

30th Annual School Law Conference
February 19-20, 2015 • Renaissance Hotel • Austin, TX

Thursday Morning, Feb. 19, 2015

Presiding Officer:

Michael J. Currie, Texas Classroom Teachers Association - Austin, TX

7:30 am	Registration Opens Includes continental breakfast.
8:35 am	Welcoming Remarks
8:45 am 1.00 hr	Commissioner Decisions Update An update on Commissioner of Education decisions from the past year. Mark P. Tilley, Texas Association of School Boards - Austin, TX
9:45 am 0.75 hr	Update from the Attorney General's Office Recent developments in Attorney General opinions, open records decisions, AG informal letter rulings, and open meetings guidance. Leticia D. McGowan, Dallas Independent School District - Dallas, TX
10:30 am	Break
10:45 am 1.00 hr	Student Immigration Issues In the past year, there has been an unprecedented rise in the number of unaccompanied minors entering Texas—many of whom may become students in Texas public schools while they await legal proceedings. Explore the unique questions and challenges that arise for school districts as they seek to meet their legal obligations to educate all students regardless of citizenship status. Joey W. Moore, Walsh, Anderson, Gallegos, Green & Treviño, P.C. - Austin, TX Cynthia Rincón, Fort Bend ISD - Sugar Land, TX Leslie R. Story, Texas Association of School Boards - Austin, TX
11:45 am	Lunch On Your Own

Thursday Afternoon, Feb. 19, 2015

Presiding Officer:

Michael J. Currie, Texas Classroom Teachers Association - Austin, TX

1:00 pm 0.75 hr	20 Years after <i>Leeper</i>, Current Legal Issues in Home Schooling A review of home schooling legal issues since the Texas Supreme Court’s landmark <i>Leeper</i> decision, including recent court decisions involving parent claims against school personnel attempting to enforce the compulsory school attendance laws, U.S. Department of Education advisories, community college admissions and financial aid issues, and high school “diploma mill” litigation. <i>This session has moved to 10:30 AM Friday</i> Lisa A. Brown, Thompson & Horton LLP - Houston, TX S. Anthony Safi, Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C. - El Paso, TX
1:45 pm 0.75 hr	How the Boom-Bust Cycle of the Oil and Gas Business Affects Schools When the oil and gas boom comes, it presents schools with numerous challenges, including skyrocketing appraisals, the loss of much of the revenue to recapture payments to the State, residential rents so high that the school is compelled to provide housing for new employees, rapidly growing enrollment (including students whose housing qualifies them as homeless under McKinney-Vento), and health and safety issues such as roads crowded with speeding commercial vehicles. Hon. Russell Wilson, 218th District Court - Floresville, TX
2:30 pm 0.50 hr	Calculating Full-Time Status under the Affordable Care Act Gain insight into the “look-back/stability period” method for determining whether variable hour employees, including substitutes, are “full-time” for purposes of the Affordable Care Act, penalties associated with failing to offer full-time employees insurance, and other strategies to ensure compliance with the Affordable Care Act’s offer requirement. Cory Rush, Rogers, Morris & Grover, L.L.P. - Houston, TX
3:00 pm	Break
3:15 pm 0.75 hr	Managing Athletics: Hiring and Firing Coaches, and Best Practices for Handling Thorny UIL and Title IX Compliance Issues Hear the pros and cons of using dual contracts for coaches, as well as how to avoid pitfalls in retaining and evaluating coaches. Best practices for addressing difficult UIL and Title IX compliance issues are also included. Mark Cousins, PhD, Director of Athletics, University Interscholastic League - Austin, TX Elneita Hutchins-Taylor, Houston Independent School District - Houston, TX
4:00 pm 0.50 hr	Records Retention and Destruction Advising school districts regarding their retention and destruction of records is fraught with potential pitfalls carrying serious consequences. Review the relevant state and federal laws relating to record retention, Texas’s retention schedules, the ins and outs of litigation holds, and some of the practical takeaways for school districts in how they handle, retain and properly dispose of their records. Christine S. Badillo, Walsh, Anderson, Gallegos, Green and Treviño, P.C. - Austin, TX
4:30 pm 0.75 hr ethics	Ethical Conduct in Mediations, Grievances and Negotiations Understanding the ethical issues related to mediations, grievances and negotiations is essential to making those processes as productive as possible. Review the applicable ethical standards and gain practical advice on getting the most benefit from mediations, grievances and negotiations. Derrell A. Coleman, JD, PhD, West & Associates, L.L.P. - Dallas, TX

5:15 pm

Adjourn

Friday Morning, Feb. 20, 2015

Presiding Officer:

Juan J. Cruz, J. Cruz & Associates, LLC - Laredo, TX

7:30 am

Conference Room Opens

Includes continental breakfast.

