

30TH ANNUAL
SCHOOL LAW CONFERENCE



February 19–20, 2015
Renaissance Hotel ■ Austin, Texas

Earn up to 13.50 Hours of Credit Including 2.00 Hours of Ethics Credit

TX Legal Specialization Credit Approved for Administrative Law,
Civil Trial Law, and Labor and Employment Law

Approved for Continuing Education for School Board Members

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THURSDAY MORNING, FEB. 19, 2015

Presiding Officer:

Michael J. Currie, Texas Classroom
Teachers Association, Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:35 a.m. Welcoming Remarks

8:45 a.m. 1.00 hr

Commissioner Decisions Update

An update on Commissioner of Education decisions from the past year.

Mark P. Tilley, Texas Association of School Boards,
Austin, TX

9:45 a.m. .75 hr

Update from the Attorney General's Office

Recent developments in Attorney General opinions, open records decisions, AG informal letter rulings, and open meetings guidance.

Leticia D. McGowan, Dallas Independent School
District, Dallas, TX

10:30 a.m. Break

10:45 a.m. 1.00 hr

Student Immigration Issues

In the past year, there has been an unprecedented rise in the number of unaccompanied minors entering Texas—many of whom may become students in Texas public schools while they await legal proceedings. Explore the unique questions and challenges that arise for school districts as they seek to meet their legal obligations to educate all students regardless of citizenship status.

Joy S. Baskin, Texas Association of School Boards,
Austin, TX
Joey W. Moore, Walsh, Anderson, Gallegos,
Green & Treviño, P.C., Austin, TX
Cynthia Rincón, Fort Bend ISD, Sugar Land, TX

11:45 a.m. Lunch On Your Own

THURSDAY AFTERNOON

1:00 p.m. .75 hr

20 Years after *Leeper*, Current Legal Issues in Home Schooling

A review of home schooling legal issues since the Texas Supreme Court's landmark *Leeper* decision, including recent court decisions involving parent claims against school personnel attempting to enforce the compulsory school attendance laws, U.S. Department of Education advisories, community college admissions and financial aid issues, and high school "diploma mill" litigation.

Lisa A. Brown, Thompson & Horton LLP, Houston, TX
S. Anthony Safi, Mounce, Green, Myers, Safi,
Paxson & Galatzan, P.C., El Paso, TX

1:45 p.m. .75 hr

How the Boom-Bust Cycle of the Oil and Gas Business Affects Schools

When the oil and gas boom comes, it presents schools with numerous challenges, including skyrocketing appraisals, the loss of much of the revenue to recapture payments to the State, residential rents so high that the school is compelled to provide housing for new employees, rapidly growing enrollment (including students whose housing qualifies them as homeless under McKinney-Vento), and health and safety issues such as roads crowded with speeding commercial vehicles.

Russell Wilson, Schulman Lopez & Hoffer LLP,
San Antonio, TX

2:30 p.m. .50 hr

Calculating Full-Time Status under the Affordable Care Act

Gain insight into the "look-back/stability period" method for determining whether variable hour employees, including substitutes, are "full-time" for purposes of the Affordable Care Act, penalties associated with failing to offer full-time employees insurance, and other strategies to ensure compliance with the Affordable Care Act's offer requirement.

Cory Rush, Rogers, Morris & Grover, L.L.P.,
Houston, TX

3:00 p.m. Break

3:15 p.m. .75 hr

Managing Athletics: Hiring and Firing Coaches, and Best Practices for Handling Thorny UIL and Title IX Compliance Issues

Hear the pros and cons of using dual contracts for coaches, as well as how to avoid pitfalls in retaining and evaluating coaches. Best practices for addressing difficult UIL and Title IX compliance issues are also included.

Mark Cousins, PhD, Director of Athletics,
University Interscholastic League, Austin, TX
Elneita Hutchins-Taylor, Houston Independent
School District, Houston, TX

4:00 p.m. .50 hr

Records Retention and Destruction

Advising school districts regarding their retention and destruction of records is fraught with potential pitfalls carrying serious consequences. Review the relevant state and federal laws relating to record retention, Texas's retention schedules, the ins and outs of litigation holds, and some of the practical takeaways for school districts in how they handle, retain and properly dispose of their records.

