

22<sup>nd</sup> ANNUAL

# SCHOOL LAW CONFERENCE

Earn up to 11.75 Hours of Credit Including 2.00 Hours of Ethics Credit

Specialization Credit Expected for Administrative Law and Civil Trial Law  
Approved for Continuing Education for School Board Members



SPECIAL \$25 DISCOUNT FOR SCHOOL LAW SECTION MEMBERS

March 1-2, 2007  
Hyatt Regency on Town Lake  
Austin, Texas

# 22<sup>ND</sup> ANNUAL SCHOOL LAW CONFERENCE

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## THURSDAY MORNING, MARCH 1, 2007

**Presiding Officer: Wayne D. Haglund,  
Lufkin, TX**

### 8:00 a.m. Registration Opens

Includes continental breakfast.

### 8:50 a.m. Welcoming Remarks

### 9:00 a.m. .50 hr

#### Advertising and Sponsorship Activities in Schools: Current Developments and Best Practices

This presentation provides a quick look at some advertising and sponsorship opportunities for school districts. This session will review the legal authority and requirements for advertising and sponsorships, as well as some practical applications.

David B. Galbraith, Houston, TX

### 9:30 a.m. .50 hr

#### Religious Accommodations

A focused examination of real-life requests for religious accommodations by public school students and employees. What is required by state and federal law...and what are some practical solutions when the law does not tell you what to do?

Joy Baskin, Austin, TX

### 10:00 a.m. .33 hr

#### The Bible in Public School Curriculum

A practitioner's experience in navigating a school board through issues related to placing the Bible into school curriculum.

Michael Atkins, Odessa, TX

### 10:20 a.m. Break

### 10:35 a.m. .75 hr

#### Legal Issues Relating to Grading Practices

This session will review recent court rulings and administrative decisions involving grade challenges by students, use of academic penalties for non-academic misconduct, valedictorian selection disputes, and academic freedom claims by teachers regarding assignment of student grades.

Lisa A. Brown, Houston, TX

### 11:20 a.m. .75 hr

#### Financial Data as a Policy Tool: Does Money Matter?

A focused discussion of the tension between state and local policymakers regarding school finance and resource allocation, and the data available to inform the debates.

Harrison Keller, Austin, TX

Jackie Lain, Austin, TX

## THURSDAY AFTERNOON

### LUNCHEON PRESENTATION

### 12:05 p.m. Pick Up Box Lunch

Included in conference registration fee.

### 12:15 p.m. .75 hr

#### Texas Demographics: Educational Implications

This presentation will examine the implications of change in the rates of population growth, the aging of the population, and the increase in minority populations for the private and public sectors in Texas in the 21st century. The challenges and opportunities resulting from these changes will be discussed as they relate to changes in educational demand and attainment.

Steve H. Murdock, San Antonio, TX

### 1:15 p.m. .50 hr

#### Educator Discretion for Control and Discipline

When and how much can an educator use force in the classroom? What is "reasonable" force in light of *Pappas v. Presidio ISD*? How does this compare with force used in discipline?

Kevin F. Lungwitz, Austin, TX

### 1:45 p.m. .50 hr

#### Dealing with Agency Investigations Involving the Disabled and Disadvantaged

Poor responses to TEA and OCR investigations can have expensive and burdensome results for school districts. This session will highlight effective strategies for responding to agency investigations involving the provision of services and accommodations to individuals with disabilities under the IDEA and Section 504.

Jeffrey L. Rogers, Houston, TX

### 2:15 p.m. .50 hr

#### The Empire Strikes Back—What are the Boundaries of Employer Self-Help Remedies and Deductions from Employee Wages?

A confiscated iPod is missing, a teacher's laptop is stolen, a principal is mistakenly paid an extra \$5000 for five years, an ex-spouse has a fistful of paper and wants child support. Who has "the force"?

Paul Tapp, Austin, TX

### 2:45 p.m. Break

### 3:00 p.m. .75 hr

#### Blogging for Columbine: Student Online Activities and the Law

A review of court decisions and other legal and policy considerations for educational institutions confronting concerns raised by student online activities, including true threats, online safety, social networking sites like MySpace, and cyberbullying.

Thomas Hutton, Alexandria, VA

### 3:45 p.m. .50 hr

#### Policies and Tough Choices for Dealing with Sex Offenders in a School Setting

This session will provide information about complying with statutes for reporting sex offenders, and dealing with the more difficult issues relevant to Texas public school districts.

Derrell A. Coleman, Dallas, TX

### 4:15 p.m. .50 hr ethics

#### Show Me the Money: Recovering Attorney Fees in School Litigation

The presentation will provide an analysis of state and federal provisions that allow for the recovery of attorney fees. The discussion will include who is an entity, and how an entity becomes a prevailing party for purposes of fee recovery.

J. Erik Nichols, Houston, TX

### 4:45 p.m. .50 hr ethics

#### Maintaining the Integrity of the Profession—Some Insights Into the Texas Disciplinary System

This presentation includes a brief description of the Texas lawyer disciplinary system, the new rules of disciplinary procedure, and the role of the Board of Disciplinary Appeals in the process. It also includes observations in regard to the complaints most frequently filed by clients and how to avoid such complaints.

