

35TH ANNUAL
SCHOOL LAW CONFERENCE



February 20–21, 2020
AT&T Conference Center ■ Austin, Texas

 Live Webcast February 20–21

Earn up to 12.75 Hours of MCLE Credit, Including 2.25 Hours of Ethics Credit

Specialization Credit Approved for: Administrative Law, Civil Appellate Law,
Civil Trial Law, and Labor and Employment Law

Texas Education Agency (TEA) Continuing Professional Education (CPE) Credit Available for Texas Educators

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THURSDAY MORNING, FEB. 20, 2020

Presiding Officer:

Marney Collins Sims, Cypress-Fairbanks Independent School District, Houston, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .75 hr

Commissioner Decisions Update

Hear an update on Commissioner of Education decisions from the past year.

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

9:15 a.m. .50 hr

Office of the Attorney General Update

Explore highlights from the various opinions of our Attorney General of Texas that impact schools, educators, and education.

Andrew Tatgenhorst, The Underwood Law Firm, P.C., Austin, TX

9:45 a.m. .75 hr

High Level Courts and Special Education

Nona C. Matthews, Walsh Gallegos Treviño Russo & Kyle, P.C., Irving, TX

10:30 a.m. Break

10:45 a.m. .50 hr

Shared Services Agreements After SB1376: Dead or Alive?

After SB1376 repealed TEC 29.007, which permitted school districts to enter into contracts to jointly operate special education programs, what's a district to do now? Thankfully, there is an alternative vehicle for these types of arrangements.

Sarah Langlois, Karczewski Bradshaw Spalding, Houston, TX

11:15 a.m. 1.00 hr

School Safety from the School and Parent Point of View

At a time schools are taking measures to address disparate punishment, bullying and excessive out of school suspensions, the Santa Fe and other mass-shooting incidents have focused federal and state attention on school safety, threat assessment and measures to address these concerns. The panel discusses these competing demands from a school district and from a parent attorney perspective in order to give a better understanding as school attorneys advise their clients.

Moderator:

Hans P. Graff, Sara Leon & Associates, LLC, Houston, TX

Panelists:

Joy S. Baskin, Texas Association of School Boards, Austin, TX
Susan H. Soto, Susan Soto Law, PLLC, Bellaire, TX

12:15 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Marney Collins Sims, Cypress-Fairbanks Independent School District, Houston, TX

LUNCHEON PRESENTATION

12:35 p.m. .75 hr

Temporary Custodian Law

What is your obligation to maintain or secure records about government business that were created on a privately-owned device of account? Learn about the changes in the law and best practices to ensure compliance.

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

1:20 p.m. Break

1:35 p.m. .50 hr

"Do Not Hire" Registry

As part of HB3 and in order to address the issue of uncertified individuals working in public schools, the 86th Texas Legislature created a "Do Not Hire" registry. This presentation covers who is listed in the registry, the new reporting requirements for superintendents, directors and principals, the due process for reported employees, and the repercussions for schools and administrators that hire or refuse to fire individuals on the registry.

Laura Moriarty, Texas Education Agency, Austin, TX
David Rodriguez, Texas Education Agency, Austin, TX

2:05 p.m. .75 hr ethics

Can I Accept It?: Texas Gift Laws for School Districts

Hear an overview of the Texas Penal Code restrictions on gifts and benefits to school district officials and employees, including examples to help keep you out of trouble.

Ian M. Steusloff, Texas Ethics Commission, Austin, TX

2:50 p.m. .75 hr | .50 hr ethics

Quid Pro No: School Officials and Conflicts of Interest

This lively ethics session explores gifts, bribes, and marketing when school purchases are on the line. The presentation includes consideration of reporting requirements and ethical dilemmas that may arise for in-house and outside legal counsel.

Christie L. Hobbs, Northwest ISD, Fort Worth, TX
John M. Hopkins, Thompson & Horton LLP, Houston, TX

CONFERENCE ACCREDITATION

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.75 hours, of which 2.25 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).

