

William M. Deters II
Email: wmdeters@ennisbritton.com

January 29, 2025

VIA ELECTRONIC MAIL

Alisa Agozzino, Board Member
Jaired Birks, Board Member
Jeff Christoff, Board Member
David Peters, Board Member
Jeffrey Point, Board Member
Elida Local School District
4380 Sunnydale Avenue
Elida, OH 45807

Re: ***Ennis Britton Co., LPA***

Dear Board Members:

I appreciate your consideration of Ennis Britton for legal counsel to the Elida Local School District.

Ennis Britton attorneys have long dedicated their practices to school law, which includes a diverse number of subspecialties. We believe that the depth and talent of our “bench” is truly what allows us to continue to grow and sustain our success in representing many school districts throughout Ohio (over one hundred fifty (150) school districts in over forty (40) counties).

The core philosophy of our statewide school practice is to understand our client's mission entirely and become a vested, integral part of the team – not just a bill at the end of a month. To accomplish this, we endeavor to recognize and adjust our role as defined by the Board and District leadership (not the other way around). Our experience shows us that when we become a part of the team, our service can better prevent legal problems and reduce and minimize expenditures for legal services. These objectives align with our core values of responsiveness and “24-7” accessibility.

There should be no surprises in our role as counsel, and our clients should be fully and regularly informed about pending legal matters. As an organization, we value relationships and communication and strive to proactively provide current, accurate, and timely information on the issues affecting the board's legal rights and obligations. Our commitment to our clients is to be professional in all our dealings and relationships.

Ennis Britton has an extensive resume in representing school boards. While the firm was created in March 2015, its members' depth of experience reaches back many years before that time. Many of our attorneys have been practicing school law for over twenty-five years, and collectively, we have over 250 years of experience representing schools throughout Ohio. We have included biographies for each of our attorneys.

All of our attorneys are members of the Ohio Council of School Board Attorneys, and five (Giselle Spencer, Bronston McCord, Gary Stedronsky, William Deters, and John Britton) have served as Chair of the organization's Executive Committee. Erin Wessendorf-Wortman currently serves as the Ohio State Bar Association Education Committee Vice-Chair. William Deters and Pam Leist are former Chairs of the Ohio State Bar Association Education Committee.

Our depth of knowledge and experience is recognized at the state and national level. For example, in the past few years, Jeremy Neff and Pamela Leist have been selected to speak at the LRP National Institutes held in Louisville, New Orleans, Phoenix, and Savannah on topics ranging from COVID responses, student privacy, student evaluations, and extracurricular activities. Jeremy has also spoken at the Council of Administrators of Special Education National Conference in Pittsburgh on strategies for working with challenging parents and at the Criminal Education Association International Conference on serving incarcerated students. This is in addition to our firm's attorneys presenting each year at Ohio's most significant education conference, the Ohio School Boards Association Capital Conference.

Although Ennis Britton is a firm with a long practice history, we are committed to using today's (and tomorrow's) technology to partner and communicate with our clients. Each attorney is available by direct office and cell phone numbers. We text, Tweet, video conference, and blog: in short, we will meet you in person and cyberspace wherever convenient, including live stream or via your meeting technology. We fully understand and appreciate that the work of school boards and the administrative team is not confined to "regular" business hours, and we pride ourselves on accessibility when your Board needs us.

Due to the depth and range of experience of our firm's attorneys, we are frequently asked to speak for the Ohio School Boards Association (OSBA), the Ohio Council of School Board Attorneys (OCSBA), the Buckeye Association of School Administrators (BASA), the Ohio Association of School Business Officials (OASBO), the Ohio Association of Pupil Service Administrators (OAPSA), the Ohio Association of School Resource Officers (OSROA), the Ohio Association of Career-Technical Superintendents (OACST), the Ohio Association for Career and Technical Education (Ohio ACTE), the Ohio Association of EMIS Professionals (OAEP), and many regional workshops across the state, as well as monthly legal updates for several educational service centers.

We are frequently requested presenters at school district administrator retreats all over the state, and customized training is a way for us to develop personal connections and train your district team to work together to achieve mutual goals. For example, we recently trained a district's

payroll and treasurer's staff on Family Medical Leave Act administration, explicitly tailoring our discussion to their collective bargaining agreement, the law, and their questions. Similarly, we trained a district administrative team on addressing employee absenteeism through changing culture, performance evaluation, and discipline, tailoring the content to the collective bargaining agreement and specific issues regarding dock days. We have also frequently provided training to districts on teacher evaluations, student discipline, special education, and Ohio Sunshine laws. This team approach to avoiding problems by providing quality professional development is a proactive way to reduce a school district's legal costs for issues that may occur without such training.

We excel in virtually every area of education law practice, including reviewing and negotiating business contracts of all types, investigating employee misconduct, terminating employees, general litigation, construction, financial, tax increments, policy review, student attendance and custody, special education matters, including due process, student discipline, Constitutional student and staff issues, and more. We are proud to regularly offer solid human resource support to our clients, many of whom represent their communities' largest employers.

