



## Tammy M. Somogye

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### OVERLAND PARK

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### Assistant

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### PRACTICE AREAS

Employment & Labor

Counseling & Policy  
Development

Employment Litigation

Litigation

Health Law

### INDUSTRIES

Education

### COURT MEMBERSHIPS

- Kansas
- Missouri
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri

### EDUCATION

Tammy Somogye concentrates her practice on education and employment law, representing educational institutions, municipalities and businesses. In addition to handling administrative proceedings, conducting investigations, and prosecuting and defending litigation on behalf of her clients, Tammy reviews contracts and develops educational and employment policies for Kansas school districts and colleges and advises them on day-to-day legal issues. These myriad issues involve providing accommodations to disabled students and staff, student discipline, open records, open meetings, student records, and more. She also develops employment policies for Kansas municipalities and various businesses. Tammy advises these groups regarding a broad range of employment issues that arise, such as background checks, employee discipline and terminations, the Family Medical Leave Act, unemployment compensation appeals, worker's compensation claims, wage and hour issues, discrimination and harassment complaints, etc.

Tammy is experienced in laws governing disabled students. She represents Kansas school districts in special education matters involving the Individuals with Disabilities Education Improvement Act (commonly known as the IDEA), the Rehabilitation Act of 1973 (commonly known as Section 504), the Americans with Disabilities Act (commonly known as the ADA or ADAAA), the Kansas Special Education for Exceptional Children Act, and other related laws. She also assists Kansas school districts and colleges in investigations of complaints of all types filed with the United States Department of Education Office of Civil Rights by students and employees. This area of emphasis allows Tammy to be a unique asset to her clients, who are



University of Kansas School of Law, J.D., *with distinction*, 1997

William Jewell College, B.A., *magna cum laude*, 1993

## CLERKSHIP(s)

Law clerk to the Hon. Steve Leben

facing increasing demands for special education services and disability-related accommodations designed to allow students equal access to their facilities, programs and activities.

## Significant Verdicts, Decisions and Appellate Opinions

- Represented a major state agency in obtaining a complete dismissal of all claims of employment discrimination asserted against it in a federal court lawsuit, and successfully resolved the case after the plaintiff appealed.
- *W. v. Wyoming School District* (Wyoming Administrative Hearing 2020) (obtained ruling in favor of school district regarding request for compensatory services and other remedies for alleged provision of deficient services to student with dyslexia)
- *C. v. Kansas School District* (KSDE Mediation 2019) (obtained resolution of claims regarding student's educational placement). *H. v. Kansas School District* (KSDE Mediation 2018) (resolved request for tuition reimbursement and expenses favorable to school district)
- *P. v. Kansas School District* (Kansas Administrative Hearing 2017) (summary judgment in favor of school district regarding request for reimbursement of costs to braille private school materials)
- *B. v. Kansas School District* (Kansas Administrative Hearing 2017) (resolved request for Independent Educational Evaluation, resulting in voluntary dismissal of school district's request for due process to defend its special education evaluation)
- *H. v. Kansas School District* (Kansas Administrative Hearing 2017) (obtained voluntary dismissal of due process request concerning school assignment)
- *JWK and JPK v. Kansas School District* (KSDE Mediation 2017) (successful resolution of parents' request for tuition reimbursement for siblings)
- *Bell v. Ryan Transportation* (D. Kan. 2016) (successful motion to compel arbitration)
- *L. v. Kansas School District* (KS Admin. Hearing 2012) (finding in favor of school district on special education student's claim for educational expenses)
- *B. v. Kansas School District* (KS Admin. Hearing 2010) (finding in favor of school district on special education student's claim for tuition reimbursement)
- *E. v. Kansas School District* (KS Admin. Hearing 2009) (finding in favor of school district on special education student's claim for

tuition reimbursement)

- *M. v. Kansas School District* (KS Admin. Hearing 2008) (finding in favor of school district on plaintiff's claim of failure to provide appropriate 504 plan)
- *Alford v. Unified School District* (OCR 2008) (finding that evidence did not support school psychologist's claim of wrongful termination)
- *C. v. Kansas School District* (KS Admin. Hearing 2008) (finding in favor of school district on special education student's claim for tuition reimbursement)
- *R. v. Kansas School District* (KS Admin. Hearing 2008) (finding in favor of school district on special education student's claim for independent education evaluation)
- *R. v. Kansas School District* (Johnson County District Court 2008) (obtained dismissal of plaintiff's special education claims based on failure to exhaust administrative remedies)
- *C. v. Kansas School District* (KS Admin. Hearing 2007) (finding in favor of school district on its request for placing special education student in more restrictive setting)
- *Ryan v. Kansas School District* (U.S.D.C. KS 2006) (defense verdict on plaintiff's claim of retaliation and constructive discharge)
- *Kester v. Kansas School District* (U.S.D.C. KS 2005) (summary judgment in favor of school district on Equal Pay Act, ADA, FMLA, discrimination and wrongful termination claims)

