

Tuesday, October 20		Wednesday, October 21	Thursday, October 22
Labor & Employment		Title IX Procedures	COVID-19 Challenges
<p><b>1 -2 p.m. EDT</b></p>	<p><i>So, You Want Your School District Employees to Work During a Pandemic?</i></p> <p>This session will focus on key labor and employment issues that arise when running a school district during a pandemic. What kind of health screenings can and/or should a district implement? When should a district consider excluding an employee from the worksite, and what process should be used? How does the alphabet soup of statutes (EPSLA, EFMLA, FMLA, ADA, and other state leave laws) apply? What approaches are school districts using and which are working? What kind of workplace health and safety issues do school districts have to address? Are collective bargaining agreements even relevant right now?</p> <p>Presenters: <b>Brian Goodman</b>, Boardman &amp; Clark LLP, Madison, WI; <b>Melissa Knapp</b>, Thomas Drohan Waxman Petigrow &amp; Mayle, LLP, Hopewell Junction, NY; and <b>David Walker</b>, Appel, Yost &amp; Zee LLP, Lancaster, PA</p>	<p><i>The Life Cycle of a Title IX Complaint in Practice</i></p> <p>In this two-part session, the presenters will walk through hypotheticals to help participants understand how the new Title IX process will work in practice. The first half of the session will address receiving a report through completing an investigation, including supportive measures, formal complaint issues, emergency removals, and the investigation report. The second half will focus on the decision in a formal complaint process, appeals, and state-level discipline processes.</p> <p>Presenters: <b>Holly McIntush</b> and <b>Jessica Witte</b>, Thompson &amp; Horton LLP, Austin, TX; <b>Sarah Orman</b>, Texas Association of School Boards, Austin, TX; and <b>Jackie Gharapour Wernz</b>, Franczek P.C., Chicago, IL</p>	<p><i>Homeward Bound: Lessons Learned from COVID-19 on Educating Students at Home</i></p> <p>This session will address legal issues related to educating students at home during the COVID-19 pandemic, methods to reduce liability, and how schools can better protect students online. Attorneys will learn strategies for overcoming obstacles to providing equitable educational opportunities to students with disabilities, racial minorities, English learners, and students in poverty.</p> <p>Panelists: <b>Haley Percell</b>, Oregon School Boards Association, Salem, OR; <b>Jennifer Smith</b>, Franczek Radelet P.C., Chicago, IL; and <b>Patricia Campbell</b>, Executive Director of Special Education, Seattle Public Schools, WA</p>

<p><b>2:15 – 3:15 p.m. EDT</b></p>	<p><i>What Happens in Vegas</i> A practical discussion of activities that employees do in their free time that cause problems in the workplace. What are the employee’s rights, and how does the district discipline without stepping on those rights?</p> <p>Presenters: <b>Mike Leasor</b> and <b>Dean Micknal</b>, Leasor Crass, P.C., Mansfield, TX</p>		<p><i>Avoiding Potential Liability for Athletics, Clubs, and Visitors during a Pandemic</i> When a school district hosts activities that fall outside of compulsory education, but within the parameters of extracurricular and cocurricular activities that make the American education experience so rich, the district voluntarily assumes some risks of liability. Those risks are even greater in a global pandemic. This presentation will cover issues such as (a) the liability risk to the school if someone gets sick during school events (during traditional times vs. Coronavirus); (b) the liability risks of shutting down some clubs or visitors during the pandemic; (c) the liability risks of closing off district property to all visitors; and (d) creative methods of protecting students and staff while minimizing risks, including sample waivers and other approaches taken by schools.</p> <p>Presenter: <b>Jessica Heiser</b>, Church, Church, Hittle + Antrim, Noblesville, IN</p>
<p><b>3:30 – 4:30 p.m. EDT</b></p>	<p><i>Employment Law After Bostock: Advising School Districts</i> Join experienced labor and employment practitioners for an in-depth discussion of the implications of <i>Bostock v. Clayton County, Georgia</i>. The Supreme Court’s decision interpreting Title VII to cover discrimination based on homosexuality and transgender status is a landmark in employment law. Is it time for schools to revise policies and procedures?</p> <p>Presenters: <b>Jana Woelfel</b> and <b>Pete Thompson</b>, Clark Hill Strasburger, Dallas, TX</p>	<p><i>Investigations: When Educators Cross the Line</i> What strategies and practices should you employ as a school attorney to investigate an allegedly inappropriate relationship between an educator and student without jeopardizing the criminal prosecution of the educator? This presentation will provide perspectives from an experienced school attorney and a county prosecutor.</p> <p>Presenters: <b>W. Douglas Thorne</b>, Elkhart Community Schools, Elkhart, IN; and <b>Vicki Elaine Becker</b>, Prosecuting Attorney, 34<sup>th</sup> Judicial District, County of Elkhart, IN</p>	<p><i>Recovery Services for Students with Disabilities: Applying Existing Compensatory/Accommodation Standards in a New Context</i> This presentation will review and examine various analyses applied by courts and hearing officers when awarding compensatory services and explain why they do not apply to the pandemic situation. Thomeczek and Palmatier will then suggest alternative approaches to consider when faced with a demand for compensatory services following (or in the middle of) the COVID-19 crisis.</p> <p>Presenters: <b>Tim Palmatier</b>, ISD 279-Osseo Area Schools, Maple Grove, MN; and <b>James Thomeczek</b>, Thomeczek and Brink LLC, St. Louis, MO</p>