Our firm's value-added services include a substantive monthly newsletter, webinars on hot topics, an education law blog, and all-client alerts, such as when a statewide public records request is sent, or an issue affecting all Ohio school districts occurs. We intend to continue to provide up-to-date information so that administrators and Board Members are better prepared to make informed decisions and avoid legal pitfalls that arise in the increasingly complex world of school law.

The attorneys at Ennis Britton regularly contribute to our Education Law blog to address school law topics as they arise. Blog entries cover topics ranging from student discipline and employment to recent state and federal law changes. You can access the blog at any time by visiting our website at www.ennisbritton.com. Our popular and award-winning podcast, "On the Call," also regularly addresses a myriad of current legal issues related to special education.

The overwhelming majority of our firm's arrangements with school boards are on an hourly rate basis and without a formal contract. Thus, we are fully aware that our representation of clients is always truly "at will." Our rates are outlined in greater detail in the attached fee sheet.

We understand that we serve at the pleasure of the governing boards of our clients: nothing is taken for granted. We provide prompt, detailed billing every month. Our practice is matching assignments with the best attorney to address the situation promptly and efficiently. Our overarching philosophy is to take the shortest, most cost-efficient distance between two points in getting the job done. In any event, the billing provided will allow the Board to know precisely what services are being performed and where to turn if there are questions.

Elida Local School District Board of Education
January 29, 2025
Page 4

Please know that we are enthusiastic about joining the Elida Local School District Board of Education team soon. We would happily meet with the Board and administration to discuss our approach to school law.

Sincerely,

ENNIS BRITTON CO., LPA

By: /s/ William M. Deters II
William M. Deters II

WMD:jkn

cc: Joel Mengerink, Superintendent (via email)
Larry Kaiser, Treasurer (via email)
C. Bronston McCord III, Esq.

Current Fee Schedule

Ennis Britton's approach to representation is one of "preventive legal maintenance." We are convinced that the best way to contain legal costs is to avoid legal issues from the start, if possible proactively. This requires careful and calculated decision-making by well-informed clients, including the training of board members and administrators and ready access to legal counsel at a reasonable cost.

Since early issue identification is often the key to the containment of expense, we embrace as a core value the "24-7" availability of all of our school attorneys. In addition, we must extend to our clients' professional development opportunities to proactively assist in the efficient use of legal services through our preventative focus.

The hourly rates for 2025 are as follows, billed in 1/10 of an hour increments:

Shareholder Attorney	\$310.00
Associate Attorney	\$275.00
Paralegal	\$150.00

Additional expenses that may be incurred during representation are billed as follows:

- Online Research Fee: \$45 per matter (when applicable)
- LRP Special Education Connections Research Database: \$25 per matter (when applicable)
- Mileage charged at IRS rate
- Long-distance telephone calls
- Other expenses charged back at cost (filing fees, appraisal fees, court reporters, etc.)

LEGAL SERVICES AGREEMENT

This Agreement made and concluded at Cincinnati, Ohio this ____ day of February 2025, by and between the Elida Local School District Board of Education, 4380 Sunnydale Avenue, Elida, Ohio 45807, hereinafter sometimes referred to as the "BOARD," and Ennis Britton Co., L.P.A., whose principal offices are located at 1714 West Galbraith Road, Cincinnati, Ohio 45239, a corporation engaged in the practice of law in the State of Ohio, hereinafter sometimes referred to as the "ENNIS BRITTON."

WITNESSETH:

WHEREAS, the BOARD has determined that it has a continuing need for a variety of legal services beyond that afforded by the public authorities otherwise available to them from time to time, including, but not limited to, routine consultation on legal problems and interpretation of law both common to all school districts and unique to individual school district situations, contract drafting, understanding of new legislation and the like; and

WHEREAS, ENNIS BRITTON is a corporation engaged in the general practice of law in Ohio, composed of practicing attorneys individually licensed to practice law in Ohio.

NOW, THEREFORE, IT IS hereby mutually agreed by and between the parties hereto that for the period commencing February ____, 2025, and running through December 31, 2025, and then from month to month thereafter until cancelled as provided herein, ENNIS BRITTON will offer the following services:

- ENNIS BRITTON would permit any board administrator to participate in the firm's Administrator Academies and webinars.
- Each BOARD and administrator will receive the ENNIS BRITTON newsletter and any email updates/notifications sent by the firm to other clients.

If ENNIS BRITTON is requested to perform services by the BOARD, it shall invoice the requesting party for such excluded services at Three Hundred and ten (\$310.00) Dollars per hour. ENNIS BRITTON's policy is to review its rates annually on or about January 1 of each year, and an adjustment may be made at that time. If ENNIS BRITTON desires an

adjustment, it shall notify the BOARD, in writing, at least fifteen (15) days before making said adjustment.

Either party may cancel this contract by giving the other party written notice before it intends to do so.

All professional personnel of ENNIS BRITTON shall be available to the BOARD to render the services contemplated by this Agreement, and ENNIS BRITTON may specifically designate confident licensed attorneys as having primary responsibility for various general legal subject matters to promote the uniformity contemplated hereby.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands by their duly authorized agent on the day and year first above written.

WITNESSED:

**ELIDA LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION**

By: _____
David Peters, President

By: _____
Larry Kaiser, Treasurer

ENNIS BRITTON CO., LPA

By: _____
C. Bronston McCord III, President