

August 29-30
2015

School Law Conference



Saturday, August 29

8:15 - 9 a.m. **Registration and continental breakfast** Foyer
Co-sponsored by Boykin & Davis, LLC

9 - 10:15 a.m. **First general session** Atlantic ballrooms 1-4

Welcome and purpose

Robert Gantt, *SCSBA President, District Five of Richland/Lexington Counties Board Member*

Federal overview and court update

Learn about recent key rulings and pending cases in the U.S. Supreme Court and lower federal courts and their implications for public schools.

Francisco Negron, Jr., Esquire, *Associate Executive Director, Office of General Counsel, National School Boards Association*

10:15 - 10:50 a.m. **Beverage break** Foyer
Co-sponsored by Duff, White & Turner, LLC

10:50 a.m. - 12 p.m. **Breakout sessions** (*choose one of four*)

❖ **Examining the “T” in LGBTQIA - Terminology, Trends and Tips** Atlantic ballroom 1

This session contains everything you didn’t know you needed to know about transgender children and education! This will be a beginner’s session, examining statistics and terminology from the LGBTQIA community, recent hot topics on transgender issues, and what federal law has to say about the rights of transgender children. Constitutional rights, Title IX, and the Office of Civil Rights statements will also be discussed, along with case law from across the country.

Margaret “Meg” Hazel, Esquire, *Office of General Counsel, State Department of Education*

❖ **The ABC’s of IDEA** Atlantic ballroom 2

In this interactive session, participants will receive an overview of the Individuals with Disabilities Education Act (IDEA), to include a district’s obligations to identify, evaluate and educate students with disabilities and provide a “free and appropriate education” (FAPE) in public schools. There will also be a discussion of other applicable laws such as Section 504, recent cases and practice scenarios to expand your knowledge.

Kenneth S. Generette, Esquire, *Staff Attorney, Horry County Schools*

10:50 a.m. - 12 p.m. **Breakout sessions**, continued (*choose one of four*)

- ❖ **Board ethical dilemmas and legal liability**..... Atlantic ballroom 3
While school board members have primary responsibility for overseeing the operation of the district’s public school system, they occupy positions which are inherently political. They spend millions of dollars of public money, manage a labor intensive organization that involves the welfare of children and interacts with numerous public and private entities in the community. In this environment, a multiplicity of liability issues and ethical dilemmas arise, which an experienced school board attorney will identify and discuss during this session.
Kenneth L. Childs, Esquire, *Childs & Halligan, P.A.*

- ❖ **“Gun free schools:” Has this designation become a misnomer in 2015?** Atlantic ballroom 4
What are the various state and federal laws that address the presence of firearms on public school property? Join this session to explore this question and discuss ways districts can and should respond to the potential problems.
Andrea E. White, Esquire, *Duff, White & Turner, LLC*

12 - 1:15 p.m. **Lunch** (*included in registration*) Atlantic ballrooms 5-8

1:30 - 2:30 p.m. **Breakout sessions** (*choose one of four*) Repeats at 2:45 p.m.

- ❖ **Unprofessional conduct: Protecting our children**..... Atlantic ballroom 1
In this session, participants will review educator discipline cases that involved unprofessional conduct with students. Participants will learn more about the legal process and hear suggestions for preventing sexual misconduct of students in schools.
Wendy Bergfeldt Cartledge, *Deputy General Counsel, South Carolina Department of Education*

- ❖ **Transgender students: Is your district ready to address this growing student population?** Atlantic ballroom 2
The number of students in the United States who publicly identify as transgender is growing at a rapid rate, and schools are struggling to meet the needs of these students while respecting the needs of the general student population. Does your school district have a plan for addressing these issues? Do you know what your legal duties and liabilities are in dealing with transgender students? In this session, participants will learn how to legally address this growing societal change in South Carolina school districts.
Lindsay Anne Thompson, Esquire, *Legal Compliance Officer for Special Services Department, Georgetown County School District*

- ❖ **Joint liability: Medical marijuana and schools** Atlantic ballroom 3
Nearly 20 states across the country have legalized medical marijuana. In this session, participants will examine state-by-state medical marijuana laws and the impact they can have on primary and secondary schools. Join us to learn what districts can expect if a state allows employees and/or students to legally possess and use marijuana for medical purposes.
Courtney Laster, *Attorney, Boykin & Davis, LLC*

1:30 - 2:30 p.m. **Breakout sessions, continued** (*choose one of four*) Repeats at 2:45 p.m.

- ❖ **Why must we do it that way? It's the law**..... Atlantic ballroom 4
School districts' attorneys are on the front line of school law. They see and hear it all. In this session, three seasoned attorneys will discuss some common school law topics such as board member legal liability, best practices for hiring, immigration and students, discipline and more. Join this session for a lively discussion on important school law issues.
Doug Webb, *General Counsel, Greenville County Schools*
Susan Williams, *Legal Counsel, Richland One*
John Emerson, *General Counsel, Charleston County School District*
Moderator: Dr. Tiffany N. Richardson, *General Counsel, SCSBA Director of Policy and Legal Services*

2:30 - 2:45 p.m. **Beverage break**..... Foyer
Co-sponsored by Childs & Halligan, P.A.

2:45 - 3:45 p.m. **Breakout sessions** (*choose one of four*) Repeated from 1:30 p.m.

- ❖ **Unprofessional conduct: Protecting our children**..... Atlantic ballroom 1
- ❖ **Transgender students: Is your district ready to address this growing student population?** Atlantic ballroom 2
- ❖ **Joint liability: Medical marijuana and schools**..... Atlantic ballroom 3
- ❖ **Why must we do it that way? It's the law**..... Atlantic ballroom 4

4 - 5 p.m. **S.C. Caucus of Black School Board Members** Atlantic ballroom 3
This meeting is open to all participants.

