



## RYAN L. EVERHART

Partner

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Ryan has devoted the past 20 years of his practice to representing public school districts. His practice encompasses the full spectrum of legal issues that school districts face. He has represented school districts in countless administrative and court proceedings before the NYS Commissioner of Education, NYS Division of Human Rights, The U.S. Department of Education, Office of Civil Rights, among many other venues. He regularly advises Boards of Education regarding school policy development, Open Meetings and Freedom of Information Law requirements, student record confidentiality, employee misconduct, student and employee harassment and discrimination, student discipline and residency, among many other legal issues.

Ryan has developed a particular strength in representing clients the area of special education law. He has advised and represented school districts in hundreds of proceedings under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. Due to his deep bench of knowledge in this area, Ryan has spoken at numerous education law conferences and seminars across the country and is regularly quoted and published in state and national publications.

### Honors

- Volunteer Lawyers Project 2004 Pro Bono Recognition Award

### Experience

Under the yoke of a federal class-action lawsuit, a New York State public school district approached Hodgson Russ for help. The suit, filed in the U.S. District Court for the Western District of New York, involved systemic, district-wide special education compliance issues. Over the years, the district was required to expend a considerable time, particularly in the compliance review, and was also required to pay significant fees to the parents' attorneys. A Hodgson Russ team anchored by

The Guaranty Building  
140 Pearl Street  
Suite 100  
Buffalo, NY 14202

### Practices & Industries

Education  
Labor & Employment  
Special Education

### Admissions

New York  
U.S. District Court, Western District  
of New York

### Education

University at Buffalo, B.A., cum  
laude  
University at Buffalo School of Law,  
J.D.

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Ryan Everhart negotiated a settlement with the plaintiffs' attorneys. District Court Judge John T. Curtin ended the federal court's jurisdiction over the district as well as any entitlement the plaintiffs' attorneys had to the district's student records and additional attorney's fees.

Hodgson Russ successfully obtained summary judgment in a federal court action in which a parent alleged that the school district violated the Individuals With Disabilities Education Act for a number of years. In this case, the court rejected the parents' multimillion-dollar demand for monetary damages and affirmed the principle that special education claims become moot when the applicable school year ends.

## In the News

Not so fast! Avoid shutting down parents who request virtual IEP meetings  
*Special Ed Connection*, January 26, 2023

Learn how proposed IDEA regulation may ease financial burden of districts  
*Special Ed Connection*, January 17, 2023

Every day you're shuffling: Offer FAPE despite rearranging staff during shortages  
*Special Ed Connection*, October 13, 2022

Resist reliance on school attorney to ghost-write draft IEPs  
*Special Ed Connection*, March 4, 2022

View change of placement as last-resort in response to student school refusal  
*Special Ed Connection*, July 30, 2021

Thought Leaders: COVID-19 and Education  
*Buffalo Business First*, November 27, 2020

Don't automatically retain student's pre-COVID-19 IEP goals  
*Special Ed Connection*, November 19, 2020

3 key considerations when providing ESY during COVID-19  
*Special Ed Connection*, November 18, 2020

Monitor provision of services to publicly placed private school students  
*Special Ed Connection*, April 20, 2020

State immunization requirements are changing -- here's how to prepare your teams  
*Special Ed Connection*, December 19, 2019

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## **Press Releases**

Special Ed Update Presented by Hodgson Russ Partners Ryan Everhart and Andrew Freedman  
*Press Release*, October 2, 2014

## **Publications**

The NY State Education Department Updates the Parent Procedural Safeguards Notice  
*Hodgson Russ Special Education Alert* , May 21, 2024

U.S. Department of Education Announces Long-Awaited Final Title IX Regulations  
*Hodgson Russ Education Alert*, April 25, 2024

New York State's "Freelance Isn't Free" Act – What Employers Need to Know  
*Hodgson Russ Labor & Employment Alert*, April 18, 2024

Employees Enjoy a Private Right of Action Under Changes to New York City Earned Safe and Sick Time Act  
*Hodgson Russ Labor & Employment Alert*, March 7, 2024

New York State Amends Workplace Violence Prevention Law to Apply to School Districts  
*Hodgson Russ Education Alert*, February 15, 2024

NY General Obligations Law Amended to Limit Further Pro-Employer Provisions in Settlement Agreements  
*Hodgson Russ Labor & Employment Alert*, January 23, 2024

New Year - New Statute of Limitations for Complaints filed with the New York State Division of Human Rights  
*Hodgson Russ Labor & Employment Alert*, December 29, 2023

New York State Increases Minimum Wage and Modifies Other Salary Requirements  
*Hodgson Russ Labor & Employment Alert*, December 22, 2023 - CORRECTED\*

Alternative Instruction for Suspended Students  
*Hodgson Russ Education Alert*, October 20, 2023

Wage Theft In New York Is Now Criminal Larceny  
*Hodgson Russ Labor & Employment Alert*, October 3, 2023

## **Presentations & Events**

39th Annual School Client Conference  
M-Hotel Buffalo, 2040 Walden Ave, Buffalo, NY 14225, January 12, 2024

Your Top 10 FOIL & Open Meeting Law Questions Answered  
December 1, 2023

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Special Education Seminar 2023  
Salvatore's Italian Gardens, October 5, 2023

Fall School Law Conference  
The Monroe County Bar Center for Education and the Monroe County School Boards Association, September 21, 2023

38th Annual School Client Conference  
Buffalo Marriott Niagara 1340 Millersport Hwy, Amherst, NY 14221, January 13, 2023

Special Education Seminar 2022  
Salvatore's Italian Gardens, October 6, 2022

37th Annual School Client Conference  
Buffalo Niagara Marriott, 1340 Millersport Hwy, Amherst, NY 14221, May 6, 2022

Special Education Webinar 2021  
November 3, 2021

Special Education Update- Trending Issues in the Education of Students with Disabilities  
July 15, 2021

School Client Conference Webinar Series 2021  
January 15, 22, and 29

### **Professional Affiliations**

- New York School Boards Association
- Council of School Attorneys
- National School Boards Association
- Education Law Association

### **Community & Pro Bono**

Ryan has been involved with the Volunteer Lawyers Project in assisting families obtain 17A guardianship, and served as a mentor for University at Buffalo School of Law. He previously was a member of the United Way Speakers' Bureau.

Ryan also coaches youth basketball through the East Aurora Boys and Girls Club.