3:35 p.m. Adjourn to Reception

NETWORKING RECEPTION

3:35 p.m. – 4:35 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

THANK YOU TO OUR RECEPTION SPONSORS

Abernathy, Roeder, Boyd & Hullett, P.C.

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Schulman, Lopez, Hoffer & Adelstein, LLP

Thompson & Horton LLP

Walsh Gallegos Treviño Russo & Kyle P.C.

FRIDAY MORNING, FEB. 21, 2020

Presiding Officer:

Mari M. McGowan, Abernathy, Roeder,
Boyd & Hullett, P.C., McKinney, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .75 hr

Election Convection: Maybe You've Heard...

People have begun to chat about the 2020 election. What are some of the rights and limitations on student and staff political speech, in what is sure to be a super-heated affair?

Kevin F. Lungwitz, The Lungwitz Law Firm, P.C.,
Austin, TX

9:15 a.m. .75 hr

Can They Really Say That About Me?

In today's world of social media, what remedies, if any, do school officials and employees have for what is said about them? What risks do school officials and employees face and what immunities do they have when they say things about others?

James M. Whitton, Brackett & Ellis, P.C.,
Fort Worth, TX
Thomas J. Williams, Haynes and Boone, LLP,
Fort Worth, TX

YOUNG ATTORNEY RATES

Are you a 1st or 2nd year attorney?

Attend most UT Law CLE
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Call 512.475.6700 to register.

10:00 a.m. .50 hr

Just When You Thought it Was Safe to Go Back in the Water: 2020 Legal Issues Involving Dress Codes and Uniforms

Legal challenges to school dress codes have begun to arise unexpectedly. This presentation discusses unique legal challenges and pitfalls to avoid as well as provides reminders regarding procedural mechanisms for the appropriate creation and challenge of campus and district-wide dress code decision-making.

Wesley E. Johnson, Escamilla & Poneck, LLP,
San Antonio, TX

10:30 a.m. Break

10:45 a.m. .75 hr

Governmental Immunity

An update on caselaw reflecting developments in, and evolving challenges to, the immunity doctrine. Discussion includes recent cases, immunity in the contract context, *ultra vires* actions, and possible changes in the judicial attitude towards immunity.

Jonathan Griffin Brush, Rogers, Morris & Grover,
L.L.P., Houston, TX

11:30 a.m. 1.00 hr

What You Should Know Before Calling an SRO

School Resource Officers have been the subject of recent litigation and legislation. Hear an overview of legal issues about the involvement of SROs in elementary and secondary schools.

Holly B. Wardell, Eichelbaum, Wardell, Hansen,
Powell & Muñoz, P.C., Austin, TX

12:30 p.m. Pick Up Lunch

Included in registration.

CAN'T MAKE THE CONFERENCE? PRE-ORDER THE ECONFERENCE TODAY

While nothing can replace the experience and networking opportunities of the live event, you can still catch up on all the latest developments in School Law with the eConference.

The online eConference includes papers, slides, and video – and CLE credit (TX and CA) – from this year's live conference.

Available in "Your Briefcase" through the user's account at www.utcle.org 4-6 weeks after the live event.

FRIDAY AFTERNOON

Presiding Officer:

Mari M. McGowan, Abernathy, Roeder,
Boyd & Hullett, P.C., McKinney, TX

LUNCHEON PRESENTATION

12:50 p.m. .75 hr

Beware the Trademark Trolls Lurking Around the Schoolhouse

Hear an overview of intellectual property law and recent school-related IP litigation impacting school operations. Discuss the best practices and common areas of exposure, such as teacher web pages, school mascots and logos, curriculum programs and materials, and work made for hire and fair use.

Joe Hoffer, Schulman, Lopez Hoffer & Adelstein, LLP,
San Antonio, TX

1:35 p.m. Break

1:50 p.m. .75 hr ethics

The Disciplinary Process

This presentation covers the disciplinary process, some tips on responding to a grievance, and some of the common rule violations.

Judith Gres DeBerry, State Bar of Texas, Austin, TX

2:35 p.m. .75 hr

SOAH 101: A School Lawyer's Guide

What happens when your case is referred to the Texas State Office of Administrative Hearings? Explore the unique role that this agency has in adjudicating specific disputes that arise in school law and examine the legal issues that may arise during the process.

