



August 24, 2018

SCSBA Council of School Attorneys

- 8:30 - 9:00 a.m. Registration & Continental breakfast
- 9:00 - 10:00 a.m. **Can you meet me at the corner of FOIA Avenue and Litigation Boulevard?**
In litigation today, it is commonplace for attorneys to ask school districts for copies of all electronic documents, including e-mails, related to the subject of the lawsuit. It is also common for citizens and members of the media alike to request documents related to a particular issue pursuant to the Freedom of Information Act (“FOIA”). The goal of this session is to review legal requirements of document retention and disclosures, both through litigation and FOIA, and to discuss the best practices for intra-district and intra-board e-mail communications.
Presenters: Thomas K. Barlow, Esquire, Halligan, Mahoney, & Williams
Allison A. Hanna, Esquire, Halligan, Mahoney, & Williams
- 10:00 - 10:15 a.m. Break
- 10:15 - 11:15 a.m. **School De-Segregation: Six decades after Brown. Where are we now?**
Attendees will learn about the current status of de- and re-segregation in the US from the perspective of a school district seeking a declaration of unitary status. The session will cover case law from Brown v. Board of Education to the present day and discuss how those cases have affected school populations.
Presenter: Lindsay Anne Thompson, Esquire, Georgetown County School District
- 11:15 - 12:15 p.m. **Walking a Tightrope Between District Responsibility and Parental Rights**
Parent. Non-custodial parent. Legal Guardian. Caregiver. Student. In-loco parentis. This session will look at the duties of the school district to balance these often competing interests in making education decisions in the best interest of students. Lines are often blurred where the rights of one party begins and the other ends.
Presenters: Rebecca Creel, Esquire, Creel Family Law
Andrea White, Esquire, White & Story, LLC
- 12:15 - 1:15 p.m. Lunch & Learn (included in registration)
New Kid on the Block: Hanging tough in the school law arena
During lunch attendees will hear from a new in-house, school law attorney on the stresses of representing a district. The discussion will include the pitfalls and triumphs of transitioning to school law along with war stories of the good, bad, and ugly of being in-house counsel.
Presenter: Natalie Ham, Esquire, Charleston County School District



- 1:15 - 2:15 p.m. **Federal Update**
This session will provide information on key rulings and pending cases in the U.S. Supreme Court and lower federal courts and their implications for public schools. The presentation will also review federal laws and regulations that have changed over the past year.
Presenter: Francisco Negron, Esquire, National School Boards Association
- 2:15 - 2:30p.m. Break
- 2:30 - 3:00 p.m. **Tinker v. Des Moines Independent Community School District (1969):
The voice that still echoes...**
In 1965, Mary Beth Tinker had no idea that she would make history by wearing a small black armband to school to mourn the dead in Vietnam and call for a Christmas truce. But history was made, with a ruling in *Tinker* that has been cited in thousands of student speech cases. Hear Mary Beth share her experience of the famous case, and how the ruling is being interpreted today.
Presenter: *Mary Beth Tinker*
- 3:00 - 4:00 p.m. **Post Tinker: Student speech in the school environment**
This panel will address the law since *Tinker* looking at the rights of students to protest and exercise their freedom of speech while balancing the duties of schools to maintain safety and order. The session will include the recent occurrences of student walkouts and how they fit within the parameters of *Tinker*.
Presenters: Derek Black, Esquire, University of South Carolina School of Law
Doug Webb, Esquire, Greenville School District
- 4:00 p.m. Closing remarks and Adjournment