



Jay W. Schulkin
(206) 622-0203
jay@pfrwa.com

Jay Schulkin advises school districts on a wide range of legal issues, with a particular emphasis on the Public Records Act, labor and employment law, and student discipline, and defends school districts on these and other issues in administrative and court settings.

PROFESSIONAL POSITIONS

Attorney, Porter Foster Rorick, 2013–present

Special Education Paraprofessional, Oakland Unified School District, 2009-10

EDUCATION

University of Washington School of Law, Seattle, Washington, J.D., with honors, 2013
Comments Editor, *Washington Law Review*

Pomona College, Claremont, California, B.A., 2008

PROFESSIONAL AFFILIATIONS

Washington Council of School Attorneys, Past Board Member

AREAS OF EXPERTISE

- Public Records Act/FERPA
- Employee discipline and discharge
- Student discipline hearings and appeals
- Civil litigation
- Labor arbitration
- School board governance
- Schools administration

PRACTICE HIGHLIGHTS

- Obtained favorable results for multiple school districts and other local agencies in various Public Records Act lawsuits, including summary judgment dismissing lawsuit as time-barred and order to dismiss petition for review for lack of subject matter jurisdiction.
- Advised numerous clients regarding complex public records requests.

- Successfully defended school districts in labor arbitrations involving issues such as employee suspension and discharge, management’s right to direct the workforce, salary raises, class size overload, access to facilities, and other contractual rights.
- Successfully defended school districts in hearings challenging long-term suspensions, emergency expulsions, and expulsions of students.
- Successfully defended school districts in unfair labor practice proceedings before the Public Employment Relations Commission.
- Advised and represented school districts regarding employee representation petition proceedings before the Public Employment Relations Commission.
- Successfully obtained dismissal of unit clarification petition seeking to add school district nurse to classified bargaining unit.
- Successfully obtained injunction in response to unlawful strikes by certificated and classified bargaining units.
- Advised, defended, and obtained favorable results for school districts in statutory hearings challenging the discipline of certificated employees, including successfully defending school district’s cutting off nonrenewed employee’s pay at end of contract prior to statutory hearing.
- Successfully obtained summary judgment dismissal in lawsuit involving student injury sustained during athletics.
- Obtained favorable results in special education due process hearings.

SELECTED PRESENTATIONS

- Editor, *Washington School Law Update*, 2017-present.
- “Public Records Disclosure: A Practical Workshop,” all-client training, 2017-2021; Washington Schools Risk Management Pool, September 2022; *Reboot 2.0*, Washington School Personnel Association, July 2023.
- “Public Records Disclosure,” *Human Resources in Education Leadership Summer Program*, Washington School Personnel Association, 2017-2023.
- “Student Discipline Update,” numerous school districts.
- Public Records Act training, numerous school districts.
- “Public Records Act Legislative and Case Law Update,” *2023 Fall Workshop*, Washington Council of School Attorneys, November 2023.
- “Handle With Care: Responding to Requests for Student and Other Juvenile Records,” *2023 Fall Conference*, Washington Association of Public Records Officers, October 2023.
- “Public Records: What Every School District Employee Needs to Know,” Washington Schools Risk Management Pool, October 2023.
- Jay Schulkin, *Credible Investigations of Employee Wrongdoing*, SCHOOL ADMINISTRATOR, American Association of School Administrators, September 2023, at 9.

- “Public Records & Records Retention for HR Professionals,” *2023 Annual Conference*, Washington School Personnel Association, March 2023.
- “Student Discipline: Avoiding Pitfalls and Winning Hearings,” Cowlitz/Wahkiakum School Safety Summit, August 2022.
- “Public Records Disclosure,” *WASBO Risk Management Networking Group*, Washington Association of School Business Officials, October 2021.
- “Addressing Student Behavior and Discipline During COVID,” Washington Schools Risk Management Pool, May 2021.
- “Public Records & Records Retention for HR Professionals,” *2021 WSPA Annual Conference*, Washington School Personnel Association, March 2021.
- “Avoiding Evaluation Pitfalls,” guest lecture, Washington State University Principal Certification Program, February 2021.
- “Because You Always Wanted to be Sherlock Holmes: Conducting Effective School Investigations,” multiple school districts, 2020-2022.
- “Public Records on Personal Devices: Basics and Cautionary Tales,” Franklin Pierce School District, June 2020.
- “HIB Law for School Administrators,” multiple school districts, 2019-2022.
- “Internal Union Records and the Public Records Act,” *2019 School Law Conference*, Washington School Personnel Association & Washington Schools Risk Management Pool, October 2019.
- “Student Discipline, Fresh from the Kitchen,” dozens of school districts statewide, summer 2019.
- “New Student Discipline Rules Panel,” *Fall Workshop*, Washington Council of School Attorneys, October 2018.
- “Enforcing School District Safety Programs,” *WASBO Legal Perspective Series*, Washington Association of School Business Officials, March 2017.
- “Open Government Training,” Federal Way Public Schools, September 2014.