



PORTER FOSTER RORICK
LLP

Jay W. Schulkin

Attorney

Jay Schulkin advises school districts on a wide range of legal issues, with a particular emphasis on the Public Records Act, labor and employment law, and student discipline, and defends school districts on these and other issues in administrative and court settings.

CONTACT

Tel (206) 622-0203

Fax (206) 223-2003

jay@pfrwa.com

PROFESSIONAL POSITIONS

Attorney, Porter Foster Rorick, 2013–present

Special Education Paraprofessional, Oakland Unified School District, 2009-10

EDUCATION

University of Washington School of Law, Seattle, Washington, J.D., with honors, 2013

Comments Editor, *Washington Law Review*

Pomona College, Claremont, California, B.A., 2008

PROFESSIONAL AFFILIATIONS

Washington Council of School Attorneys, Past Board Member

AREAS OF EXPERTISE

- Public Records Act/FERPA
- Student discipline hearings and appeals
- Labor arbitration
- Civil litigation
- School board governance
- Employee discipline and discharge
- Schools administration

PRACTICE HIGHLIGHTS

- Obtained favorable results for multiple school districts and other local agencies in various Public Records Act lawsuits, including summary judgment dismissing lawsuit as time-barred.

- Advised numerous clients regarding complex public records requests.
- Successfully defended school districts in labor arbitrations involving issues such as employee suspension and discharge, management's right to direct the workforce, salary raises, class size overload, and other contractual rights.
- Successfully defended school districts in hearings challenging long-term suspensions, emergency expulsions, and expulsions of students.
- Successfully defended school districts in unfair labor practice proceedings before the Public Employment Relations Commission.
- Advised and represented school districts regarding employee representation petition proceedings before the Public Employment Relations Commission.
- Successfully obtained injunction in response to unlawful strikes by certificated and classified bargaining units.
- Advised and defended school districts in statutory hearings challenging the discipline of certificated employees.
- Successfully obtained summary judgment dismissal in lawsuit involving student injury sustained during athletics.
- Obtained favorable results in special education due process hearings.
- Successfully enforced homeowner's compliance with affordable housing covenant.

SELECTED PRESENTATIONS & PUBLICATIONS

- Editor, *Washington School Law Update*, 2017-present.
- "Public Records Disclosure: A Practical Workshop," all-client training, 2017-2021; Washington Schools Risk Management Pool, September 2022.
- "Public Records Disclosure," *Human Resources in Education Leadership Summer Program*, Washington School Personnel Association, 2017-2022.
- "Student Discipline Update," numerous school districts, 2019-2022.
- "Student Discipline: Avoiding Pitfalls and Winning Hearings," Cowlitz/Wahkiakum School Safety Summit, August 2022.
- "Public Records Disclosure," *WASBO Risk Management Networking Group*, Washington Association of School Business Officials, October 2021.
- "Addressing Student Behavior and Discipline During COVID," Washington Schools Risk Management Pool, May 2021.
- "Public Records & Records Retention for HR Professionals," *2021 WSPA Annual Conference*, Washington School Personnel Association, March 2021.
- "Avoiding Evaluation Pitfalls," guest lecture, Washington State University Principal Certification Program, February 2021.

- “Because You Always Wanted to be Sherlock Holmes: Conducting Effective School Investigations,” multiple school districts, 2020-2022.
- “Public Records on Personal Devices: Basics and Cautionary Tales,” Franklin Pierce School District, June 2020.
- “HIB Law for School Administrators,” multiple school districts, 2019-2022.
- “Internal Union Records and the Public Records Act,” *2019 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2019.
- “Student Discipline, Fresh from the Kitchen,” dozens of school districts statewide, summer 2019.
- “New Student Discipline Rules Panel,” *Fall Workshop*, Washington Council of School Attorneys, October 2018.
- “Public Records Disclosure,” North Thurston Public Schools, September 2018.
- “Enforcing School District Safety Programs,” *WASBO Legal Perspective Series*, Washington Association of School Business Officials, March 2017.
- “Open Government Training,” Federal Way Public Schools, September 2014.