Joe R. Tanguma II, Walsh, Anderson, Gallegos,
Green & Treviño, P.C., Austin, TX

4:30 p.m. .75 hr ethics

Ethical Conduct in Mediations, Grievances and Negotiations

Understanding the ethical issues related to mediations, grievances and negotiations is essential to making those processes as productive as possible. Review the applicable ethical standards and gain practical advice on getting the most benefit from mediations, grievances and negotiations.

Derrell A. Coleman, JD, PhD, West & Associates, L.L.P.,
Dallas, TX

5:15 p.m. Adjourn

FRIDAY MORNING, FEB. 20, 2015**Presiding Officer:**

**Juan J. Cruz, J. Cruz & Associates, LLC,
Laredo, TX**

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

**Employment Case Law Update:
How Retaliation and Rob Lowe Made
a Comeback**

An update of recent employment law cases (don't be like *this* Rob Lowe).

James E. "Jim" Byrom, Walsh, Anderson, Gallegos,
Green & Treviño, P.C., Houston, TX

9:30 a.m. .75 hr

**Cracking the Case:
School District Relationships with Law
Enforcement Agencies**

A district's relationship with law enforcement can be highly beneficial, yet highly complex. School districts can choose from a variety of arrangements, and the rules change depending on what choices the district makes. A roadmap of the tricky areas when dealing with school-based police with practical tips for avoiding missteps.

Paul A. Lamp, Rogers, Morris & Grover, L.L.P.,
Houston, TX

10:15 a.m. Break**10:30 a.m. .75 hr****What to Expect When She's Expecting**

A review of the EEOC's Enforcement Guidance on Pregnancy Discrimination and Related Issues and a discussion of *Young vs. UPS*, the PDA case currently pending before the U.S. Supreme Court.

Elizabeth Poole, Texas State Teachers Association,
Austin, TX

11:15 a.m. .50 hr | .25 hr ethics

**FERPA:
Questions Answered(?) and FPCO Changes**

FERPA sometimes raises more questions than it answers! Hear the solutions to some frequently-asked FERPA questions and learn what the Family Policy Compliance Office (FPCO) is doing to help schools and their lawyers regarding these questions.

Thomas E. "Tom" Myers, Brackett & Ellis,
Fort Worth, TX

11:45 a.m. .50 hr**Don't Let Your #TeacherProblems Go Viral**

Hear the dilemmas and dangers that social media poses for teachers and other educators. Gain tools and tips on how best to address these issues and how to prevent problems before they start.

Martha P. Owen, Deats, Durst, Owen & Levy, P.L.L.C.,
Austin, TX

12:15 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON**LUNCHEON PRESENTATION****12:35 p.m. 1.00 hr ethics****Ethics in Court Papers**

An entertaining and informative look at real cases in which lawyers got into trouble for misquoting, exceeding the page limit, failing to cite, plagiarizing, and just plain poor writing.

Wayne Schiess, The University of Texas School
of Law, Austin, TX

1:35 p.m. Break**1:50 p.m. .50 hr****Construction Defects and Contract Breach**

Nowhere is it more true than in school construction that an ounce of prevention is worth a pound of cure. Most serious construction problems can be avoided when school districts take control of their construction projects. This is only possible when you know your own legal obligations and the legal obligations of the rest of the construction team. Examine some school construction current events, and learn simple strategies to keep you and your construction projects off this list.

David P. Hansen, Eichelbaum Wardell Hansen
Powell & Mehl, P.C., Austin, TX

2:20 p.m. .75 hr**Student Travel: "On the Road Again..."**

Review the issues related to planning out-of-state or international student travel, including what law applies, funding from booster clubs, travel-related contracts, personal and district liability, and consideration of travel advisories.

Janet Sobey Bubert, Brackett & Ellis, Fort Worth, TX

3:05 p.m. 1.00 hr

**Who's in Control? Alternative School
District Governance Statutes in the Texas
Education Code**

Explore alternative school district governance statutes and administrative regulations, including specifically those that govern TEA accreditation interventions and sanctions, and those that govern the adoption of a home-rule school district charter.

