



Nicole M. Donovan

Partner



Nicole Donovan serves as general counsel to school districts with an emphasis in labor and employment issues, including contract negotiations, grievances, arbitrations, FMLA, ADA, workers' compensation, evaluation, nonrenewal and termination. Nicole also advises school districts in the areas of career-technical education, student issues, civil rights, public records, abuse reporting, ethics, board policies and meeting requirements. In addition, Nicole assists clients with crisis management strategies and advises clients on conducting sensitive investigations.

Nicole is chief legal counsel to the Buckeye Association of School Administrators. She has presented extensively on issues affecting public education. Nicole also serves on Bricker & Eckler's Southeast Ohio team.

In addition to proactively counseling clients, Nicole has represented school districts before a variety of courts and administrative agencies throughout Ohio, including the Ohio Supreme Court.

CONTACT INFORMATION

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COLUMBUS OFFICE

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Bar Admissions & Activities

- Admitted, State of Ohio; United States District Court, Southern District of Ohio; United States District Court, Northern District of Ohio; United States Court of Appeals for the Sixth Circuit

Education

- Capital University (B.A., 1995; J.D., 2000)

Awards & Recognition

- Listed, *Columbus CEO Top Lawyers*, 2015
- Listed, *Ohio Super Lawyers Rising Stars Edition*, 2012, 2013

Presentations & Published Works

- Nicole has participated in countless presentations on behalf of BASA, OSBA, OASBO, OACTE and for specific clients on topics such as board governance, public meetings and records, civil rights and labor and employment issues, to name a few.
- Author, "Grandparents Can Get Authority to Make School Decisions for Grandchildren," *Ohio State Bar Association – Law You Can Use*, originally printed November 2004, updated annually

INDUSTRIES & PRACTICES

Public Sector
Privacy & Data Protection
Education Law
Employment & Labor
Colleges & Universities



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- Author, "Ohio Law Says Where Students Can Attend School Tuition-Free," *Ohio State Bar Association – Law You Can Use*, originally printed November 2004, updated annually
- Author, "Liability Issues and Immunity," *Ohio School Board Association Journal*
- Author, "Dissecting Qualified Immunity After Filarsky," *National School Board Association Inquiry & Analysis*, September 2012
- Author, "FMLA: An Onerous Task," *SBO Quarterly*, January 2017

Professional & Community Activities

- Member, Board of Counselors, Capital University Law School
- Board Member, Grandview Heights-Marble Cliff Education Foundation
- Board Member, Grandview Heights Public Library Foundation
- Past-Chair and Member, Ohio Council of School Board Attorneys Executive Committee
- Member, National School Board Association Council of School Attorneys
- Participant, Columbus Bar Association Barrister Leader Program, 2003-2004

Experience

Exclusive representation law challenge rejected by Sixth Circuit

Successfully defended the Marietta City School District Board of Education in a lawsuit brought by a public school teacher who attempted to expand the reach of the U.S. Supreme Court's ruling in *Janus v. AFSCME* and argued that Ohio's exclusive union representation violates the First Amendment. The Sixth Circuit rejected this challenge and granted a summary judgment to both the union and school district.