

Insights, News & Events

SUMMER READING FOR EDUCATIONAL LEADERS: RESOURCES TO HELP YOU PLAN FOR THE 2024-2025 SCHOOL YEAR

Insights
May 31, 2024

As you recover from another whirlwind of a school year, we hope you can take some time to relax and enjoy your summer break. The next few months will be the perfect time to – at your leisure – catch up on this past year’s biggest developments and trends in education and workplace law. We’ve put together a packed summer reading list so that your educational institution can be primed and ready to tackle the upcoming academic year.

Governance Practices, School Policies, and Key Contracts

Big Picture

To prepare for the 2024-2025 school year, you’ll need to reflect on this past year and consider how legal changes, current events, and shifting priorities impact your policies and practices. Check out [this six-step guide to refreshing your employee and student policies](#) and [five ways independent school boards can strengthen their governance practices](#). Click [here](#) and [here](#) for things to consider when updating your school’s bylaws. And if you’re looking for more evergreen advice, you can browse [last year’s summer reading list](#).

Important Details

This year we covered a wide range of specific topics you should consider addressing in your policies and procedures. Here’s some of the biggest issues to consider:

Related People



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- [social media and your school's professional online presence](#);
- [artificial intelligence in education](#) and [AI workplace policies](#);
- paid work during parental leave (for example, [read about this game-changing administrative finding impacting New Jersey schools](#));
- [active shooter and campus safety protocols](#); and
- [Form I-9 compliance and work visa options for teachers](#).

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Industry Focus

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Employment Agreements & Enrollment Contracts

Every single provision in your employment agreements should be designed to be purposeful, powerful, or protective of your school. [Learn how your agreements can fulfill the three P's](#). And because enrollment contracts form the basis of your school's relationships with the families you admit, you'll want to [look at these five tips for strengthening those contracts](#).

Biggest Developments

New Federal Overtime Rule and Title IX Regulations

By the time the 2024-2025 school year begins, two significant federal rules will have already taken effect – unless they are blocked by court action.

- **OT Rule.** Starting July 1, millions of salaried workers will become newly eligible for overtime pay. [Here's what you need to know and five steps you can take now](#). Be sure to stay tuned for updates, since [business groups are seeking to block the new rule](#).
- **Title IX.** New regulations set to take effect on August 1 provide, among other things, new protections for LGBTQ+ students. [Here are the ten biggest changes and what your institution must do to comply](#). But as many states ask courts to block the rule, and some even direct schools not to comply, [read this guide on what to expect next](#).

SCOTUS Affirmative Action Ruling

Last summer, the Supreme Court severely limited affirmative action admissions in education. The U.S. Department of

Education subsequently released diversity, equity, and inclusion (DEI) guidance. Read these Insights to catch up on:

- [how to comply and how to elevate your DEI efforts](#);
- [four things colleges and universities need to know about the federal DEI guidance](#); and
- [how to mitigate your risk of getting sued](#).

Trending Topics

Campus Protests & Political Discourse

The past academic year saw a rise in campus protests, political discourse, and even hate crimes. Here are a few resources to help you navigate these issues:

- [Handling Campus Protests: Key Points for Colleges and Universities to Consider and 7 Tips for Your Protest Policy](#)
- [Calm Waters Run Deep: 10 Action Items to Help Your School Face the Rising Tide of Political Discourse](#)
- [Department of Education Issues Dear Colleague Letter as Campus Tensions and Hate Crimes Rise: 5 Steps for Educational Institutions](#)

Title IX Coverage in Private Schools

Courts across the country have been split on whether a private school's tax-exempt status triggers Title IX coverage. But earlier this year, two federal courts each independently ruled that it does not – serving as a big win for private and independent schools in those jurisdictions. Check out the Insights below for more details and stay tuned to see if similar litigation pops up in other states.

- [A Sigh of Relief for Private Schools: 4th Circuit Rules Tax-Exempt Status Does Not Trigger Title IX Coverage](#)
- [Arizona Has Entered the Chat: Federal Court Rules That Non-Profit Schools Are Not Subject to Title IX](#)

Due Process Rights

Another recent hot topic looks at what schools must do to satisfy their due process obligations. A California jury [hit a private school with a \\$1 million verdict](#) for expelling high school students without due process. But a federal appeals

court [sided with a medical school by holding that it did not violate a resident's due process rights](#) when it dismissed her from its residency program.

Discrimination Claims & Disability Accommodations

Last August, the New Jersey Supreme Court sided with a Catholic school that fired an unwed pregnant teacher and held that the termination decision did not violate the state's workplace anti-discrimination law. [Here are six key takeaways for religious schools.](#)

In the fall, a lawsuit against a private school served as a good reminder about a lesser-known aspect of the Americans with Disabilities Act (ADA). [Here are five answers for employers about association-based bias.](#)

Just before winter break, we covered [five ways to mitigate the impact of anxiety disorders on student success](#). And as spring arrived, we asked: [are your school's websites and apps ADA compliant?](#)

Student-Athletes and Employment Status: A Potential Turning Point

This question has been a contentious issue for nearly a decade. Here's the latest:

- In February, a National Labor Relations Board regional director declared that non-scholarship college basketball players are "employees" under federal labor law. [Read more here.](#)
- In May, the National Collegiate Athletic Association moved forward with a \$2.7 billion settlement, representing a watershed moment in the ongoing debate on compensating student-athletes. [Here's what you need to know.](#)

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 directly 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](#).

