

23<sup>rd</sup> ANNUAL

# SCHOOL LAW CONFERENCE

Earn up to 12.25 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

February 14-15, 2008

Hyatt Regency on Town Lake

Austin, Texas

# 23<sup>RD</sup> ANNUAL SCHOOL LAW CONFERENCE

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## THURSDAY MORNING, FEB. 14, 2008

**Presiding Officer: Kevin F. Lungwitz, Austin, TX**

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

Includes continental breakfast.

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

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

#### Administrator Issues

What can a professional contract employee expect when his or her contract is renewed (or not non-renewed) for the following year? The teacher/administrator's statutory rights as to salary and duties will be examined.

Mark W. Robinett, Austin, TX

### 9:30 a.m. 1.00 hr

#### Religious Expression in the Schoolhouse and the Boardroom

An in-depth analysis of the legal and practical implications of the Religious Viewpoint Antidiscrimination Act (RVAA) and the introduction of bible curriculum in the schools, as well as the present state of school board prayer.

David M. Feldman, Houston, TX

### 10:30 a.m. Break

### 10:45 a.m. .75 hr

#### Developments in Deferred and Annualized Compensation and 403(b) Plans

This presentation will address how some long-standing school compensation practices, as well as 403(b) plans, are affected by recent IRS regulations.

Scott C. Sanders, Houston, TX

### 11:30 a.m. .50 hr

#### Settlement Agreements

Legal requirements, examples and practical issues.

Jeffrey A. Davis, Houston, TX

## THURSDAY AFTERNOON

**Presiding Officer: Kevin F. Lungwitz, Austin, TX**

### LUNCHEON PRESENTATION

### 12:00 p.m. Pick up Box Lunch

Included in conference registration fee.

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

#### Student Sex in School

A review of legal and policy considerations regarding student sex acts and student relationships as they impact the educational environment, including such topics as student sex on campus, child abuse committed by students, student dating violence, same-sex relationships, and student sex offenders.

Amy Magee, Austin, TX

### 1:00 p.m. Break

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

#### Employee Background Checks: Senate Bill 9 and Other Delights

A review of legal requirements for criminal history reviews and other laws affecting employee background checks.

Holly M. Claghorn, Austin, TX

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

#### SBEC

What does it mean to "solicit a romantic relationship" with a student? The State Board for Educator Certification has recently made sweeping changes to its disciplinary rules that seek to answer this question and more. In this session, we will discuss those changes and their impact on the reporting, investigation and prosecution of complaints that involve allegations of educator misconduct.

Julie A. Leahy, Austin, TX

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

#### Texas Open Government Laws: Issues and Developments

Update on open government laws including new legislation, case law, and Attorney General opinions related to open meetings and public information requests.

Wesley Johnson, San Antonio, TX

### 2:45 p.m. Break

### 3:00 p.m. .50 hr

#### Life Liberty and the Pursuit of Access: The ADA 16 Years Later

This session will address current policies and practices by the Office of Civil Rights to bring district facilities and programs into compliance with the ADA.

Fred A. Stormer III, Amarillo, TX

### 3:30 p.m. 1.00 hr ethics

#### Conflicts of Interest and other Ethical Issues in School District Representation

Organizational conflict issues: When does your client relationship begin? If you represent a client, is it a conflict of interest to also represent the board, or another school employee?

Ellen H. Spalding, Houston, TX

### 4:30 p.m. .50 hr

#### Changing Issues of §1983

Catch up on the latest legal developments in state-created danger theory, and the always important law surrounding Section 1983, standard of care, and qualified immunity.

Dorcas A. Green, Austin, TX

### 5:00 p.m. Adjourn

## FRIDAY MORNING, FEB. 15, 2008

**Presiding Officer:**

**Shellie Hoffman Crow, Austin, TX**

### 8:30 a.m. .75 hr

#### Timing is Everything: A Review of Timing and Other Issues Surrounding FMLA and USERRA

When does an employee's FMLA begin and end? How long do you have to hold a position for an employee who is on active-duty? This session will answer these questions and others related to calculating FMLA time and complying with USERRA.

