have repeatedly shown that post-sex abuse investigations, many staff members individually saw concerning behavior
  - Most schools didn't and many still don't have a way to track these observations to understand the whole picture
  - Understand the school safety protocols and staff expectations
  - This is a place where raising a flag or pressing the issue is important
  - You want this monkey on someone else's back, and to follow through.
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The background of the slide is a dark blue gradient. It is filled with a dense field of vertical lines of varying heights and widths. The lines are primarily two colors: a vibrant yellow and a deep teal blue. These lines are scattered across the entire frame, creating a textured, almost digital or data-like appearance. The lines vary in opacity and length, giving a sense of depth and movement.

Questions?