

**22<sup>nd</sup> Annual School Law Conference**  
**March 1-2, 2007 • Hyatt Regency Austin • Austin, TX**

**Thursday Morning, Mar. 1, 2007**

**Presiding Officer:**

**Wayne D. Haglund**, Law Office of Wayne D. Haglund PC - Lufkin, TX

8:50 am	<b>Welcoming Remarks</b>  <b>Welcoming Remarks</b>
9:00 am 0.50 hr	<b>Advertising and Sponsorship Activities in Schools: Current Developments and Best Practices</b>  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 ISD - Houston, TX
9:30 am 0.50 hr	<b>Religious Accommodations</b>  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 S. Baskin, Texas Association of School Boards - Austin, TX
10:00 am 0.33 hr	<b>The Bible in Public School Curriculum</b>  A practitioner's experience in navigating a school board through issues related to placing the Bible into school curriculum.  Michael D. Atkins, Atkins & Peacock, LLP - Odessa, TX
10:35 am 0.75 hr	<b>Legal Issues Relating to Grading Practices</b>  This session will review recent court rulings and administrative decisions involving grade challenges by students, use of academic penalties for nonacademic misconduct, valedictorian selection disputes, and academic freedom claims by teachers regarding assignment of student grades.  Lisa A. Brown, Thompson & Horton LLP - Houston, TX
11:20 am 0.75 hr	<b>Financial Data as a Policy Tool: Does Money Matter?</b>  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, Office of the Speaker - Austin, TX Jacqueline F. Lain, Austin, TX

## Thursday Afternoon, Mar. 1, 2007

### Presiding Officer:

**Wayne D. Haglund**, Law Office of Wayne D. Haglund PC - Lufkin, TX

12:15 pm 0.75 hr	<p><b>Texas Demographics: Educational Implications</b></p> <p>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.</p> <p>Steve H. Murdock, University of Texas at San Antonio - San Antonio, TX</p>
1:15 pm 0.50 hr	<p><b>Educator Discretion for Control and Discipline</b></p> <p>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?</p> <p>Kevin F. Lungwitz, Lungwitz &amp; Lungwitz, P.C. - Austin, TX</p>
1:45 pm 0.50 hr	<p><b>Dealing with Agency Investigations Involving the Disabled and Disadvantaged</b></p> <p>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.</p> <p>Jeffrey L. Rogers, Feldman Rogers Morris &amp; Grover LLP - Houston, TX</p>
2:15 pm 0.50 hr	<p><b>The Empire Strikes Back—What Are the Boundaries of Employer Self-Help Remedies and Deductions from Employee Wages?</b></p> <p>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”?</p> <p>Paul Tapp, ATPE - Austin, TX</p>
3:00 pm 0.75 hr	<p><b>Blogging for Columbine: Student Online Activities and the Law</b></p> <p>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.</p> <p>Thomas J. Hutton, National School Boards Assoc - Alexandria, VA</p>
3:45 pm 0.50 hr	<p><b>Policies and Tough Choices for Dealing with Sex Offenders in a School Setting</b></p> <p>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.</p> <p>Derrell Anthony Coleman, West &amp; Associates, L.L.P. - Dallas, TX</p>

4:15 pm 0.50 hr ethics	<p><b>Show Me the Money: Recovering Attorney Fees in School Litigation</b></p> <p>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.</p> <p>Jon Erik Nichols, Feldman Rogers Morris &amp; Grover - Houston, TX</p>
4:45 pm 0.50 hr ethics	<p><b>Maintaining the Integrity of the Profession—Some Insights Into the Texas Disciplinary System</b></p> <p>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.</p> <p>William D. Greenhill, Haynes &amp; Boone - Fort Worth, TX</p>

## Friday Morning, Mar. 2, 2007

### Presiding Officer:

**Kevin F. Lungwitz**, Lungwitz & Lungwitz, P.C. - Austin, TX

9:00 am 0.50 hr	<p><b>What Every School Attorney Should Know about the IDEA Reauthorization</b></p> <p>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.</p> <p>James R. Walsh, Walsh, Anderson, Brown, Aldridge &amp; Galle - Austin, TX</p>
9:30 am 0.75 hr	<p><b>Hot Topics and Survey of Recent Commissioner and Attorney General Opinions</b></p> <p>A discussion of school law “hot topics” from 2006, including legislative developments and commissioner of education and attorney general decisions.</p> <p>Allyson Holt Collins, Texas Association of School Boards - Austin, TX Juan J. Cruz, Escamilla &amp; Poneck, Inc. - Laredo, TX</p>
10:15 am 0.50 hr	<p><b>Supreme Court Update on Cases Affecting Schools</b></p> <p>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.”</p> <p>Erin Glenn Busby, Attorney at Law - Houston, TX</p>
11:00 am 0.50 hr	<p><b>Chapter 21 Employment Contracts: Who Gets One?</b></p> <p>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.</p> <p>John S. Aldridge, Walsh Anderson Brown Schulze &amp; Aldridge, P.C. - Austin, TX Karl Tiger Hanner, Brim Arnett Robinett Hanner &amp; Conners - Austin, TX</p>

11:30 am  
0.50 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 Fleck Bosse, Texas State Teachers Association - Austin, TX

**Friday Afternoon, Mar. 2, 2007**

**Presiding Officer:**

**Kevin F. Lungwitz**, Lungwitz & Lungwitz, P.C. - Austin, TX

1:15 pm  
0.75 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, Feldman Rogers Morris & Grover L.L.P. - San Antonio, TX

2:00 pm  
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, Thompson & Horton LLP - Houston, TX