Molly Leder Hepkin, Austin, TX  
Joey W. Moore, Austin, TX

### 9:15 a.m. .50 hr

#### Protecting Parents' Rights During the Special Education Referral Process

This presentation will discuss:

- Appropriate and inappropriate uses of the Response To Intervention (RTI) method
- Progress reporting to parents during the RTI process
- The interface between RTI and the Special Education Referral process
- Proper and timely notices to parents
- Informed consent

Steven P. Elliot, Austin, TX

### 9:45 a.m. Break

10:00 a.m. .50 hr

**Immunity Issues in Special Education**

It is important to know under what circumstances to employ restraints, seclusion and time-outs. This session is designed to help you understand the implications for a district when these techniques are used (or misused) on special education students.

Donald G. Henslee, Austin, TX

**TECHNOLOGY**

10:30 a.m. .50 hr

**Technology and Electronics in School**

How the use and misuse of camera and video cell phones, laptops, MP3 players, social and entertainment web sites, and other technological advances have affected student discipline issues, including, plagiarism, identity theft, computer crimes, cybersmearing, cyberbullying, and access to sexually inappropriate web sites.

Lynn Rossi Scott, Fort Worth, TX

11:00 a.m. .50 hr

**FERPA in the Electronic Age**

A review of the student records confidentiality issues related to digital cameras, camera cell phones, school and bus surveillance videos, and district web sites.

P. Bret Jimerson, Grand Prairie, TX

11:30 a.m. Lunch on Your Own

12:40 p.m. .75 hr

**Copyrights**

A discussion of copyright issues facing schools and educators today, including issues arising in distance education programs, electronic reserves in school libraries, cybersquatting, copycat web sites, and PowerPoint usage.

Christopher B. Gilbert, Houston, TX

1:25 p.m. .75 hr

**Politics in Schools**

What we need to know about advertising, mailboxes, email, electioneering, et al.

Sandra D. Carpenter, Irving, TX

2:10 p.m. 1.00 hr ethics

**Legal Ethics in the 21st Century**

A discussion of ethical issues for attorneys related to technology, including e-discovery issues, emailing privileged and confidential documents, providing legal advice online, and the use of blogs and listservs.

Augustin Rivera Jr., Corpus Christi, TX

3:10 p.m. Adjourn

**REGISTRATION FOR SL08**

**Mail this registration form to:**

The University of Texas School of Law, Attn: SL08  
P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876  
Online registration available at [www.utcle.org](http://www.utcle.org)

PLEASE PRINT CLEARLY

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

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

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

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

Invoices, confirmations and receipts are emailed to these addresses.

**REGISTRATION**

Registration includes Course Binder and Thursday Box Lunch Presentation

- Early Registration Fee due by Wed. February 6, 2008..... \$425.00
- Registration Fee after Wed. February 6, 2008 ..... \$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**)
- VISA or  Mastercard (sorry, no AMEX or Discover)

Card #     -     -     -

X \_\_\_\_\_   /    
Authorized Signature Exp. Date (mm/yy)

# AUSTIN

February 14-15, 2008

## CONFERENCE LOCATION



### Hyatt Regency on Town Lake

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

Special rate: \$159  
(subject to availability)

good through January 13, 2008

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

## KEY DATES

### Registration & Cancellation

February 6, 2008–5 p.m.

*last day for early registration*

add \$50 for registrations  
received after this time

February 8, 2008–5 p.m.

*last day for full refund*

February 11, 2008–5 p.m.

*last day for partial refunds*

\$50 processing fee applied

February 14, 2008–9 a.m.

*conference begins*



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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.25 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).

E-mail us at

[utcle@law.utexas.edu](mailto:utcle@law.utexas.edu)

or call us at

512-475-6700

for more information

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