8:30 am
1.00 hr

Employment Case Law Update: How Retaliation and Rob Lowe Made a Comeback

An update of recent employment law cases (Don't be like *this* Rob Lowe).

James E. "Jim" Byrom, Walsh, Anderson, Gallegos, Green & Treviño, P.C. - Houston, TX

9:30 am
0.75 hr

Cracking the Case: School District Relationships with Law Enforcement Agencies

A district's relationship with law enforcement can be highly beneficial, yet highly complex. School districts can choose from a variety of arrangements, and the rules change depending on what choices the district makes. A roadmap of the tricky areas when dealing with school-based police with practical tips for avoiding missteps.

Paul A. Lamp, Rogers, Morris & Grover, L.L.P. - Houston, TX

10:15 am

Break

10:30 am
0.75 hr

What to Expect When She's Expecting

A review of the EEOC's Enforcement Guidance on Pregnancy Discrimination and Related Issues and a discussion of *Young vs. UPS*, the PDA case currently pending before the U.S. Supreme Court.

This session has moved to 1:00 PM Thursday

Elizabeth Poole, Texas State Teachers Association - Austin, TX

11:15 am
0.50 hr
0.25 hr ethics

FERPA: Questions Answered(?) and FPCO Changes

FERPA sometimes raises more questions than it answers! Hear the solutions to some frequently-asked FERPA questions and learn what the Family Policy Compliance Office (FPCO) is doing to help schools and their lawyers regarding these questions.

Thomas E. "Tom" Myers, Brackett & Ellis - Fort Worth, TX

11:45 am
0.50 hr

Don't Let Your #TeacherProblems Go Viral

Hear the dilemmas and dangers that social media poses for teachers and other educators. Gain tools and tips on how best to address these issues and how to prevent problems before they start.

Martha P. Owen, Deats, Durst, Owen & Levy, P.L.L.C. - Austin, TX

12:15 pm	Pick Up Lunch Included in registration.
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Friday Afternoon, Feb. 20, 2015

Presiding Officer:

Juan J. Cruz, J. Cruz & Associates, LLC - Laredo, TX

LUNCHEON PRESENTATION

12:35 pm 1.00 hr ethics	Ethics in Court Papers An entertaining and informative look at real cases in which lawyers got into trouble for misquoting, exceeding the page limit, failing to cite, plagiarizing, and just plain poor writing. Wayne Schiess, The University of Texas School of Law - Austin, TX
1:35 pm	Break
1:50 pm 0.50 hr	Construction Defects and Contract Breach Nowhere is it more true than in school construction that an ounce of prevention is worth a pound of cure. Most serious construction problems can be avoided when school districts take control of their construction projects. This is only possible when you know your own legal obligations and the legal obligations of the rest of the construction team. Examine some school construction current events and learn simple strategies to keep you and your construction projects off this list. David P. Hansen, Eichelbaum Wardell Hansen Powell & Mehl, P.C. - Austin, TX
2:20 pm 0.75 hr	Student Travel: "On the Road Again..." Review the issues related to planning out-of-state or international student travel, including what law applies, funding from booster clubs, travel-related contracts, personal and district liability, and consideration of travel advisories. Janet Sobey Bubert, Brackett & Ellis - Fort Worth, TX
3:05 pm 1.00 hr	Who's in Control? Alternative School District Governance Statutes in the Texas Education Code Explore alternative school district governance statutes and administrative regulations, including specifically those that govern TEA accreditation interventions and sanctions, and those that govern the adoption of a home-rule school district charter. Lisa R. McBride, Thompson & Horton LLP - Houston, TX Christopher L. Tritico, Tritico Rainey, PLLC - Houston, TX
4:05 pm	Adjourn