Tuesday, October 27		Wednesday, October 28	Thursday, October 29
Addressing Inequities in Education		Legal Advocacy Update, Data Security & Ethics	School Operations
1-2 p.m. EDT	<p><b><i>Inclusion Policies and Practices to Advance Racial and Educational Justice</i></b></p> <p>With the recent focus on racial injustice and inequity in this country, the focus of this multi-part session will be on the policies and practices of public schools that address issues relating to racial and education equity and justice. This session will include a discussion on legal and policy issues as they relate to school boards, school staff, and students.</p> <p><i>Part I – School Boards:</i> This session will focus on best practices of school boards as they set both the tone, culture, and climate in their public schools. As the governing body of a public school, the board of trustees has both a legal obligation to enforce laws, regulations, and policy and an ethical obligation to ensure the public school environment promotes a culture of safety, inclusion, equity, and justice.</p> <p>Moderator: <b>Bridget Cook</b>, Antelope Valley Community College, Lancaster, CA</p> <p>Panelists: <b>Joy Baskin</b>, Texas Association of School Boards; <b>Verjeana McCotter-Jacobs</b>, Esq., Chief Equity &amp; Member Services Officer, NSBA; and <b>Shawn Joseph</b>, AASA-Howard University Urban Superintendents Academy, Washington, D.C.</p>	<p><i>NSBA Legal Advocacy Update</i></p> <p>In this popular session, NSBA Chief Legal Officer Francisco Negrón updates you on significant U.S. Supreme Court cases affecting public schools, and NSBA’s amicus and other legal advocacy work nationwide.</p> <p>Presenter: <b>Francisco Negrón</b>, Chief Legal Officer, NSBA</p>	<p><i>Social Media Meets Local Politics: Is Your Page a Public Forum?</i></p> <p>In this session, we’ll address how politicians' social media pages, including those of school board members, can become public forums, thus affecting how those politicians can limit or block online comments.</p> <p>Presenter: <b>Chris McCarty</b>, Lewis, Thomason, King, Krieg &amp; Waldrop, P.C., Knoxville, TN</p>

<p><b>2:15 – 3:15 p.m. EDT</b></p>	<p><i>Part II – Students:</i> This session will include a discussion of the anti-discrimination laws, regulations, and policies that impact the education of public school students, student safety, student behaviors, and student discipline.</p> <p>Moderator: <b>Andrew Manna</b>, Church Church Hittle + Antrim, Noblesville, IN</p> <p>Panelists: <b>Chris Pape</b>, Lanier, Ford, Shaver &amp; Payne P.C., Huntsville, AL; <b>Adam Lustig</b>, Director, Center for Safe Schools, NSBA</p>	<p><i>What School Board Attorneys Need to Know About Data Security and Breaches for Remote Learning and Otherwise</i></p> <p>Even before COVID-19, the increased use of technology in the classroom came with data security risks for school districts. The recent rapid increase in remote learning and connections, including video communications with students, has brought with it new and ever-changing issues related to privacy and security of student data. This session will discuss those data security risks and what school board attorneys need to know about them.</p> <p>Presenter: <b>Adam Griffin</b>, Adams and Reese LLP, Ridgeland, MS</p>	<p><i>To Heller and Back: Revisiting Possession of Guns on School Property After the Recent U.S. Supreme Court Decision in New York State Rifle &amp; Pistol Assoc. v. City of New York</i></p> <p>Recently, school districts and municipal entities across the nation have considered complete bans on firearms on their property without examining the potential impact of such a decision on different types of district properties and employees/contractors. Additionally, now that the Supreme Court has found the <i>New York State Rifle &amp; Pistol</i> suit moot, do other pipeline cases indicate that the high court would find such bans unconstitutional?</p> <p>Presenters: <b>Heidi Maynard</b>, <b>Mark Hood</b>, and <b>Daniel Montopoli</b>, Vandeberg Johnson &amp; Gandara, LLP, Tacoma, WA</p>
<p><b>3:30 – 4:30 p.m. EDT</b></p>	<p><i>Part III – School Personnel:</i> The focus on this session will be on holistic approaches to racial and other equity issues as they relate to the employment relationship. Panelists will discuss laws, regulations, and policies relating to the hiring process, a school district’s obligation to protect staff from discriminatory practices, expectations of staff, staff accountability, and discipline.</p> <p>Moderator: <b>Debra Silk</b>, Montana School Boards Association</p> <p>Panelists: <b>Lisa Freiley</b>, Willamette Education Service District, Salem, OR; and <b>Verjeana McCotter-Jacobs</b>, Esq., Chief Equity &amp; Member Services Officer, NSBA</p>	<p><i>Remote Lawyering? Ethical Issues for School Attorneys Representing Public Agencies</i></p> <p>Is my microphone on? We have entered a whole new world of ethical issues arising from a school attorney’s role with public agency clients. With virtual meetings, remote hearings, and uncharted waters of a pandemic, the rules of professional conduct are being tested in new ways. Wright will address these and other ethical issues facing school attorneys. He will share practical strategies and review the applicable model rules on conflicts of interest, communications, attorney-client privilege, confidentiality, and more.</p> <p>Presenter: <b>Brandon Wright</b>, Miller, Tracy, Braun, Funk &amp; Miller, Ltd., Monticello, IL</p>	<p><i>Lessons from a Reformed Copyright Infringer</i></p> <p>Daily, teachers are guilty of copyright infringement. It seems relatively harmless, but when does copyright infringement become a liability for your client school districts and their teachers? This session will focus on understanding copyright and breaking bad, infringing habits.</p> <p>Presenters: <b>Kylie Piatt</b> (former infringer) and <b>Michelle Basi</b>, Tueth Keeney Cooper Mohan &amp; Jackstadt, P.C., St. Louis, MO</p>