

27TH ANNUAL

SCHOOL LAW CONFERENCE



March 1–2, 2012
AT&T Conference Center ▪ Austin, Texas

New for 2012—Registration Includes Materials on USB Key

Earn up to 13.50 Hours of Credit including 1.50 Hours of Ethics Credit
Specialization Credit Approved for Administrative Law

Approved for Continuing Education for School Board Members

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THURSDAY MORNING, MARCH 1, 2012

Presiding Officer:

Joy S. Baskin, Texas Association of
School Boards, Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. Welcoming Remarks

8:45 a.m. .75 hr

Electronic Issues Case Update

A summary of key cases over the past year.

Ellen H. Spalding, Houston, TX

9:30 a.m. .50 hr

Qualified Immunity: Protecting Everyone but the Plainly Incompetent

As civil rights in our relatively new, constitutional republic continue to evolve, how can a busy public official know the current state of the law and make all of the right decisions? What must a lawyer do to establish qualified immunity for a public employee client? Significant and recent 5th Circuit cases are discussed.

Kevin F. Lungwitz, Austin, TX

10:00 a.m. Break

10:15 a.m. 1.00 hr

Unemployment Issues

This session covers the employment compensation claim and appeal process in Texas, with special attention to the issues unique to school employees and the districts that employ them, as well as other employment laws that can have an impact on such claims.

Martha P. Owen, Austin, TX
Tommy Simmons, Austin, TX

11:15 a.m. .75 hr

Questions You Always Wanted to Ask the Family Policy Compliance Officer (FPCO)

When practicing school law, you must always be mindful of Family Educational Rights and Privacy Act (FERPA). Here's your chance to get straight answers to your trickiest FERPA questions directly from the FPCO.

Ellen Campbell, U.S. Department of Education,
Washington, DC

12:00 p.m. Lunch On Your Own

THURSDAY AFTERNOON

1:15 p.m. .50 hr

Service Animals in the Public Schools: New Rights and Responsibilities

Neither the Individuals with Disabilities Education Act (IDEA) nor Section 504 specifically addresses whether students with disabilities have the right to be accompanied by service animals on school grounds. However, the 2010 amendments to the Title II regulations implemented by the ADA clarify some of the requirements for service animals. This presentation examines those requirements, which took effect on March 15, 2011, and how they affect a student's right to bring an animal to school.

Christopher P. Borreca, Houston, TX

1:45 p.m. 1.00 hr

Emails, Text Messages and Social Media: Open Records, Open Meetings and Privacy

This session looks at two sides of one issue. First, the session covers the latest developments in open record and open meeting law addressing emails, text messages and other issues not in existence when the open government laws were originally drafted. Second, the session examines a school's ability to review and act upon emails, text messages and social media entries created by employees both as public employees and private citizens.

Jason Boulette, Austin, TX
Andrew Weber, Austin, TX

2:45 p.m. Break

3:00 p.m. .75 hr

Purchasing Laws

Guidance for purchasing: HB 628 and more.

Angela G. Bishop, Houston, TX

3:45 p.m. .75 hr

Keeping Students Healthy

This session focuses on a myriad of legal issues that arise when dealing with student-related health issues on district campuses. A detailed analysis of new statutory and case law impacting student allergies, confidentiality privacy and concussions, among others, are covered. In addition, an update on any new legal issues affecting school nurses is examined.

Stacy C. Ferguson, San Antonio, TX

4:30 p.m. .75 hr

IDEA, Section 504, the ADA and Section 1983: How Do They All Fit Together?

A review of recent cases brought against school districts and school officials under IDEA, Section 504, the ADA and Section 1983. Under what circumstances can school officials face personal liability? Why the increase in cases alleging violations of all of these laws? To what degree do these laws overlap? When is exhaustion of administrative remedies required? These and other issues are explored.

Jim Walsh, Austin, TX

5:15 p.m. Adjourn

FRIDAY MORNING, MARCH 2, 2012

Presiding Officer:

Joey W. Moore, Texas State Teachers
Association, Austin, TX

8:00 a.m. Meeting Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

The DAEP at 17: Recent Developments in Student Discipline

A school district attorney and a school employee attorney discuss recent developments in student discipline, including the increasing attacks on the viability of Discipline Alternative Education Placements (DAEP) and the appropriate role of student removal in the disciplinary process.

Christopher B. Gilbert, Houston, TX
Julie A. Leahy, Austin, TX

9:30 a.m. .75 hr

Commissioner Decision Update

An update on recent Commissioner of Education decisions.

