

35th Annual School Law Conference
February 20-21, 2020 • AT&T Conference Center • Austin, TX
February 20-21, 2020 • Live Webcast

Thursday Morning, Feb. 20, 2020

Presiding Officer:

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

| | |
|---------------------------|---|
| 7:30 am In Austin Only | Registration Opens Includes continental breakfast. |
| 8:20 am | Welcoming Remarks |
| 8:30 am 0.75 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 am 0.50 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 am 0.75 hr | High Level Courts and Special Education Nona C. Matthews, Walsh Gallegos Treviño Russo & Kyle, P.C. - Irving, TX |
| 10:30 am | Break |
| 10:45 am 0.50 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 After SB1376 repealed TEC 29.007, which permitted school districts to enter into contracts to jointly operate special education programs, what's a district to do now?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 am 1.00 hr | <p>School Safety from the School and Parent Point of View</p> <p>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.</p> <p>Moderator: Hans P. Graff, Sara Leon & Associates, LLC - Houston, TX</p> <p>Panelists: Joy S. Baskin, Texas Association of School Boards - Austin, TX Susan H. Soto, Susan Soto Law, PLLC - Bellaire, TX</p> |
| 12:15 pm In Austin Only | <p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p> |

Thursday Afternoon, Feb. 20, 2020

Presiding Officer:
Mari M. McGowan, Abernathy, Roeder, Boyd & Hullett, P.C. - McKinney, TX

LUNCHEON PRESENTATION

| | |
|---------------------------|--|
| 12:35 pm 0.75 hr | <p>Temporary Custodian Law</p> <p>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.</p> <p>Leticia D. McGowan, Dallas Independent School District - Dallas, TX</p> |
| 1:20 pm | <p>Break</p> |
| 1:35 pm 0.50 hr | <p>“Do Not Hire” Registry</p> <p>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.</p> <p>Laura Moriaty, Texas Education Agency - Austin, TX David Rodriguez, Texas Education Agency - Austin, TX</p> |
| 2:05 pm 0.75 hr ethics | <p>Can I Accept It?: Texas Gift Laws for School Districts</p> <p>Hear an overview of the Texas Penal Code restrictions on gifts and benefits to school district officers and employees, including examples to help keep you out of trouble.</p> <p>Anne Temple Peters, Texas Ethics Commission - Austin, TX</p> |

| | |
|--------------------------------------|--|
| 2:50 pm 0.75 hr 0.50 hr ethics | <p>Quid Pro No: School Officials and Conflicts of Interest</p> <p>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.</p> <p>Christie L. Hobbs, Northwest ISD - Fort Worth, TX John M. Hopkins, Thompson & Horton LLP - Houston, TX</p> |
| 3:35 pm | Adjourn |
| In Austin Only | <p>Networking Reception (in Austin from 3:35 p.m. - 4:35 p.m.)</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p> |

Friday Morning, Feb. 21, 2020

Presiding Officer:

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

| | |
|---------------------------|---|
| 7:30 am In Austin Only | <p>Conference Room Opens</p> <p>Includes continental breakfast.</p> |
| 8:30 am 0.75 hr | <p>Election Convection: Maybe You've Heard...</p> <p>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?</p> <p>Kevin F. Lungwitz, The Lungwitz Law Firm, P.C. - Austin, TX</p> |
| 9:15 am 0.50 hr | <p>Just When You Thought it Was Safe to Go Back in the Water: 2020 Legal Issues involving Dress Codes and Uniforms</p> <p>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.</p> <p><i>This presentation was originally scheduled on Friday at 10:00 a.m.</i></p> <p>Wesley E. Johnson, Escamilla & Poneck, LLP - San Antonio, TX</p> |
| 9:45 am 0.75 hr | <p>Can They Really Say That About Me?</p> <p>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?</p> <p><i>This presentation was originally scheduled on Friday at 9:15 a.m.</i></p> <p>James M. Whitton, Brackett & Ellis, P.C. - Fort Worth, TX Thomas J. Williams, Haynes and Boone, LLP - Fort Worth, TX</p> |
| 10:30 am | Break |

| | |
|--|---|
| <p>10:45 am 0.75 hr</p> | <p>Governmental Immunity</p> <p>An update on caselaw reflecting developments in, and evolving challenges to, the immunity doctrine. Discussion includes recent cases, immunity in the contract context, <i>ultra vires</i> actions, and possible changes in the judicial attitude towards immunity.</p> <p>Jonathan Griffin Brush, Rogers, Morris & Grover, L.L.P. - Houston, TX</p> |
| <p>11:30 am 0.50 hr 0.25 hr ethics</p> | <p>So You've Been Sued?: What's Next</p> <p>Best practices, ethics obligations, and ethical pitfalls to avoid when served with a lawsuit.</p> <p><i>This presentation was originally scheduled on Friday at 3:20 p.m.</i></p> <p>Juan J. Cruz, J. Cruz & Associates, LLC - Laredo, TX</p> |
| <p>12:00 pm In Austin Only</p> | <p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p> |

Friday Afternoon, Feb. 21, 2020

Presiding Officer:

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

LUNCHEON PRESENTATION

| | |
|-----------------------------------|--|
| <p>12:30 pm 0.75 hr</p> | <p>Beware the Trademark Trolls Lurking around the Schoolhouse</p> <p>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.</p> <p><i>This presentation was originally scheduled on Friday at 12:50 p.m.</i></p> <p>Joe Hoffer, Schulman, Lopez Hoffer & Adelstein, LLP - San Antonio, TX</p> |
| <p>1:15 pm</p> | <p>Break</p> |
| <p>1:30 pm 0.75 hr ethics</p> | <p>The Disciplinary Process</p> <p>This presentation covers the disciplinary process, some tips on responding to a grievance, and some of the common rule violations.</p> <p><i>This presentation was originally scheduled on Friday at 1:50 p.m.</i></p> <p>Judith Gres DeBerry, State Bar of Texas - Austin, TX</p> |

2:15 pm
0.75 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.

This presentation was originally scheduled on Friday at 2:35 p.m.

Amanda Moore, Texas State Teachers Association - Austin, TX

3:00 pm

Adjourn