

# ECASB LEGAL BRIEF

An ECASB Monthly Newsletter about the Latest Legal Issues



## ATTORNEY SPOTLIGHT:

*Jeffrey Swiatek*



Jeffrey Swiatek, Esq. is a frequent presenter not only at the annual Western New York Law Conference, but at many ECASB events throughout the year. Jeff regularly presents to potential school board members at the Prospective School Board workshop during the month of March, and at the 6 hours mandated Governance Training required of all new school board members. In addition to presenting at ECASB, he has presented for the New York State School Board Association, the New York State Association of Towns, the Government Finance Officers Association, the Association of School Business Officials, the National Association of College and University Attorneys as well as other groups. Mr. Swiatek Esq. received his Bachelor of Arts from Canisius College, Cum Laude and his Juris Doctorate from the University of Virginia School of Law.

Mr. Swiatek, Esq. counsels many school district clients on a wide range of issues, including contract negotiations, employment law and labor relations, personnel policies and procedures, and employee evaluation and discipline. His experience in school law is very valuable as he also counsels clients on governmental reorganization and restructuring, purchasing and competitive

## The School Attorney

**Law Firms have different titles or roles within the organization:**

**Partner - is part owner and generally will share in the law firms profits.**

**Senior Counsel - an individual that is between a Partner and an Associate.**

**Associate - an attorney that has taken and passed the bar exam. They are an entry level attorney.**

**Paralegal - an individual that assists the attorney in preparing and organizing legal documents.**

**Law Clerk - an individual that will assist an attorney with consulting journals, prior cases.**

**A law firm may also employ technical specialists, administrative staff, accountants, and mar-**

## Hodgson Russ LLP Law Offices

**In addition to the Law Offices located in Buffalo, Hodgson Russ LLP has offices located in Albany, Rochester, and New York City in New York State; Hackensack New Jersey; Greensboro North Carolina, Palm Beach Florida and Toronto, Canada.**

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bidding, construction and real property matters. He represents schools before the courts and administrative agencies.

Jeff has over 16 years experience as a council member for the Town of Cheektowaga where he served approximately 85,000 residents. In addition, he served as a special assistant to U.S. Senator Daniel Patrick Moynihan in Washing D.C.

He has been listed as Best Lawyers in America (Education Law) 2019—2023. Mr. Swiatek, Esq is active in many professional organizations and served as a Director for the New York State Association of School Attorneys since 2009 and served as President of the organization in 2018. He has served as a Member of the Canisius College Board of Regents since 2017.

## Recent Presentations and Events:

- 37th Annual School Client Conference - @ Buffalo Niagara Marriott, May 6, 2022
- Cannabis Issues That Will Affect Municipalities—Association of Erie County Governments, Bravo Café and Catering, April 28, 2022
- NYS 3020a Teacher Misconduct Cases: Issues for Advocates, Hearing Officers and Schools - American Arbitration Association, May 20, 2021
- Reopening Schools: Legal Issues Involving Students and Staff, August 13, 2020
- Review of New 2020 School budget Vote and Board Election Procedures and Timelines, - May 7, 2020
- 35th Annual School Client Conference— Millennium Hotel, 2040 Walden Avenue Buffalo, January 17, 2020.
- WNY Education Law Conference, Salvatores, August 1, 2019.

## The Board & More Legal Issues

### Recent Developments in New York State and Around the Country

- New Jersey incorporates climate change into K-12 curriculum standards for public schools.
- The ACLU's fight against classroom censorship, state by state.
- Michigan House considering bill that would require districts to adopt policies prohibiting the use of personal cellular devices during the school day.
- Kansas district's board is considering adopting a policy prohibiting transgender students from using restrooms or locker rooms based on gender identity.

### Recent Publications from Jeff Swiatek

**Alyssa's Law Signed by Governor: Encouraging Schools to Install Silent Panic Alarm Systems; Hodgson Russ Education Alert, June 24, 2022.**

**Reminder—New York Employee Electronic Monitoring Law Became Effective on May 7, 2022; Hodgson Russ Labor and Employment Alert, May 17, 2022.**

**Mandating Low Carbon Concrete to Achieve Embodies Carbon Reduction in the Building Sector. Hodgson Russ Municipal Alert, May 16, 2022.**

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