Mark P. Tilley, Austin, TX

10:15 a.m. Break

10:30 a.m. 1.00 hr

Federal Laws You Didn't Know You Were Breaking

Is it illegal to ask your secretary about her mother's cancer treatments? Is identity theft training mandatory? Are you breaking the law by paying your superintendent's health insurance premiums?

And what about all of that toxic mold? Panelists discuss the Genetic Information Nondiscrimination Act (GINA), Fair and Accurate Credit Transactions Act (FACTA), health care reform, and, time permitting, environmental issues (federal and state) for school districts.

Holly M. Claghorn, Austin, TX
Susan G. Morrison, Austin, TX
Fred A. Stormer III, Amarillo, TX

11:30 a.m. 1.00 hr

Avoiding Liability under the Fair Labor Standards Act (FLSA)

This session reviews recent developments in wage and hour issues under the Fair Labor Standards Act. What are the most common mistakes and how do you avoid them? Practical tips for resolving Department of Labor wage and hour payroll investigations and disputes also are discussed.

Chris G. Elizalde, Austin, TX
Leticia D. McGowan, Dallas, TX

12:30 p.m. Break To Pick Up Box Lunch
Included in conference registration.

FRIDAY AFTERNOON

LUNCHEON PRESENTATION

12:45 p.m. .75 hr

Intellectual Property Conundrums in Schools

Take a tour of key intellectual property issues affecting schools, including ownership of copyrights, fair use in its many variants, district logos/trademarks, and preventive steps districts can take to protect themselves from intellectual property issues in an online environment.

Dr. Carol Simpson, Plano, TX

1:30 p.m. Break

1:45 p.m. .75 hr

The DA's Office and the School District: An Effective Partnership

This session examines juvenile law issues and the interplay between the school district and the DA's office.

Carrie R. Galatas, Conroe, TX
Philip A. Grant, Conroe, TX

2:30 p.m. 1.50 hrs ethics

Reel Ethics! From Screens Big and Small

Two seasoned school law practitioners use clips from movies and television to illustrate ethical dilemmas commonly faced by school attorneys.

Jefferson K. Brim III, Austin, TX
Lisa A. Brown, Houston, TX

4:00 p.m. Adjourn

REGISTRATION FOR SL12

Register online: www.utcle.org

or mail this registration form to:

The University of Texas School of Law, Attn. CLE—SL12
P.O. Box 7759
Austin, TX 78713-7759

or fax a copy to: **512-475-6876**

Questions? Call us at 512-475-6700

PLEASE PRINT CLEARLY

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Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION Includes Electronic Materials on USB Key ONLY and Friday Luncheon Presentation

Standard Registration

- ☐ Early Registration Fee due by Wednesday, February 22, 2012\$475
☐ Registration Fee after Wednesday, February 22, 2012.....\$525

Current Members of the School Law Section

- ☐ Early Registration Fee due by Wednesday, February 22, 2012\$450
☐ Registration Fee after Wednesday, February 22, 2012.....\$500

ADD A PRINTED COURSE BINDER TO YOUR REGISTRATION

- ☐ Receive a Printed Course Binder AND a USB Key at the Conference.....\$50

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3–5 weeks from the conference date for delivery.

- ☐ Course Binder WITHOUT Conference Registration.....\$225
☐ Audio MP3 Speeches on CD\$130
☐ Audio CD Set.....\$210
☐ eBinder on CD (PDF format)\$225/\$50
(\$225 purchased alone, \$50 with Registration or purchase of Course Binder or Audio MP3 Speeches on CD or Audio CD Set)

IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

Allow 3–5 weeks from the conference date for delivery. Approved for Texas MCLE credit.

- ☐ In-House CLE for 2—Includes Audio CD Set and Course Binders\$825
_____ Add participants (includes Course Binder) for \$225 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) or ☐ P.O.

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Email us at
service@utcle.org
or call us at
512-475-6700
or go to
www.utcle.org
for more information

AUSTIN

March 1–2, 2012

CONFERENCE LOCATION



AT&T Conference Center - Hotel at UT

The University of Texas at Austin
1900 University Avenue
Austin, TX 78705
512-404-3600

Special Room Rate: \$169
good through January 30, 2012
(subject to availability)

Parking:

Free daily self-parking at UT garages. Separate fees apply for valet and overnight parking.

KEY DATES

February 22, 2012, 5 p.m.

last day for early registration
add \$50 for registrations
received after this time

February 24, 2012, 5 p.m.

last day for full refund

February 27, 2012, 5 p.m.

last day for partial refund
\$50 processing fee applied

March 1, 2012, 8:45 a.m.

conference begins

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