

# SUMMER READING FOR EDUCATIONAL LEADERS: 15 LINKS TO HELP YOU PLAN FOR THE 2023-2024 SCHOOL YEAR

Insights  
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A lot has transpired in the world of education and workplace law over the past school year, and you may have been too distracted handling the day-to-day functions of your job to stay up to speed. But never fear – we have pulled together a list of the most significant developments along with links offering a deeper dive on topics that you should consider for next school year. The summer break is the perfect time to take a step back and see how your educational institution can keep pace with the rapidly developing world, and this reading list is just what you need.

## Bylaws and School Policies

### Once Again, Time to Review Your Bylaws

One of our most popular publications coming out of the pandemic was [an examination of the factors you should consider when updating your school bylaws](#). Our team was on it again this year with a follow-up piece that should be front and center as you plan for next year, [reviewing five additional factors you should consider to keep your bylaws up to date](#).

### What is Your School's Approach to Custody Disputes?

To avoid getting caught up in the drama – and potential legal disruption – related to custody disputes, [check out these four tips to avoid getting caught in the middle](#).

### Considering a Cooperation Clause

## Related People



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Finally, as you review your policies to see how you can improve them for next year, you should [read this review of how cooperation clauses can help you ensure parental civility in your school community.](#)

## School Safety

### Your Number One Priority: School Safety

There is no doubt that school safety has skyrocketed to the top of your priority list. But how can you assess where you stand when it comes to keeping your campus safe? [Check out the five questions you should consider before retaining a security auditor to help promote safety at your school.](#)

### The Latest Drug Crisis Should Lead You to Take a New Approach

If you didn't have enough to worry about, the past year saw the rise of a new drug crisis involving fentanyl. [This Insight might help you determine whether you should stock Narcan at your school in order to prevent a tragedy on your campus.](#)

### It's OK to Not Be OK: The Role of Mental Health Wellness

Finally, school safety doesn't just involve prevention of school shootings and drug overdoses. We've come far enough along as a society that we can address a danger that is often more hidden: mental health concerns. [Here's a summary of some steps you can take to address mental health wellness on your campus.](#)

## Tech on Campus

### Is Your School Ready for the AI Era?

We've entered new territory when it comes to the use of artificial intelligence among your student body. This technological advancement brings with it questions and challenges for every school. [Read more if you want to learn about the opportunities that ChatGPT brings to your school,](#) and the pros and cons that you must consider as your students continue to integrate AI into their everyday lives.

### Remote Learning is Still a Thing – and So Is Test Integrity

Many schools continue to use remote learning as a tool to help supplement their approach to the educational model. Whether used as a regular part of class or an option to

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consider when in-person learning presents challenges, remote learning solves a lot of problems – but also creates issues that need to be addressed. [Here's an Insight talking about test integrity needs to be approached with privacy issues in mind.](#)

## **Biggest Legal Challenges**

### **Affirmative Action on the SCOTUS Docket**

By the time you come back for the 2023-2024 school year, the Supreme Court will have decided the biggest case impacting schools in decades – a decision on the legality of affirmative action. [Read here to see our predictions for why we believe SCOTUS will scrap affirmative action admissions in education](#) and begin preparing for what this might mean for your school.

### **Equal Pay Remains a Key Issue**

Agency investigators and plaintiffs' attorneys remain solidly focused on pay equity and wage bias issues, and may soon scrutinize your track record on compensation to determine whether you are meeting current legal standards. [You should read this Insight to learn why a court recently allowed an unequal pay collective action to proceed against a school](#) and what you can do to proactively ensure you are paying your employees what they deserve – and avoid legal liability.

### **Stay Tuned for More Title IX Fallout**

We have seen several courts decide that schools accepting PPP loans – or simply holding nonprofit status – put themselves in a position of having to comply with the federal Title IX law. Read the three Insights below to get caught up on the issue, and know there will almost certainly be new developments in this area during the upcoming school year.

- [Federal Court Confirms that Schools Accepting PPP Loans Must Comply with Title IX](#)
- [Baltimore Bombshell: Federal Court Rules Private School's Nonprofit Status Leads to Title IX Coverage](#)
- [California Joins the Fray: Another Court Rules that Nonprofit Schools are Subject to Title IX](#)

## **Bathroom Laws**

Finally, perhaps no subject can inflame passion these days like gender identity and bathroom usage. This is especially true in the educational community. Rather than being guided by emotion or swayed by vitriolic arguments, make sure you understand the legal standards at play – and follow the best practices to avoid liability. Here are two recent Insights summarizing key developments:

- [Recent Ruling on School's Transgender Bathroom Policy Leads to Divide Among Federal Appeals Courts: Will SCOTUS Weigh In?](#)
- [How Florida's New Bathroom Law Will Impact Schools, Public Employers, and Businesses](#)

## **Conclusion**

We will monitor these and other education-related developments and provide updates as warranted, so make sure that you are subscribed to [Fisher Phillips' Insights](#) to get the most up-to-date information direct to your inbox. If you have further questions, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney on our [Education Team](#).