


RESPONSE LAW, LLC
 Presents
**DEFUSE & MANAGE
 PROBLEM STUDENTS AND
 CONFRONTATIONAL PARENTS:
 TACTICS THAT WORK UNDER
 KANSAS LAW**




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WORDS MATTER
 Developing the Proper Mindset

BASIS OF AUTHORITY



- G**ood-Faith Judgment
- R**easonableness
- E**xperience
- A**bility to Adjust
- T**raining

CODE OF CONDUCT

- Represents the Floor of Your Authority, not the Ceiling
- Broad Discretionary Authority
- Safety, Order, & Discipline
- Don't be Trapped by Paper

THE INITIAL APPROACH

- Start Wide
- Avoid Labels
- Develop a Clear SIP
- Unrestrained Authority = Reduction in Risk

REASONABLENESS IS A LEGAL STANDARD CONSISTING OF COMMON SENSE, TRAINING, AND EXPERIENCE



UNREASONABLE = PERSONAL

- Required by Law
- Required by Policy

THREE QUESTIONS OF LIABILITY

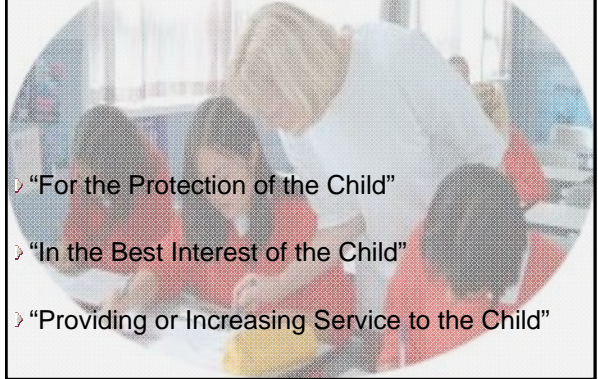


- ✓ WHAT DID YOU KNOW?
- ✓ WHEN DID YOU KNOW IT?
- ✓ WHAT DID YOU DO ABOUT IT (WHEN YOU DID KNOW IT)?

LAWSUIT MENTALITY

- Result Oriented
- Attempt Oriented
- Document Attempts!

KEY PHRASES TO DOCUMENT



- ▷ "For the Protection of the Child"
- ▷ "In the Best Interest of the Child"
- ▷ "Providing or Increasing Service to the Child"

COMMON METHODS OF "LEGAL NOTICE"

- Student Handbooks
- PA System
- Newsletters
- Parent Forums
- Newspaper Ads
- Signs

"Familiarity Breeds Compliance"

PHONE TACTICS

- Utilize the Sponge Theory
- Record to Restrain
- The Volunteer Trap
- The Delightful Disconnect

**“I’LL SUE YOU”
THE THREAT & THE RESPONSE**

- You are Entitled to Make Mistakes in Good Faith
- You are Insured for Fees, Costs, and Damages
- You Can Counter Claim
- Personal Contact Ends

QUALIFIED IMMUNITY

Anderson vs. Creighton

Liability is not the failure to succeed ...

... It is the failure to try

- Was my intent to protect?
- Did I make a good faith effort?
- Did I stay within the scope of my duty?