

40th Annual School Law Conference
February 12-13, 2025 • AT&T Conference Center • Austin, TX
February 12-13, 2025 • Live Webcast

Wednesday Morning, Feb. 12, 2025

Presiding Officer:

Cory Rush, Spalding Nichols Lamp Langlois - Houston, TX

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| 7:30 am In Austin Only | Registration Opens Includes continental breakfast. |
| 8:20 am | Welcoming Remarks |
| 8:30 am 0.75 hr | Commissioner Decisions Update Hear an update on Commissioner of Education decisions from the past year. Mark P. Tilley, Texas Association of School Boards - Austin, TX |
| 9:15 am 0.50 hr | Cellphone Bans in Schools Examine the call for cellphone bans in schools, challenges faced and the impact on the school environment. Leticia D. McGowan, Richardson ISD - Richardson, TX |
| 9:45 am 0.50 hr | Recognizing, Preventing, and Remediating Bullying and Harassment Discuss the current legal and practice landscape relating to bullying and harassment, and share updates and resources regarding the most effective ways to identify, prevent, and intervene in these harms in schools. Through an interactive case study, explore ways to build safe and welcoming school climates where bullying and harassment are addressed proactively and where every student and adult feels they belong. Paige Duggins-Clay, Intercultural Development Research Association - Austin, TX |
| 10:15 am | 15-Minute Break |
| 10:30 am 0.75 hr | Voting Rights Act Litigation: The Basics and Big Changes No two Voting Rights Act lawsuits are alike. Each case requires unique analysis of the community subject to the suit. A few landmark cases in 2023 and 2024 added to this complexity. Cover the basics of Section 2 claims under the Voting Rights Act, and explain changes in the law as a result of <i>Petteway</i> and other recent decisions. Charles J. Crawford, Abernathy, Roeder, Boyd & Hullett, P.C. - McKinney, TX Lucas Henry, Abernathy, Roeder, Boyd & Hullett, P.C. - McKinney, TX |

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| 11:15 am 0.75 hr | <p>A Well-Informed Electorate: Best Practices for Avoiding Electioneering Complaints</p> <p>A discussion of recent electioneering litigation, including a review of various legal issues that school district officials must navigate when speaking with their communities about school funding, budget shortfalls, and other matters of public concern.</p> <p>Stephanie A. Hamm, Thompson & Horton LLP - Houston, TX</p> |
| 12:00 pm In Austin Only | <p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p> |

Wednesday Afternoon, Feb. 12, 2025

Presiding Officer:

Debbie Moritz Esterak, Rogers, Morris & Grover, L.L.P. - Austin, TX

LUNCHEON PRESENTATION

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| 12:30 pm 0.50 hr | <p>Cyber Attacks and Data Breaches</p> <p>Cyber threat actors are increasingly targeting school districts. Review mandatory data breach notification laws as well as common cyber insurance policy provisions that require due diligence and prompt action by school officials.</p> <p>Micki Morris, Rogers, Morris & Grover, L.L.P. - Houston, TX</p> |
| 1:00 pm | <p>15-Minute Break</p> |
| 1:15 pm 0.75 hr | <p>Accommodating Anxiety, Stress and Related Conditions in Today's Classroom Environment</p> <p>School district employees are presenting increased cases of anxiety, depression and stress-related conditions. Hear a school district general counsel and teacher association attorney present their perspective on how to navigate the intersection of mental health in the context of reasonable accommodation under the Americans With Disabilities Act.</p> <p>Julie Leahy, Texas Classroom Teachers Association - Austin, TX Jacob Woolston, Pflugerville ISD - Pflugerville, TX</p> |
| 2:00 pm 0.75 hr 0.25 hr ethics | <p>When Employees Go Viral</p> <p>Dive into the challenges faced when employees become the subject of viral attention—whether caused by the district, an employee, or external actors. Explore when, who, and how to take action, and what legal implications have been established as a result of such events.</p> <p>Jefferson K. Brim III, Brim & Brim, P.C. - Austin, TX Mario G. Perez Jr., JCA LAW, PLLC - Laredo, TX</p> |
| 2:45 pm | <p>15-Minute Break</p> |

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| 3:00 pm 1.00 hr ethics | <p>Update on Conflicts of Interest</p> <p>An overview and analysis of the rules, case law and ethics opinions regarding conflicts of interest rules including simultaneous representation of potentially adverse clients, positional conflicts, conflicts involving the lawyer's personal interest, imputed disqualification, conflicts involving insurance, conflicts regarding former or prospective clients, and conflicts arising from pre-retention contacts.</p> <p>Dennis P. Duffy, Kane Russell Coleman & Logan PC - Houston, TX</p> |
| 4:00 pm 0.75 hr ethics | <p>When Lawyers Make the News: It's Not About You. It's About Your Client.</p> <p>With the guidance provided by the Texas Rules of Professional Conduct, the Texas Lawyer's Creed, and existing ethics opinions, this presentation focuses on ethical considerations lawyers often face when handling cases that make the news and will offer practical guidance on avoiding common pitfalls that arise when your case makes the spotlight. Consider lessons learned from stories and examples of lawyers who themselves made headlines and faced legal trouble for ethical lapses in the scope of client representation.</p> <p>Thomas P. Brandt, Fanning Harper Martinson Brandt & Kutchin, P.C. - Dallas, TX John Husted, Fanning Harper Martinson Brandt & Kutchin, P.C. - Dallas, TX</p> |
| 4:45 pm | Adjourn |
| In Austin Only | <p>Networking Reception (in Austin from 4:45 p.m. - 5:45 p.m.)</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p> |