## Events

- Employment & Labor Law Seminar - Kansas City Area  
April 12, 2022

## Presentations

- Co-presenter, "Leave & Accommodations - Deep Dive Into Employers' Rights and Responsibilities under FMLA, ADA, PWFA and PUMP Act," Lathrop GPM 2023 Employment & Labor Law Seminar, October 5, 2023 (Kansas City); October 24, 2023 (Minneapolis)
- Co-presenter, "Leave Lessons: Common Misconceptions About the ADA and FMLA," Lathrop GPM 2022 Employment & Labor Law Seminar, April 12, 2022 (Kansas City)
- Presenter, *COVID-19 Vaccinations and the Workplace: What You Need to Know Right Now*, Shawnee Chamber of Commerce, April 9, 2021

- Presenter, *COVID-19 Vaccinations and the Workplace: What You Need to Know Right Now*, Olathe Chamber of Commerce HR Roundtable, January 19, 2021
- Co-presenter, *New Employer Obligations Under the Federal Families First Coronavirus Response Act*, Lenexa Chamber of Commerce, March 26, 2020
- Panelist, *COVID-19: A View From Inside the Beltway*, National School Boards Association's Council of School Attorneys Webinar, March 25, 2020
- Presenter, *Conducting an Internal Investigation*, Olathe Chamber of Commerce Round Table, September 17, 2019
- Presenter, *The Endless Leave Conundrum*, Lathrop Gage Lunch & Learn, September 11, 2019
- Presenter, *Wage & Hour Misclassifications*, Lathrop Gage Lunch & Learn, April 13, 2019
- Presenter, *Wage & Hour Misclassifications*, Lathrop Gage Lunch & Learn, October 23, 2018
- Presenter, *Wage & Hour Misclassifications*, Lathrop Gage Lunch & Learn, April 13, 2018
- Presenter, *Sexual Harassment Presentation*, Olathe Chamber of Commerce Round Table, January 16, 2018
- Presenter, *Hot Topics and Trends*, Lathrop Gage Executive Briefing, November 16, 2017
- Speaker, *Dogs, Miniature Horses and Iguanas, "OH MY!"*, KanAHEAD Conference, Manhattan, Kansas, October 2017

## Publications

- Interviewed, *Prepare students with anxiety for holiday parties*, Special Ed Connection, November 15, 2018
- "Some Other Dude Did it (But Will You Be Allowed to Prove It?)," co-authored with Dennis Prater, 67 J. Kansas Bar Association 28 (1998)
- "Opening Minds to Open Adoption," 45 Kansas Law Review 619 (1997)

## Client Alerts And Blog Posts

- U.S. Supreme Court Issues Ruling to Clarify Undue Hardship Standard for Religious Accommodations Under Title VII  
July 14, 2023

- FAMILI Is Moving In – Five Steps to Follow NOW to Get Ready for Colorado’s Family & Medical Leave Insurance Program  
February 6, 2023
- Federal Third Circuit Court of Appeals Joins Other Circuits in Recent Ruling on Reasonable Religious Accommodations under Title VII  
June 17, 2022
- As the World Turns – (Another) Trump-Era Department of Labor Policy Reversal  
October 5, 2021
- More COVID-19 Leave Legislation on the Books in California – FAQ  
March 26, 2021
- OSHA Citations Reinforce Need to Stay Vigilant With Worker Safety  
December 3, 2020
- It’s Time to Emphasize EAP Benefits  
June 12, 2020
- Significant Changes to Kansas Workers’ Compensation Law  
May 12, 2011
- Supreme Court Reiterates Role of First Amendment in Snyder v. Phelps  
March 8, 2011

### In The News

- Special Ed Connection Interviews Tammy Somogye on Preparing Students with Anxiety for Holiday Partites.  
November 15, 2018
- LRP Publications Quotes Tammy Somogye  
August 10, 2011

### News Releases

- Tammy Somogye Featured in Special Ed Connection  
December 21, 2010
- SAFEHOME, Inc. Selects Tammy Somogye as 2010 Outstanding Human Resource Advisor  
March 29, 2010
- Summary Judgment for IBP, Inc. Affirmed by Tenth Circuit Court of Appeals  
May 27, 2008

## Professional Affiliations

- American Bar Association
- Johnson County Bar Association
- Kansas Association of School Boards
- Kansas Bar Association
- The Missouri Bar
- National School Boards Association, Council of School Attorneys

## Community Involvement

- Braden's Hope for Childhood Cancer
- Christ Lutheran Church, Operation Christmas Child Event Coordinator
- Overland Park Chamber of Commerce, Leadership Overland Park, Class of 2002
- 21st Century Leadership Institute, 2001
- Olathe Chamber of Commerce, Leadership Olathe, Class of 2000
- Safehome, Personnel Committee

## Honors

- Safehome Recognition Award (2010)
- Order of the Coif