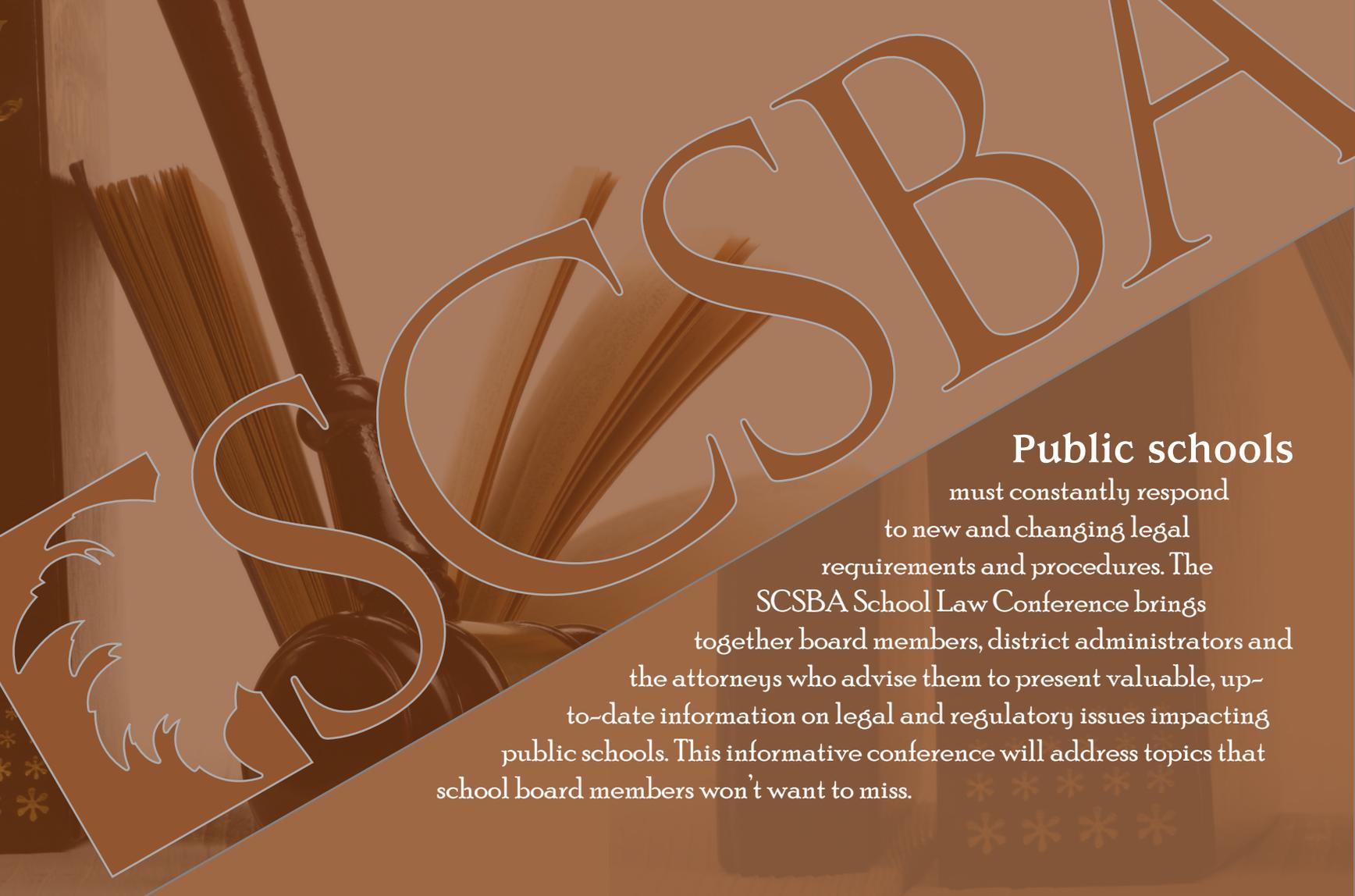


2019

South Carolina
School Boards Association

SCHOOL
LAW

CONFERENCE
AUG 24-25



Public schools

must constantly respond to new and changing legal requirements and procedures. The SCSBA School Law Conference brings together board members, district administrators and the attorneys who advise them to present valuable, up-to-date information on legal and regulatory issues impacting public schools. This informative conference will address topics that school board members won't want to miss.

Objectives

- Increase understanding of federal and state laws governing school boards and districts.
- Present recent legal changes affecting school boards and districts.
- Clarify the legal roles and responsibilities of board members on specialized topics.

SCSBA will apply for CLE credit for attorneys in attendance.

Registration

The registration fee for SCSBA members is \$195 per person, which includes lunch on Saturday. Registration for all others is \$395 per person. Additional guest lunch tickets are available for \$40 each. Guest lunch ticket purchases and/or special dietary requests can be made when registering online. The deadline for cancellations is August 5, 2019. No refunds will be made after this date.

School board members and district administrators must register through their board secretary. Registrations by individual members are not accepted to prevent duplicate registrations, invoicing and credit card charges.

Associate members must register through their company's contact assigned by SCSBA. Registrations by individual members are not accepted.

Boardmanship

15 points, 7 hours

Hotel

The Embassy Suites by Hilton is located at 5055 International Blvd. in North Charleston. A nightly room rate of \$149 for single/double occupancy, plus tax and fees, is available through July 24, 2019 or until the room block is full, whichever comes first. Hotel reservations will be accepted either by calling central reservations or using an online link. The reservation information is available at scsba.org.

All hotel reservations will require a one (1) night's guarantee that will be refundable only if the reservation is canceled by July 24, 2019.

Dress code

The dress code throughout the conference is casual. Dressing in layers is recommended, as temperatures may vary in the meeting rooms.