Thursday Morning, Feb. 13, 2025

Presiding Officer:

Bryan P. Dahlberg, Schulman, Lopez Hoffer & Adelstein, LLP - San Antonio, TX

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| 7:30 am In Austin Only | <p>Conference Room Opens</p> <p>Includes continental breakfast.</p> |
| 8:30 am 2.00 hrs | <p>Complying with Safety and Security Personnel Requirements in Texas Public Schools</p> <p>Address the legal requirements for safety and security personnel, ways that school districts can achieve compliance through school marshal or guardian plans, through contracting with outside law enforcement agencies, or by creating their own police departments. Discuss the different legal and practical considerations for each strategy, including entity and individual liabilities for those involved.</p> <p>Allyson Collins, Spalding Nichols Lamp Langlois - Austin, TX Hans P. Graff, Leon Alcala, PLLC - Houston, TX Marney Collins Sims, Cypress-Fairbanks Independent School District - Houston, TX</p> |
| 10:30 am | 15-Minute Break |

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| 10:45 am 0.50 hr ethics | <p>Artificial Intelligence as a Core Competency: An Ethics Lens</p> <p>Identify the ethical issues raised under the Texas Disciplinary Rules of Professional Conduct. In further exploring the practical use cases for AI products, platforms, and machine learning technology within an underdeveloped security regime, this presentation will alert practitioners to common pitfalls relating to clients communications, confidentiality, and fees within the rapidly evolving landscape of generative AI usage.</p> <p>Wesley L. Nute, Jr., Irving ISD - Irving, TX</p> |
| 11:15 am 0.50 hr | <p>Attorney's Fees in Special Education Litigation</p> <p>If a school loses a special education due process hearing, the parent's attorney's fees can potentially cost a school more than \$100,000 in federal court. Look at parent's entitlement to attorney's fees, methods to reduce the fee amount, and the availability of attorney's fees to schools that prevail.</p> <p>Christopher Schulz, Schulman, Lopez Hoffer & Adelstein, LLP - Austin, TX</p> |
| 11:45 am 0.75 hr | <p>Obligations in Tension: The Challenges and Considerations When a Teacher is Harmed by a Student</p> <p>Focus on the district's obligations to their students and teachers when a special needs student causes harm to a teacher. Through a series of scenarios, explore both what is required and best practices to keep districts in compliance while also respecting the needs and safety concerns of teachers.</p> <p>Elvin Houston, Walsh Gallegos Treviño Kyle & Robinson, P.C. - San Antonio, TX Jeff Kelly, Association of Texas Professional Educators - Austin, TX</p> |
| 12:30 pm In Austin Only | <p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p> |

Thursday Afternoon, Feb. 13, 2025

Presiding Officer:

Leslie R. Story, Texas Association of School Boards - Austin, TX

LUNCHEON PRESENTATION

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| 1:00 pm 0.50 hr | <p>School Vouchers in Texas?</p> <p>Review the current bills being considered by the 89th Legislature and speculate about whether they will become law.</p> <p>David J. Campbell, Thompson & Horton LLP - Austin, TX</p> |
| 1:30 pm | <p>15-Minute Break</p> |

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| 1:45 pm 0.50 hr | <p>Drawing the Lines: School Nurse Authority</p> <p>The school nurse in the state of Texas has autonomy and responsibilities that stem from a myriad of laws, regulations and policies that arise outside of the education law setting, but that necessarily must overlap and interact with education laws and policies. Explore information of which the school law attorney should be aware when advising client school districts regarding their expectations regarding what the school nurse can, should and must do as well as where the lines are drawn between oversight and overstepping.</p> <p>Stacy C. Ferguson, Escamilla & Poneck, LLP - San Antonio, TX</p> |
| 2:15 pm 0.75 hr 0.50 hr ethics | <p>Interacting and Dealing with Difficult People: Ethically Working with All Kinds of Others</p> <p>The Texas Lawyer's Creed reminds us of our oath to "disagree without being disagreeable." But today's polarizing culture ensures we will have to interact with coworkers, leaders, and volunteers who can make it very hard to remain civil. In this enlightening and entertaining session, we'll discuss how to navigate difficult conversations respectfully, manage our own impulses toward being difficult, and actively model civility to ensure that we are in compliance with our legal and professional duties toward all.</p> <p>DeDe Church, DeDe Church & Associates, LLC - Austin, TX</p> |
| 3:00 pm | <p>Adjourn</p> |