



PORTER FOSTER RORICK
LLP

Michael H. Rorick

Attorney

Mike Rorick serves as general and special counsel to public school districts throughout the state of Washington. He advises and advocates for school districts on a wide range of school law issues, including personnel, student and special education issues, and has negotiated scores of collective bargaining agreements on behalf of school district clients over a period of more than twenty-five years. Mike also frequently advises and represents clients in the development and management of public facilities, including issues involving real property, procurement and construction contracting. Mike regularly presents trainings to groups of school personnel in many of these areas of school law.

CONTACT

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PROFESSIONAL POSITIONS

Attorney, Porter Foster Rorick, 1992-present

Adjunct Faculty, Seattle University School of Education, 2009-11

City Attorney, City of DuPont, Washington, 1999-2003

Attorney, Bennett & Bigelow, 1987-92

Assistant Attorney General, State of Alaska Dep't of Law, Transportation & Public Facilities, 1983-86

Attorney, Roberts & Shefelman, 1980-83

EDUCATION

University of Washington School of Law, Seattle, Washington, J.D., with honors, 1980

Articles Editor, *Washington Law Review*

Order of the Coif

Pomona College, Claremont, California, B.A., 1977

PROFESSIONAL AFFILIATIONS

Washington Council of School Attorneys

AREAS OF EXPERTISE

- Labor relations and collective bargaining
- Special education and Section 504
- Public procurement and construction
- Employment law
- Civil Rights
- Public records/Open Public Meetings

PRACTICE HIGHLIGHTS

- Successfully negotiated scores of collective bargaining agreements for Washington school districts with certificated and classified bargaining units represented by WEA, PSE, Teamsters and other unions.
- Advised and represented school districts in statutory hearings and arbitrations challenging the discipline or discharge of certificated and classified employees.
- Advised and represented school districts in grievance arbitration proceedings involving issues such as assignment and transfer, seniority bypass, planning time, evaluation and probation, and miscellaneous contract interpretation issues.
- Advised and represented school districts in unfair labor practice and unit clarification proceedings before the Public Employment Relations Commission.
- Advised and defended school districts in numerous administrative hearings regarding the provision of special education services to students with disabilities.
- Successfully appealed WIAA staff disqualification from post-season tournament play of high school varsity girls' volleyball state championship team for alleged violation of contest limitation rules.
- *San Juan Island Sch. Dist. v. Power*, San Juan County Superior Court No. 11-2-05066-2 (2011). Successfully defended incumbent school board members against improper recall petition, resulting in withdrawal of petition.
- *Blumhoff v. Tukwila Sch. Dist. No. 406*, No. 60966-1-I, 2008 Wash. App. LEXIS 2789 (Wash. Ct. App., 2008) *rev. denied*, 166 Wn.2d 1008, 208 P.3d 1124 (2009). Defended dismissal of school psychologist's claim of wrongful constructive termination in violation of public policy.
- *Vashon Island Sch. Dist. v. Bassetti Architects, et al.*, King County Superior Court No. 05-2-09083-9SEA (2005). Successfully recovered through settlement following summary judgment more than two million dollars for school district from contractor and architect for construction defects not discovered until ten years following project completion.
- *Peninsula Sch. Dist. No. 401 v. Public Sch. Employees of Peninsula*, 130 Wn.2d 401, 924 P.2d 13 (1996). Challenged enforceability of collectively-bargained right to continuing employment in excess of one year for classified employees under state law.
- *Bremerton School District v. Bremerton Education Association*, Kitsap County Superior Court No. 94-2-02350-2 (1994). Successfully obtained preliminary injunction from superior court against unlawful teacher's strike.

SELECTED PRESENTATIONS

- “Bargaining English,” *21st Century Bargaining Skills Workshop*, Washington School Personnel Association, January 2018 and 2019.
- “Bargaining Philosophy,” *21st Century Bargaining Skills Workshop*, Washington School Personnel Association, January 2017.
- “Bargaining Engineering,” *21st Century Bargaining Skills Workshop*, Washington School Personnel Association, January 2016.
- “Bargaining Law,” *21st Century Bargaining Skills Workshop*, Washington School Personnel Association, January 2015.
- “Weed in the Workplace and Schoolhouse—Student and Employee Issues Arising from Legalization of Marijuana,” *2014 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2014.
- “Handling Employee Misconduct in the Face of Public Scrutiny,” *2013 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2013.
- “Dangerous Students; District Liability,” *30th Annual Pacific Northwest Institute on Special Education and the Law*, October 2013.
- “Selected Issues in Employee Discipline,” *2013 Annual Conference*, Employee Relations & Negotiations Network, March 2013.
- “Teacher and Principal Evaluation Project (TPEP),” Washington School Personnel Association, January 2013.
- “Past Practice and Labor Contracts,” *2012 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2012.
- “Teacher Speech,” *2011 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2011.
- “Unfair Labor Practices,” *School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, July 2010.
- “Roles, Relationships and Responsibilities for the Board, Its Officers, the Executive Director and Staff,” Washington State School Directors Association, January 2009.
- “The Collective Bargaining Process—Mechanics, Pitfalls and Pointers,” *Spring Conference*, Washington School Personnel Association, March 2008; Association of Washington School Principals, March 2007.
- “Student Discipline Boot Camp,” multiple school districts, 2001-2006.
- “Evaluation of Certificated Employees,” multiple school districts, 2000-2006.
- “You Can Do This! Student Discipline Under IDEA '97,” Vashon Island School District, November 2002; *Legal Issues: Mini Conference*, Association of Washington School Principals, April 2002.
- “Individual Education Programs: Do’s and Don’ts,” Renton School District, August 2001.