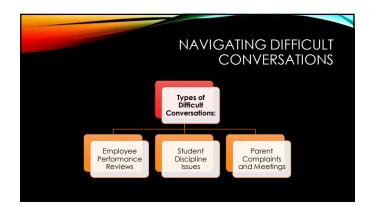


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DEFENSIBLE RECORDS

How to Document

Who was there, what was discussed, and next steps

When to Document

Immediately & contemporaneous notes

LEGAL PITFALLS TO AVOID

- ✓ Inconsistencies in Records
- ✓ Inadequate Documentation of Key Decisions
- ✓ Use of Informal Communication (Texts, Personal Email Accounts)
- ✓ Failure to Maintain Confidentiality and Compliance

SCENARIO 1

RESPONDING TO PARENTAL COMPLAINT





SCENARIO 2

DOCUMENTING PERFORMANCE CONCERNS

Teacher is . . . - tardy

- -Touching girls' ponytails and flipping their hair
- Too friendly with students
- -Lacks classroom management



PROACTIVE STRATEGIES

- Creating a Culture of Consistent Documentation
- Training Staff on Proper Documentation Techniques
- Establishing Documentation Policies & Procedures
- Regular Audits & Legal Reviews of Records



When to Involve Legal Counsel in Documentation

COLLABORATING WITH LEGAL COUNSEL How Legal Review Strengthens Defensibility

Ensuring Protection for Privileged Communication

TAKEAWAYS

Importance of Defensible Documentation

Practical Techniques to Turn Conversations into Records

Legal Risks & How to Avoid Them

Next Steps for Implementing Best Practices

