



PORTER FOSTER RORICK
LLP

Lester "Buzz" Porter, Jr.

Attorney

Buzz Porter provides general and special counsel to school districts with a particular emphasis on labor relations, employment law, school funding and student rights. As a lead bargainer, Buzz has negotiated more than 250 collective bargaining agreements for Washington school districts using both traditional and interest-based models of bargaining. Buzz also devotes a significant amount of time to training school administrators at both client inservices and association conferences on personnel and student issues.

CONTACT

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PROFESSIONAL POSITIONS

Attorney, Porter Foster Rorick, 1993-present

Adjunct Faculty, Seattle Pacific University, 2012-present

EDUCATION

University of Washington School of Law, Seattle, Washington, J.D., 1993
Executive Editor, *Washington Law Review*

Pomona College, Claremont, California, B.A., magna cum laude, 1990
Phi Beta Kappa

PROFESSIONAL AFFILIATIONS

Washington Council of School Attorneys, Past President

National School Boards Association Council of School Attorneys

AREAS OF EXPERTISE

- Labor relations and collective bargaining
- Employee discipline and discharge
- Student misconduct and corrective action
- Student civil rights
- Schools administration
- School funding

PRACTICE HIGHLIGHTS

- Negotiated more than 250 collective bargaining agreements in Washington school districts with certificated and classified bargaining units represented by WEA, PSE, SEIU, IUOE, CWA, and the Building Trades Council.
- Successfully defended school districts in statutory hearings and arbitrations challenging the discipline and discharge of certificated and classified employees for misconduct such as tardiness, unauthorized absences, insubordination, dishonesty, violation of safety protocols, falsification of records and mistreatment of students.
- Successfully defended school districts in arbitrations of collective bargaining disputes involving issues such as seniority bypass, subcontracting, involuntary transfers, reclassifications, performance evaluations, grievance timeliness and retaliation for union activity.
- Advised and defended school districts in administrative hearings regarding the provision of special education or accommodations to students with disabilities.
- Advised and defended school districts in administrative hearings regarding student requests for interdistrict transfers.
- Advised and defended school districts in dozens of hearings challenging the long-term suspension or expulsion of students, including disputes regarding possession of weapons, underage drinking, lewd and harassing behaviors and possession of drugs.
- Successfully obtained a superior court summary judgment challenging the equity of state's school funding formulas based on arbitrary and irrational variables.
- Successfully defended school district's maintenance of personnel records of employee who resigned in lieu of termination for invasion of professional boundaries.

SELECTED PRESENTATIONS

- "Bargaining Skills for the 21st Century," *2020 Annual Conference* pre-conference workshop, American Association of School Personnel Administrators, October 2020.
- "Bargaining Basics for School Board Members," multiple school districts, 2001-2020.
- "Student Discipline Update," Kent School District, December 2019.
- "Negotiations 101," North Central Educational Service District Business Managers Forum, April 2019.
- "Post-McCleary: Future of Collective Bargaining in Washington Public Schools," *42nd Annual Collective Bargaining and Arbitration Conference* keynote panel, Northwest Labor and Employment Relations Association, March 2019.
- "The Future of Collective Bargaining in Washington Public Schools," *2018 School Law Conference* keynote, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2018; Northwest Educational Service District 189, March 2019; *WASA Superintendent's Conference*, May 2019; *WSSDA Annual Conference*, Superintendent's component, November 2019.

- “Bargaining after E2SSB 6232,” Olympic Educational Service District, April 2018.
- “Bargaining after EHB 2242,” multiple educational service districts, agencies and conferences, 2017-2018.
- “Bargaining Legislative Changes,” *2016 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2016.
- “TPEP Legal and Bargaining Issues,” Washington Association of School Administrators, April 2016; Educational Service District 112, September 2016.
- “Bargaining Math 101,” “Bargaining Philosophy 101,” “Bargaining Philosophy 201,” “Bargaining Psychology 101” and “Bargaining Psychology 201,” *21st Century Bargaining Skills Workshop*, Washington School Personnel Association, 2015-2020.
- “The Role of the School District Attorney,” *2015 Annual Conference*, Washington State School Directors Association, November 2015.
- “Bargaining in the Age of McCleary,” *2015 Annual Conference* Keynote, Washington School Personnel Association, February 2015.
- “Anatomy of an Arbitration,” *2014 School Law Conference* Keynote, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2014.
- “TPEP Bargaining: a Post-Mortem and Manifesto,” *2013 School Law Conference* Keynote, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2013; Educational Service District 112, January 2014.
- “Student Discipline Boot Camp,” multiple school districts, 2001-2013.
- “Bargaining the New Evaluation System,” multiple school districts and conferences, 2013.
- “Writing Effective Evaluations,” multiple school districts and conferences, 2010-2012.
- “The New Teacher/Principal Evaluation: First Look,” Breakfast Briefing, Seattle, March 2012.
- “Student Discipline and Students with Disabilities,” multiple school districts, 1997-2012.
- “Myths & Realities of Bargaining,” *Fourth Annual School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2011; *67th Annual Conference*, Washington Association of School Business Officials, May 2011.
- “Because You Always Wanted to be Sherlock Holmes (Advice for Conducting Investigations),” multiple school districts, 2000-2011.
- “When an Employee has Exhausted All Leaves,” *Third Annual School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2010.
- “Discipline & Evaluation in a New Age of Accountability,” WASA Region III Workshop Keynote, March 2010.
- “The Section 504 Mandate,” multiple school districts, 1996-2010.