

# 36<sup>th</sup> Annual School Law Conference

## February 24-26, 2021 • Live Webcast

### Day 1 - Wednesday Afternoon, Feb. 24, 2021

**Presiding Officer:**

**Andrea Slater Gulley**, Walsh Gallegos Treviño Russo & Kyle, P.C. - Amarillo, TX

12:50 pm	<b>Welcoming Remarks</b>
1:00 pm 0.50 hr	<b>Expressions of Identity: A 21st Century Snapshot of Dress Code Issues</b>  Explore the judiciary's recent treatment of dress code challenges brought under the First and Fourteenth Amendments. Discussion includes practical tips for school districts to use in crafting dress codes that are appropriately sensitive to racial and gender stereotypes.  Elizabeth L. Humphrey, Thompson & Horton LLP - Houston, TX
1:30 pm	<b>5-Minute Break</b>
1:35 pm 1.00 hr	<b>Ensuring Impartiality in the Title IX Formal Complaint Process</b>  The new Title IX regulations apply processes and standards already familiar to higher education institutions to K-12 schools despite material and distinct differences between the two settings. Examine perspectives from both sides of the bar for maintaining impartiality in the investigation of formal Title IX complaints, accounting for the age and maturity of complainants, and other unique challenges in the K-12 context.  Eric Ransleben, The Law Offices of Eric G. Ransleben - Roanoke, TX Cory Rush, Karczewski Bradshaw Spalding - Houston, TX
2:35 pm	<b>5-Minute Break</b>
2:40 pm 0.50 hr	<b>Race, Repetition, and Reform</b>  Public schools are shaped by and themselves shape the biases and beliefs of their staff and students. Explore the ways in which implicit bias impacts the treatment of students of color while systems such as exclusionary discipline and school policing discourage those same students from believing that they have the power to advocate for anything better.  Hector Bojorquez, Intercultural Development Research Association - San Antonio, TX Sesenu Y. Woldemariam, Texas RioGrande Legal Aid - San Antonio, TX
3:10 pm	<b>5-Minute Break</b>

3:15 pm 0.75 hr	<p><b><i>Bostock</i> and Its Consequences for School Districts - Title VII...and Beyond?</b></p> <p><i>Bostock</i> is a landmark decision with clear consequences for every school district, as an employer, and its LGBTQ+ employees, but its reasoning has and will continue to impact the relationship between school districts and its LGBTQ+ and non-LGBTQ+ students. Explore <i>Bostock</i>'s important effects on Title VII and the TCHRA, including on the appropriate burden of proof to be applied, and on Title IX, including student-athlete and facilities issues.</p> <p>Francisco J. Valenzuela, Fanning Harper Martinson Brandt &amp; Kutchin, P.C. - Dallas, TX</p>
4:00 pm	<b>5-Minute Break</b>
4:05 pm 1.00 hr	<p><b>COVID-19: Districts and Employees - The Balance Between Educating Students and Keeping Everyone Safe</b></p> <p>This presentation focuses on the evolving challenges facing districts and employees in the face of COVID-19 and addresses ADA accommodations, safety protocols, and a return to in-person learning.</p> <p>Karl Tiger Hanner, Attorney at Law - Austin, TX Cynthia Rincón, Fort Worth ISD - Fort Worth, TX</p>
5:05 pm	<b>5-Minute Break</b>
5:10 pm 0.50 hr	<p><b>Uniformed Services Employment and Reemployment Rights Act: Judicial Updates and Other Developments</b></p> <p>Passed in 1994 and amended in 2011 to add protections against a hostile workplace, USERRA can complicate otherwise permissible employment decisions. A review of judicial decisions is intended to provide an overview of how the courts are interpreting the law with respect to reservists with civilian employers.</p> <p>Hans P. Graff, Sara Leon &amp; Associates, LLC - Houston, TX</p>
5:40 pm	<p><b>Adjourn Day 1</b></p> <p>Day 2 starts Thursday, February 25, 2021 at 1:15 p.m. CST</p>

## Day 2 - Thursday Afternoon, Feb. 25, 2021

### Presiding Officer:

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

1:15 pm 0.75 hr	<p><b>Commissioner Decisions Update</b></p> <p>Hear an update on Commissioner of Education decisions from the past year.</p> <p><i>This presentation was originally scheduled on Monday at 1:15 p.m.</i></p> <p>Mark P. Tilley, Texas Association of School Boards - Austin, TX</p>
2:00 pm	<b>5-Minute Break</b>

