

# ECASB LEGAL BRIEF

An ECASB Monthly Newsletter about the Latest Legal Issues



## ATTORNEY SPOTLIGHT:

*Jeffrey Weiss*



**HARRIS BEACH** PLLC  
ATTORNEYS AT LAW

Jeffrey J. Weiss serves in the area of Labor and Employment Legal Practice and the K-12 Education Industry Team at Harris Beach PLLC. Mr. Weiss received his Bachelor of Arts degree from the State University at Binghamton and his Juris Doctorate from the State University of New York at Buffalo School of Law. Upon graduating from Law School, he served for three years as an assistant corporation counsel in the New York City Law Department, General Litigation Division, where he represented the City of New York and municipal agencies including the New York City Board of Education. Mr. Weiss frequently lectures at the University at Buffalo, Niagara University and D'Youville College and at programs presented by the New York State School Boards Association, the Western New York Education Services Council, the New York State Bar Association and the Erie County Association of School Boards. His area of focus is primarily on representing public school districts in special education matters, including impartial due process hearings, appeals to the Office of State Review, and federal and state court actions. He often advises school districts, Superintendents and Special Education Directors on their duties and responsibilities under

## The School Attorney

*Below are common questions to ask your attorney during a consultation:*

1. *What kind of experience do you have with similar cases, or do other attorneys at your law practice have experience handling this type of case?*
2. *What would be the strategy you would use for the case?*
3. *Are there alternatives to going to court?*
4. *What are possible outcomes of the case?*
5. *Who will actually handle the case?*
6. *What is the districts role in the case? Will there be specific district personnel that will be testifying during the case?*
7. *How much time do you believe the case may take up?*
8. *Will the insurance company be covering expenses of the case?*
9. *If we loose at the first level, what will the recourse be?*
10. *What is the outcome of similar cases that have been argued before the courts?*
11. *What concerns should School Board members have regarding the case?*

# ECASB LEGAL BRIEF

An ECASB Monthly Newsletter About the Latest Legal Issues

the IDEA, Section 504 and the development of appropriate individualized education plans. Jeff Weiss is active in the New York State Association of School Attorneys as a member, the Erie County Bar Association, a former member of the Amherst Youth Board, a former member and board of director for the Ronald McDonald House of Buffalo, and the Buffalo Law Review as the managing editor and associate editor. He has been named to Buffalo Business First and Buffalo Law Journal's Buffalo's Who Who in Law, 2012, and Buffalo Business First and Buffalo Law Journal, Legal Elite of Western New York for years 2014 - 2018. In representative matters, he has defended public school districts with respect to a complaint filed with the New York State Division of Human Rights alleging that the district discriminated against a student based on his disability. The complaint against the district was dismissed in its entirety. There have been several cases that Jeffrey has handled that have also been dismissed in their entirety.



Above: Mr. Jeff Weiss presents at the 2022 WNY Law Conference held at Salvatore's.

## The Board & More Legal Issues Recent Developments in New York State and Around the Country

*Harris Beach Attorneys, PLLC has offices in Albany, Buffalo, Ithaca, Long Island, New York City, Rochester, Saratoga, Syracuse, and White Plains in New York state with additional offices in Newark, New Jersey; New Haven Connecticut; and Washington D.C.*

*The following items are headlines from around the country related to legal issues in schools ... where would your district stand?*

- New York state high school adopts tiered method to limit student cell phone use in school.
- School librarian in Louisiana subjected to death threat and online harassment after speaking publicly opposing censorship of book bans.
- Following student's death, Los Angeles public schools to carry overdose antidote.
- Maine approves first religious school for tuition reimbursement program.
- Colorado district settles suit with two former high school students who alleged school officials failed to respond to reports of sexual assault.

**Hodgson Russ LLP is a 2022-2023  
Gold Level Sponsor  
Harris Beach PLLC is a 2022-2023  
Gold Level Sponsor**