William D. Greenhill, Fort Worth, TX

5:15 p.m. Adjourn

## FRIDAY MORNING, MARCH 2, 2007

Presiding Officer: Kevin F. Lungwitz, Austin, TX

9:00 a.m. .50 hr

**What Every School Attorney Should Know about the IDEA Reauthorization**

IDEA 2004 impacts all students, not just those with disabilities, and should be understood by all school attorneys, not just the ones who focus on special education. This presentation will focus on the legal issues that arise under IDEA 2004, with an emphasis on the things that all attorneys should know. This will include discipline, eligibility and conformity with NCLB.

Jim Walsh, Austin, TX

9:30 a.m. .75 hr

**Hot Topics and Survey of Recent Commissioner and Attorney General Opinions**

A discussion of school law "hot topics" from 2006, including legislative developments and commissioner of education and attorney general decisions.

Allyson H. Collins, Austin, TX  
Juan J. Cruz, Laredo, TX

10:15 a.m. .50 hr

**Supreme Court Update on Cases Affecting Schools**

A review of recent Supreme Court decisions affecting schools and a look at issues currently or soon to be under consideration by the Court, including "racial balancing."

Erin Glenn Busby, Houston, TX

10:45 a.m. Break

11:00 a.m. .50 hr

**Chapter 21 Employment Contracts: Who Gets One?**

School district and employee representatives analyze current and pending commissioner decisions addressing the types of full-time employees required to receive Chapter 21 contracts. The discussion includes interpretations of what number of working hours constitute "full-time" employment, what types of "certification" governs Chapter 21 status, and what types of professional positions qualify for Chapter 21 contract entitlement.

John S. Aldridge, Austin, TX  
Kevin "Tiger" Hanner, Austin, TX

11:30 a.m. .50 hr

**How Incentive Pay Works for Texas Educators: The Laws, Rules, Plans, and Potholes**

A review of the Texas Educator Excellence Grant process, including an analysis of the related laws and agency rules, and the potential problems facing educators, campuses and school districts.

Portia Bosse, Austin, TX

12:00 p.m. Lunch on Your Own

## FRIDAY AFTERNOON

1:15 p.m. .75 hr

**Current Developments in Employment**

This session will cover retaliation issues, including other employment topics, such as the Supreme Court's consideration of factors that constitute an adverse employment action, as well as a look at the traditional McDonnell Douglas framework in discrimination cases, and where it stands now.

Ricardo R. Lopez, San Antonio, TX

2:00 p.m. 1.00 hr ethics

**Ethical Issues Involving School Business Transactions**

A discussion of various ethical issues that confront clients, attorneys, and other vendors in school business transactions, including conflicts of interest and disclosure requirements.

Philip D. Fraissinet, Houston, TX

3:00 p.m. Adjourn

## REGISTRATION FOR SL07

**Mail this registration form to:**

The University of Texas School of Law, Attn. SL07

P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**

PLEASE PRINT CLEARLY

Bar Card# \_\_\_\_\_ ☐ TX ☐ Other State: \_\_\_\_\_ ☐ N/A

Name [ Mr. / Ms. ] \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Registrant's Email (required) \_\_\_\_\_

Assistant's Email (optional) \_\_\_\_\_

Invoices, confirmations and receipts are emailed to these addresses.

**REGISTRATION** (Includes Course Binder and Thursday Box Lunch Presentation)

- ☐ Early Registration Fee due by Wed. February 21, 2007 ..... \$425.00  
☐ Registration Fee after Wed. February 21, 2007 ..... \$475.00  
☐ Special \$25 discount for School Law Section members ..... -\$25.00

**CONFERENCE PUBLICATIONS AND MEDIA****Allow 2-4 weeks from conference date for delivery.**

- ☐ Course Binder WITHOUT Conference Registration ..... \$200.00  
☐ Audio CD Set ..... \$175.00  
☐ eBinder on CD (PDF format) ..... \$200.00/\$50.00  
(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

**IN-HOUSE CLE:** Bring the conference in-house and learn at your convenience.**Allow 2-4 weeks from conference date for delivery.**

- ☐ In-House CLE for 2—Includes Audio CD Set and 2 Course Binders ..... \$750.00  
\_\_\_\_\_ Add participants (includes Course Binders) for \$200 each ..... \$ \_\_\_\_\_

TOTAL ENCLOSED \$ \_\_\_\_\_

**METHOD OF PAYMENT**

- ☐ Check (make checks payable to: **The University of Texas at Austin**)  
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Card #     -     -     -    **X**

Authorized Signature

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Exp. Date (mm/yy)

## AUSTIN

March 1-2, 2007

### CONFERENCE LOCATION



#### Hyatt Regency on Town Lake

208 Barton Springs  
Austin, TX 78704  
512-477-1234

Special rate: \$149  
(subject to availability)  
good through February 6, 2007

Parking: \$5 self-parking  
(subject to change)

### KEY DATES

#### Registration & Cancellation

February 21, 2007-5 p.m.  
*last day for early registration*  
add \$50 for registrations  
received after this time

February 23, 2007-5 p.m.  
*last day for full refund*

February 26, 2007-5 p.m.  
*last day for partial refunds*  
\$50 processing fee applied

March 1, 2007-9 a.m.  
*conference begins*

## CONFERENCE FACULTY

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Minimum Continuing Legal Education  
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Committee on MCLE in the amount  
of 11.75 hours, of which 2.00 credit  
hours will apply to legal ethics/  
professional responsibility credit.

E-mail us at  
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512-475-6700  
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