Lisa R. McBride, Thompson & Horton LLP,
Houston, TX
Christopher L. Tritico, Tritico Rainey, PLLC,
Houston, TX

4:05 p.m. Adjourn**M
C
L
E**

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.50 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), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

This is a great program. The topics are super relevant to issues we deal with everyday.

Great conference as always.

Very well done. Excellent presenters and timely topics.

Great range of important, current and hot topics.

The organization of the event is outstanding and the expertise of speakers is very good. The abundance of information presented in two days is all very relevant.

Great program—highly intellectual and the speakers are very engaging.

The conference is well worth the time and money.

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School of Law
Attn. Registration
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Questions? 512.475.6700

*Dietary requirements or Accessibility needs?
Call 512.475.6700 or email service@utcle.org*

REGISTRATION BENEFITS

Before the Conference: Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in *Your Briefcase* 48 hours before the conference.

After the Conference: Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in *Your Briefcase*.

Bonus eCourses: Complimentary 180-day access to Bonus eCourses—with papers, slides, and audio—for CLE credit you may have missed at the conference. Available in *Your Briefcase* 6–8 weeks after the conference.

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Bring School Law in-house. Audio presentations and written materials for learning with your colleagues—for Texas MCLE credit. We manage the accreditation process from approval to reporting. Custom packages available.

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SL15

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REGISTRATION—Includes Course Materials and Friday Luncheon Presentation

Special group registration rates available. Call 512.475.6700.

1. Select Registration Type

Individual

- Registration by Wednesday, February 11 \$495
 Registration after Wednesday, February 11 \$545

School District Employee

- Registration by Wednesday, February 11 \$395
 Registration after Wednesday, February 11 \$445

State Employee

- Registration by Wednesday, February 11 \$395
 Registration after Wednesday, February 11 \$445

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- Electronic Course Binder on USB Key ONLY
 Printed Course Binder ONLY

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ConferenceComplete package includes Audio CD Set plus a Printed Binder and MCLE Reporting Form for each participant. Available for delivery 3–5 weeks after conference date. Shipping included.

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AUSTIN

February 19–20, 2015

CONFERENCE LOCATION



Renaissance Hotel

9721 Arboretum Boulevard
 Austin, Texas
 512.343.2626

Special Room Rate: \$179

good through January 21, 2015
 reference "UT Law School Law"
 (subject to availability)

Parking:

Complimentary self-parking
 \$16 daily valet; \$20 overnight valet
 (subject to change)

KEY DATES

February 11, 2015

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

February 13, 2015

last day for cancellation (full refund)

February 16, 2015

last day for cancellation (partial refund)
 \$50 processing fee applied

February 19, 2015, 8:35 a.m.

Conference begins

REASONS TO ATTEND SCHOOL LAW

UT Law's **30th Annual School Law Conference** is the definitive program for school administrators, school board members, education professionals, and the legal counsel who represent them. Presentations offer in-depth, practical discussion of the legal and regulatory issues affecting schools and school districts, and provide a must-have set of materials and resources.

- **Mark P. Tilley**, Texas Association of School Boards, provides an update on Commissioner of Education decisions from the past year, and **Leticia D. McGowan**, Dallas Independent School District, discusses recent developments coming from the Attorney General's office
- Explore the challenges that arise for school districts regarding immigrant students and the legal obligation to educate all students, and examine the issues related to planning out-of-state and international student travel
- Review home schooling current legal issues that have arisen since the Texas Supreme Court's landmark *Leeper* decision
- **Russell Wilson**, Schulman Lopez & Hoffer LLP and Judge-Elect of the 218th District Court, presents *How the Boom-Bust Cycle of the Oil and Gas Business Affects Schools*
- Learn best practices to address difficult UIL and Title IX compliance issues as well as tips for managing athletics when it comes to employing coaches
- Explore school personnel issues such as school district relationships with law enforcement agencies, pregnancy discrimination, and the dilemmas and dangers that social media poses for teachers and other educators
- **Wayne Schiess**, Senior Lecturer and Director of The David J. Beck Center for Legal Research, Writing, and Appellate Advocacy, The University of Texas School of Law, presents *Ethics in Court Papers*, an entertaining and informative presentation of real cases in which lawyers got into trouble for poor writing