



David J. Lampe

Partner



David Lampe represents educational institutions and other public bodies on matters involving education law; public sector labor law; collective bargaining; grievance arbitration; unfair labor practice charges; employment law; harassment, discrimination and misconduct investigations; Title IX investigations and compliance review; policy development; student matters; litigation; and workers' compensation.

David has trained administrators/managers and presented at legal forums across Ohio on a wide assortment of matters affecting public bodies and educational institutions, such as employee evaluation, discipline and nonrenewal; collective bargaining; harassment, discrimination and misconduct investigations; Public Records Act; Open Meetings Act; First Amendment and cyber law issues; special education; student residency, tuition, attendance and custody; student homelessness; hazing and bullying; student privacy laws; transportation; media relations; ethics law; workers' compensation; and general compliance.

David has also served as counsel for educational institutions and other public agencies before the State Employment Relations Board, Office of Civil Rights, Equal Employment Opportunity Commission, Ohio Civil Rights Commission, Industrial Commission of Ohio, Board of Revisions, both federal and state courts, and numerous arbitrators. He has also represented private sector clients before the National Labor Relations Board.

Bar Admissions & Activities

- Member, Ohio State Bar Association; Northern Kentucky Bar Association
- Admitted, State of Ohio, 2000; State of Kentucky, 2001; U.S. District Court, S.D. Ohio, 2001

Education

- The Ohio State University (J.D., 2000)
- University of Oxford, United Kingdom (Comparative Law Program, 1998)
- University of Cincinnati (B.B.A., Finance, 1997)

Awards & Recognition

- Listed, *Best Lawyers in America* (Education Law), 2017–2021
- Rising Star, *Ohio Super Lawyers*, (Schools & Education), 2009, 2012–2013

CONTACT INFORMATION

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INDUSTRIES & PRACTICES

Public Sector
Colleges & Universities
Education (Pre-K to 12)
Education Law
Litigation

We are very pleased with services provided by Bricker & Eckler. Specifically, David Lampe has been diligent in his efforts to serve our district.

Bricker client as quoted in Best Law Firms, 2018
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Presentations & Published Works

- Speaker, "Bus Camera Data: How Long to Save it & Who Should See it?", Ohio Association for Pupil Transportation, 2018
- Speaker, "Transgender Student Issues for Construction," Top Gun Construction Claims Seminar, 2017
- Speaker, "Searches in Schools," Education Law Seminar, 2017
- Speaker, "Hot Topics in Collective Bargaining," BASA New Superintendents Workshop, 2017
- Speaker, "What Medical Marijuana Will Mean for Employers," OSCPA Annual Conference, 2016
- Speaker, "Collective Bargaining Panel Discussion," BASA Employment Law Seminar, 2015
- Speaker, "Bargaining from Management's Perspective," Mohican Institute/OSLF Workshop, 2015
- Author, "Is Worker Misclassification on Your Radar? If It's Not, Maybe It Should Be," *Cities & Villages*, 2014
- Speaker, "Student Discipline, Civil Rights Protections & Bullying Prevention," Xavier University Masters in Education Program, 2014
- Speaker, "Affordable Care Act - Evolving Requirements & Compliance Implications," Ohio Municipal League Mayors Conference, 2014

Professional & Community Activities

- Guest Lecturer, Masters in Education Program, Xavier University
- Member, Cincinnati Public Schools Adopt-A-Class Program
- Member, Ohio Counsel of School Board Attorneys; National School Boards Association Council of School Attorneys

Experience

Open Meetings Act and due process challenge against a school board

Defended a school board against an Open Meetings Act and due process challenge filed by a terminated school employee. The Ohio Supreme Court ruled that the terminated employee had no right under ORC Section 121.22 to compel the school board to hold the hearing on his discharge in public.

Athletic suspension appeal

Defended a school board against an injunction filed by a student seeking reversal of his athletic suspension. We established new law in Ohio when the court ruled that the student had no legal right to appeal his athletic suspension.



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Workers' compensation death claim defense

Defended a school board against a workers' compensation death claim. The court ruled that decedent's death did not occur in the course of and arising out of her employment with her employing school board under ORC 4123.01.

Superintendent non-renewal defense

Successfully defended a board's action to non-renew its former superintendent against claims that the board breached his employment contract.

Non-resident tuition recovery

Successfully prosecuted action before the ODE Superintendent of Public Instruction and subsequent court action to recover tuition against non-resident parents.

Declaratory judgment and breach of contract actions

Successfully brought declaratory judgment and breach of contract actions on behalf of Butler Tech against its former Director of Police Training.

Open Meetings Act violation defense

Successfully defended a school board against claims that a majority of its members violated the Open Meetings Act through telephone and email discussions.

Defense of public sector employers in unreported labor arbitration hearings

Successfully defended public sector employers across Ohio in numerous unreported labor arbitration hearings.