Sunday, August 30

7:45 - 8:30 a.m. **Registration and continental breakfast**..... Foyer
Co-sponsored by Childs & Halligan, P.A.

8:30 - 9:30 a.m. **Third general session** Atlantic ballrooms 1-4

Opening remarks

Robert Gantt, *SCSBA President, District Five of Richland/Lexington Counties Board Member*

Abbeville County School District, et al. v. State of South Carolina: What now?

The Abbeville case - sometimes referred to as the Corridor of Shame case or the Equity Case - resulted in the longest trial ever in South Carolina and a ruling by the South Carolina Supreme Court that the State was not meeting its constitutional obligation to provide an opportunity for a minimally adequate education to each child. This presentation, by one of the attorneys for the poor and rural school districts that sued the State and won, will include a review of the history of the case, including the evidence and arguments presented at trial and on appeal. Join us to learn how the State can bring the educational system into constitutional compliance. What remedies are being considered by the parties? When can we expect to see an end to this 22-year old case?

Laura Callaway Hart, *Attorney, Duff, White & Turner, LLC*

9:30 - 9:45 a.m. **Beverage break** Foyer

9:45 - 10:45 a.m. **Closing general session** Atlantic ballrooms 1-4

2015 Legislature in review

Learn about education-related bills enacted this year and what lies ahead in 2016.

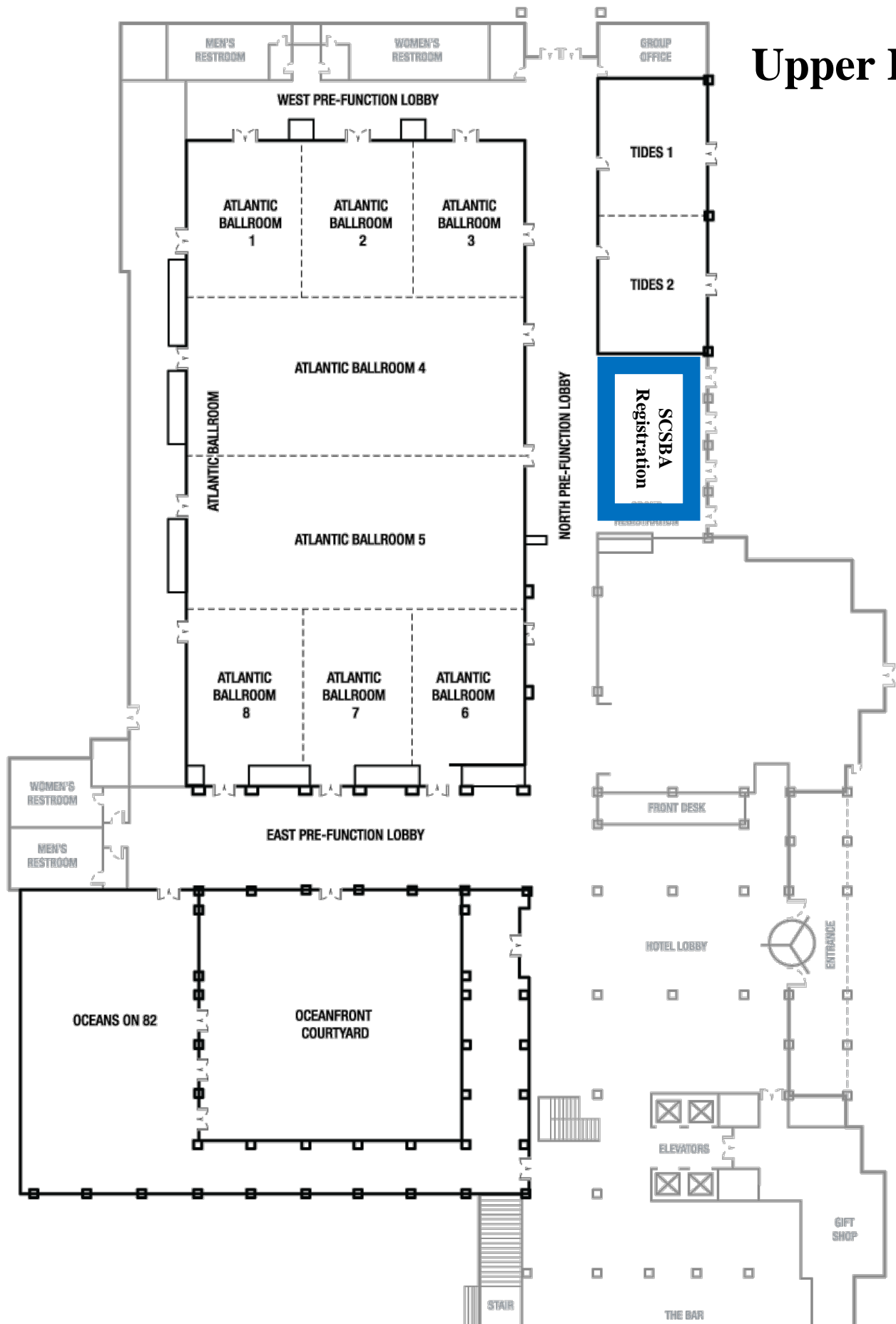
Debbie Elmore, *SCSBA Director of Governmental Relations and Communications*

Pierce McNair, *Director of Research, House Education and Public Works Committee*

11 a.m. **Closing remarks** Atlantic ballrooms 1-4

Robert Gantt, *SCSBA President, District Five of Richland/Lexington Counties Board Member*

Upper Level



Lower Level