Amanda Moore, Texas State Teachers Association,
Austin, TX

3:20 p.m. .50 hr | .25 hr ethics

So You've Been Sued?: What's Next

Best practices, ethics obligations, and ethical pitfalls to avoid when served with a lawsuit.

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

3:50 p.m. Adjourn

RESEARCH AND SELF-STUDY

Did you know that the quality presentations and papers attendees receive at our conferences are available for self-study as part of our eLibrary?

Purchase materials à la carte or subscribe annually for just \$295. See the Registration Form, email service@utcle.org, or call 512.475.6700 for more details.

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Texas Ethics Commission
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Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

REGISTRATION BENEFITS

Full Service Experience: Registration for the live event includes continental breakfasts, Thursday and Friday luncheon presentations, and a Thursday afternoon reception, along with countless networking opportunities throughout the event.

Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 4–6 weeks after the live event.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas when credit information is submitted. Track the Texas MCLE credit reported on your behalf at "Your Account" after you've logged in at www.utcle.org.

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SL20

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LIVE EVENT REGISTRATION

Special group registration rates may be available. Call 512.475.6700.

Individual Registration

- Individual registration by February 12 \$525
 Individual registration after February 12. \$575
 School District Employee registration by February 12 \$450
 School District Employee registration after February 12 \$500

Printed Course Binder – Available for order through February 12

Note: Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase".

- Printed Course Binder \$37.89 (\$35*)

LIVE WEBCAST REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase". Please contact customer service for information regarding binder availability.

- Individual registration \$475
 School District Employee registration \$400

TOTAL EVENT REGISTRATION \$ _____

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.

POST-CONFERENCE PRODUCTS

eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4-6 weeks after live event. Hours may vary depending on actual event runtime.

- Individual eConference \$475

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$243.56 (\$225*)
 Printed Post-Course Binder \$297.69 (\$275*)

Annual eLibrary Subscription – For Research and Self-Study

Extensive resources including audio, video, papers, and slides from UT Law CLE programs.

- eLibrary 12-Month Subscription \$319.34 (\$295*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin)
 VISA MasterCard American Express P.O. (include a copy of the purchase order upon submission)

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AUSTIN

February 20–21, 2020

CONFERENCE LOCATION



AT&T Conference Center
 The University of Texas at Austin
 1900 University Avenue
 Austin, TX 78705
 877.744.8822 (reservations)

Accommodations: Call 877.744.8822
 Reserve online at meetattexas.com
 (subject to availability)

Parking:

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

KEY DATES

February 12, 2020

Last day to order a printed binder

February 12, 2020

Last day for early registration
 Add \$50 for registrations received after this time

February 14, 2020

Last day for full refund cancellation

February 17, 2020

Last day for partial refund cancellation
 \$50 processing fee applied

February 20, 2020, 8:30 a.m.

Conference and Webcast begin

REASONS TO ATTEND

UT Law’s **35th 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. This year’s conference offers attendees the opportunity to:

- Hear updates on Commissioner of Education decisions from the past year, recent developments from the Office of the Attorney General, and Fifth Circuit and U.S. Supreme Court decisions on special education.
- Examine the competing demands facing school districts on school safety issues, individual rights relating to political speech, and school dress codes.
- Explore school personnel issues regarding secure records compliance, the newly created “Do Not Hire” registry, rules for accepting gifts or benefits, and the risks social media poses for teachers and other educators.
- Learn how to navigate the grievance/disciplinary process, best practices when served with a lawsuit, and how to present a case referred to the Texas State Office of Administrative Hearings.
- Multiple networking opportunities with program faculty and fellow school law practitioners, including the Thursday Evening Reception.

EARN YOUR FULL MCLE REQUIREMENT



UT Law CLE is committed to helping attorneys meet their annual Texas MCLE requirements. Following the event, live conference attendees and live webcast customers will receive a free, on-demand eSupplement that will bring their total available hours to 15.00, including 3.00 hours of ethics.