

**2005 School Law Conference**  
**February 24-25, 2005 • Four Seasons Hotel • Austin, TX**

**Thursday Morning, Feb. 24, 2005**

**Presiding Officer:**

**Lisa A. Brown**, Bracewell & Giuliani LLP - Houston, TX

9:00 am 0.75 hr	<p><b>The 30th Anniversary of <i>Goss v. Lopez</i></b></p> <p>In 1975, the U.S. Supreme Court outlined the due process standards that apply when schools suspend students. For the last 30 years, the court of appeals have applied <i>Goss</i> to a wide variety of ever-changing scenarios confronting today's schools. This session by a noted national speaker will highlight the past, present, and future of <i>Goss v. Lopez</i>.</p> <p>Julie Underwood, National School Boards Association - Alexandria, VA</p>
9:45 am 0.50 hr	<p><b>Juvenile Justice: A Primer on Juvenile Justice and How It Impacts Students, Schools, Communities and the Society</b></p> <p>A snapshot view of the disciplinary procedures, administrative hearings, punishment, criminal culpability, and community concerns of students, parents, school administrators and other prime concerns.</p> <p>Bobbie G. Edmonds, Fort Worth, TX</p>
10:30 am 0.50 hr	<p><b>Parent-School Partnership: When Things Go Wrong</b></p> <p>State law provides that parents will be "partners" with educators, but sometimes there are concerns as to how the school is applying Chapter 26 of the Texas Education Code. This session will focus on current issues in the parent-school partnership.</p> <p>Susan Feller Heiligenthal, Attorney At Law - Austin, TX Linda Schlueter, The Justice Foundation - San Antonio, TX</p>
11:00 am 0.50 hr	<p><b>School Employee Immunity Issues after House Bill 4 and <i>Myers v. Doe</i></b></p> <p>The Education Code provides many school employees with comprehensive immunity from state causes of action. HB 4 further fortified these protections and added new ones. Despite this, does <i>Myers v. Doe</i> make it easy to pierce these immunities?</p> <p>Kevin F. Lungwitz, Lungwitz &amp; Lungwitz, P.C. - Austin, TX</p>
11:30 am 0.50 hr	<p><b>Settlement Agreements: Legal Requirements, Examples, and Practical Issues</b></p> <p>This topic includes discussion of legal requirements for settlements, examples of different issues to address in a settlement agreement, and practical issues such as mediations and delegation of settlement authority.</p> <p>Jeffrey A. Davis, McGinnis Lochridge &amp; Kilgore, L.L.P. - Houston, TX</p>

## Thursday Afternoon, Feb. 24, 2005

### Presiding Officer:

**Lisa A. Brown**, Bracewell & Giuliani LLP - Houston, TX

12:00 pm 1.00 hr	<b>School Finance Update</b>  Hear the latest school finance issues.  Lynn M. Moak, Moak, Casey and Associates, LLP - Austin, TX Bill Ratliff, Mt. Pleasant, TX David J. Thompson III, Bracewell & Giuliani, LLP - Houston, TX Joe Wisnoski, Texas Education Agency - Austin, TX
1:45 pm 0.50 hr	<b>The Petition for Redress: Local Employee Grievances</b>  A survey of the legal landscape, procedures and rights that govern the employee grievance process.  Paul Tapp, ATPE - Austin, TX
2:15 pm 0.75 hr	<b>Point-Counterpoint: Employment Contract Clauses</b>  When a district offers a certified employee a contract, to what have the parties agreed? This panel, in a point-counterpoint format, will discuss the practical applications and legal interpretations of selected contract provisions from multiple viewpoints.  Holly M. Claghorn, TASB - Austin, TX Dohn Stuart Larson, Austin, TX Merri Schneider-Vogel, Bracewell & Giuliani, LLP - Houston, TX
3:15 pm 0.50 hr	<b>Teacher Retirement System: Retire/Rehire</b>  An overview of issues involved in rehiring TRS retirees, including negotiating contracts, forfeiture of retirement benefits, third party entities, independent contractors, misconceptions and health insurance.  Rebecca Smith, Teachers Retirement Sys Of TX - Austin, TX
3:45 pm 0.00 hr 0.25 hr ethics	<b>School District Trustees and Employees: Conflicts of Interest and Misconduct</b>  School district trustees and employees increasingly find themselves to be targets for media and regulatory attention about conflicts of interest and misconduct. Hear the latest developments about nepotism, gifts, employee disclosure of potential conflicts of interest, Sarbanes-Oxley Act applications, potential new legislation, and tighter new financial audit requirements for school districts. A panel of attorneys representing school districts and administrators lead a lively discussion of the old, the new, and the gray areas in this evolving area of law.  Neal W. Adams, Adams Lynch & Loftin - Grapevine, TX David M. Feldman, Feldman & Rogers LLP - Houston, TX Elneita Hutchins-Taylor, Houston ISD - Houston, TX Kathleen Wells, Taylor Olson Adkins Sralla & Elam, LLP - Fort Worth, TX