<p>2:05 pm 0.50 hr</p>	<p><b>Screening Applicants and Do Not Hire List: An Update</b></p> <p>The TEA Directors in charge of educator discipline layout the requirements of the Do Not Hire Registry for public school administrators. Topics include an update on the implementation of the Registry, screening applicants through fingerprinting, searching the Registry, the consequences of ignoring the Registry, and the obligations of Texas school administrators to investigate and report educator misconduct.</p> <p><i>This presentation was originally scheduled on Monday at 2:05 p.m.</i></p> <p>Laura Moriarty, Texas Education Agency - Austin, TX David Rodriguez, Texas Education Agency - Austin, TX</p>
<p>2:35 pm</p>	<p><b>40-Minute Break</b></p>
<p>0.50 hr</p>	<p><b>Making Work-From-Home Work for You: Strategies for Coping During COVID-19</b></p> <p>A discussion on work-home balance when you can't seem to escape either.</p> <p><i>This presentation was originally scheduled on Monday at 2:40 p.m.</i></p> <p><i>The live webcast includes the materials for this presentation in your course materials, but not the live presentation. The presentation on <b>Making Work-From-Home Work for You: Strategies for Coping During COVID-19</b> will be recorded and the video will be made available via "Your Briefcase" in the separately accredited eConference in 4-6 weeks.</i></p> <p>Bree Buchanan, Krill Strategies - Austin, TX Sarah Flournoy, Brackett &amp; Ellis, P.C. - Fort Worth, TX</p>
<p>3:15 pm 1.00 hr</p>	<p><b>Protecting Student Privacy While Using Virtual Learning, Educational Apps, and Advanced Technology Tools</b></p> <p>Explore the challenges of protecting student privacy and the applicability of FERPA while using remote learning, educational applications, and advanced technology. The session covers U.S. Department of Education guidance, court cases, and relevant inquiries from educational agencies and institutions regarding the use of such strategies and tools.</p> <p><i>This presentation was originally scheduled on Monday at 3:15 p.m.</i></p> <p>Dale King, U.S. Department of Education - Washington, DC</p>
<p>4:15 pm</p>	<p><b>5-Minute Break</b></p>
<p>4:20 pm 0.75 hr</p>	<p><b>Overcoming the Challenges of Remote Learning</b></p> <p>Examine the various obstacles parents and school districts face with remote learning and hear solutions on how all stakeholders can collaboratively work together to ensure students with disabilities are provided a FAPE.</p> <p><i>This presentation was originally scheduled on Monday at 4:20 p.m.</i></p> <p>Colleen M. Elbe, Disability Rights Texas - Lubbock, TX Pam Kaminsky, Rogers, Morris &amp; Grover, L.L.P. - Houston, TX</p>
<p>5:05 pm</p>	<p><b>5-Minute Break</b></p>

5:10 pm 0.50 hr ethics	<p><b>Ethics: Are You Phoning it In? The Ethical Perils of Practicing Law from Your Cell Phone</b></p> <p>A review of the rules relating to ethical cell phone usage and how they correspond to our duties as lawyers.</p> <p><i>This presentation was originally scheduled on Monday at 5:10 p.m.</i></p> <p>Jaime Garcia, J. Cruz &amp; Associates, LLC - Laredo, TX</p>
5:40 pm	<p><b>Adjourn Day 2</b></p> <p>Day 3 starts Friday, February 26, 2021 at 9:00 a.m. CST</p>

## Day 3 - Friday Morning, Feb. 26, 2021

### Presiding Officer:

**Christopher B. Gilbert**, Thompson & Horton LLP - Houston, TX

9:00 am 0.75 hr	<p><b>Basics and Issues with Selling and Purchasing Real Property, Mineral Leases, and/or Cell Tower Leases</b></p> <p>An overview of the basics and possible issues surrounding the purchase and/or sale of real property or entering into mineral or cell tower leases.</p> <p>Jason Michael Adelstein, Schulman, Lopez Hoffer &amp; Adelstein, LLP - San Antonio, TX</p>
9:45 am	<p><b>5-Minute Break</b></p>
9:50 am 0.75 hr	<p><b>Workers Comp and Impact of COVID-19 on Claims</b></p> <p>COVID-19 has provided many new and distinct legal complications. One of the many complications is the rise in workers' compensation claims and whether COVID-19 constitutes an occupational disease under the Texas Workers' Compensation Act. Review best practices and new updates on workers' compensation.</p> <p>Rebecca S. Bradley, ARBH - McKinney, TX Dan Price, Shanley Price, LLP - Austin, TX</p>
10:35 am	<p><b>5-Minute Break</b></p>
10:40 am 0.75 hr 0.25 hr ethics	<p><b>Ransomware Attacks: Not If, But When</b></p> <p>An update on the recent ransomware activities targeting school districts and a practical guide to coordinating a response. Review common entry points, the first 48 hours post-attack, and reporting obligations under state and federal law.</p> <p><i>This presentation was recorded and will be broadcast during the live webcast. The speaker will not be available in real-time to answer questions.</i></p> <p>Kimberly Celeste Gordy, Baker &amp; Hostetler LLP - Houston, TX</p>
11:25 am	<p><b>5-Minute Break</b></p>

<p>11:30 am 0.75 hr 0.25 hr ethics</p>	<p><b>Advocating for your Clients in a Zoom World</b></p> <p>2020 ushered in a whole new way of advocating on behalf of clients. This session explores the best methods for using Zoom or other virtual platforms to conduct depositions, mediations, hearings, and trials. Join experienced litigator Meredith Prykryl Walker as she shares some of the lessons learned in the age of Zoom.</p> <p>Meredith Prykryl Walker, Walsh Gallegos Treviño Russo &amp; Kyle, P.C. - Irving, TX</p>
<p>12:15 pm</p>	<p><b>5-Minute Break</b></p>
<p>12:20 pm 0.75 hr ethics</p>	<p><b>It's Zoom's World, We're Just Living in It: Confidentiality and Ethics in Video Conferencing</b></p> <p>The recent increased reliance on video conferencing has raised a host of questions many of us hadn't thought of before, such as: What ethical obligations do I owe to clients when video conferencing? How do I assure attorney-client confidentiality and confidentiality of student information? What on earth is Zoombombing? This ethics-based presentation addresses those questions and more.</p> <p>Jeff Crownover, Prosper ISD - Prosper, TX</p>
<p>1:05 pm</p>	<p><b>Adjourn</b></p>