## Friday Morning, Feb. 25, 2005

### Presiding Officer:

**Lynn Rossi Scott**, Bracewell & Giuliani LLP - Dallas, TX

8:30 am 0.00 hr 0.75 hr ethics	<p><b>Who Am I and for Whom Do I Work? Issues Involved in Representing an Organization</b></p> <p>This presentation will discuss issues faced by attorneys working for school districts from the in-house counsel's perspective, including the relationship between in-house counsel and outside counsel.</p> <p>Carrie R. Galatas, Conroe ISD - Conroe, TX</p>
9:15 am 0.50 hr	<p><b>Commissioner Update</b></p> <p>An update of the important 2004 decisions of the Commissioner of Education, with special emphasis on employment matters.</p> <p>Holly M. Claghorn, TASB - Austin, TX</p>
9:45 am 0.50 hr	<p><b>Attorney General Update</b></p> <p>A summary of decisions from the Texas Attorney General issued in the last twelve months.</p> <p>Marianna M. McGowan, Abernathy, Roeder, Boyd &amp; Joplin, P.C. - McKinney, TX</p>
10:30 am 0.50 hr	<p><b>Private Companies: Vendors and Their Contracts</b></p> <p>Common pitfalls and landmines with energy conservation contracts, copier contracts, soda vending contracts and others.</p> <p>Fred Stormer III, Attorney at Law - Amarillo, TX</p>
11:00 am 0.00 hr 1.00 hr ethics	<p><b>Ethics Jeopardy ©</b></p> <p>Finally, an opportunity to earn ethics credit in an informative, participatory, fun and interactive format. It's all here: conflicts, discovery, confidentiality, fiduciary duties and more. Fact scenarios set the stage for audience participation in selecting answers based on actual ethics opinions, ABA Model Rules, and the Texas Rules.</p> <p>Berry P. Crowley, TX Ctr/Legal Ethics - Austin, TX</p>

## Friday Afternoon, Feb. 25, 2005

### Presiding Officer:

**Lynn Rossi Scott**, Bracewell & Giuliani LLP - Dallas, TX

1:15 pm 0.75 hr	<p><b>Legal Guidance for Dealing with the Police, CPS and Divorced Parents</b></p> <p>This presentation will discuss current Texas statutes, regulations, case law and administrative decisions regarding a school district's legal responsibilities when dealing with the police, CPS and divorced parents, including release of records, cooperating with investigations and understanding the legal consequences of custody orders.</p> <p>Dianna D. Wojcik, Bracewell &amp; Giuliani, LLP - Dallas, TX</p>
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2:00 pm 0.75 hr	<p><b>Employee Privacy Issues</b></p> <p>An examination of privacy interests and legal rights of school district employees, including use of school computers and disclosure of personal information.</p> <p>Martha P. Owen, Deats Durst Owen &amp; Levy - Austin, TX</p>
2:45 pm 0.50 hr	<p><b>No Child Left Behind - Updates, Questions and Resolutions</b></p> <p>A review of new information about NCLB, and TEA's activities to implement this comprehensive federal law.</p> <p>David A. Anderson, Texas Education Agency - Austin, TX</p>
3:15 pm 0.50 hr	<p><b>Construction Contracts and Immunity Issues</b></p> <p>An evolving and often-conflicting area of the law involves a school district's potential immunity from liability regarding construction contracts entered into with construction contractors and professional service providers. This presentation will focus on the status of current litigation, the impact of HB 4's tort reform, governmental immunity and contract actions.</p> <p>John Thomas Sears, Henslee,Fowler,Hepworth &amp; Schwartz - Austin, TX</p>