Agenda

Friday, August 23

4 - 7 p.m.

Registration

● Co-sponsored by Halligan Mahoney & Williams, P.A.

Saturday, August 24

7:45 - 8:30 a.m.

Registration and breakfast break

● Co-sponsored by Halligan Mahoney & Williams, P.A.

8:30 - 9:45 a.m.

First general session

Welcome and purpose

Tony Folk, *SCSBA President, Dorchester School District 4*

Vouchers, Education Savings Accounts, and the Growing Threat to Public Education - Legislative efforts are underway to expand a new form of the publicly-funded private school voucher program in South Carolina. Several bills that currently reside in both the House and Senate would establish an Education Savings Accounts (ESAs) program that would redirect public education dollars for individuals to use for private school tuition and related expenses. Hear how this program and others may be undermining the state's first constitutional duty to support adequate opportunities in public schools from a

University of South Carolina law professor whose focus of study is the intersection of constitutional law and public education.

Derek Black, Esquire, *Professor of Law, University of South Carolina School of Law*

9:45 -10:45 a.m.

The view from Washington: The national school law

landscape - Learn about recent key rulings, pending cases and agency activity affecting public schools at the national level.

Sonja H. Trainor, *Managing Director, Legal Advocacy, National School Boards Association*

10:45 - 11 a.m.

Beverage break

● Co-sponsored by *Duff Freeman Lyon, L.L.C.*

11 a.m. - 12 p.m.

Breakout sessions (choose one of four)

- **A wrong turn could cost you \$44,402.50: FAQs to help you navigate the FOIA landscape** - This presentation will consist of practical questions and answers to issues often encountered by state and local government entities related to the South Carolina Freedom of Information Act (FOIA). Attorney General opinions and judicial decisions will be discussed to provide an understanding of FOIA's requirements regarding open meetings, access to records, the so-called "privacy exemption" and other provisions that have been the subject of litigation.
Warren V. Ganjehsani, *Chief Legal Counsel, SC Technical College System*
- **To post or not to post: A look into board members use of social media** - Social media is a unique platform that allows board members to connect with the public. However,

the ease of accessibility and the ability of users to freely express their thoughts can present legal challenges for public official users. Come hear about recent court decisions on the use of social media by public officials and use these decisions to provide attendees with best practices when using social media platforms. A key focus of this session will be understanding the First Amendment rights of board members and the public at large when interacting with public officials.

Charles J. Boykin, Esquire, *Boykin & Davis, LLC*
Tierney Dukes, Esquire, *Boykin & Davis, LLC*

- **Identifying and addressing workplace bullying** - This interactive workshop will define workplace bullying, discuss the effects bullying has on the workplace and provide strategies employers can use to confront and prevent bullying at work.

Lisa R. Claxton, Esquire, *Haynsworth Sinkler Boyd, P.A.*

- **Consolidation...Is it inevitable?** - In this session, you will hear a review of past and present models of consolidation while learning some advantages, disadvantages and alternatives.

Francenia B. Heizer, Partner, *Burr Forman McNair*

12 - 1:30 p.m.

Lunch (included in registration)

SCSBA.ORG

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Upcoming Events

- **Beyond the Basics Workshop**
October 10, 2019 - Columbia, SCSBA Training Center
- **Risky Business Seminar**
SCSBIT's Workers' Compensation and Property & Casualty Insurance Trust Seminar
October 16-18, 2019 - Myrtle Beach, Marriott at Grande Dunes
- **Legislative Advocacy Conference & Delegate Assembly**
December 6-8, 2019 - Charleston, Charleston Marriott
- **Annual Convention, New Board Orientation, Board Chair Workshop**
February 20-23, 2020 - Hilton Head, Hilton Head Marriott

1:30 - 2:30 p.m.

Breakout sessions (choose one of four)

- **Effective policies and practices in the schoolhouse to keep boards out of the courthouse (Repeats at 2:45 p.m.)** - In this interactive session, participants will learn about potential missteps that can keep boards entangled in litigation, complaints or grievances.
Dr. Jesulon Gibbs-Brown, *Superintendent, Orangeburg Consolidated School District Three*
Dr. Tiffany N. Richardson, *General Counsel and Director of Policy and Legal Services, SCSBA*
- **The opioid crisis and its effect on communities and schools**
- The opioid crisis is nationwide, growing daily and one that does not discriminate on the basis of geography, race, sex, age or socio-economic status. During this interactive presentation, school board members will hear from two attorneys with different professional backgrounds regarding the epidemic and how it affects students, employees, schools and communities. Board members will learn about the practical realities of opioid addiction, how they affect our communities and emerging trends in schools across the nation (K-12 and higher education) for dealing with these issues.
Allison Aiken Hanna, Esquire, *Halligan Mahoney & Williams, P.A.*
Darra James Coleman, Esquire, *Halligan Mahoney & Williams, P.A.*
- **Get on the bus - Navigating liabilities when transporting students** - This presentation will address a district's legal responsibility when an incident occurs on a bus involving district personnel, students or the malfunction of a bus mechanism.
Lonnese Williams, Esquire, *White & Story, LLC*

- **Individuals with Disabilities Education Act (IDEA) (Repeats at 2:45 p.m.)** - Come hear an overview of the lawsuit with the United States Department of Education regarding our state's Individuals with Disabilities Education Act (IDEA).
Barbara A. Drayton, *Deputy General Counsel, Office of General Counsel, South Carolina Department of Education*

2:30 - 2:45 p.m.

Beverage break

- *Co-sponsored by White & Story, LLC*

2:45 - 3:45 p.m.

Breakout sessions (choose one of four)

- **Effective policies and practices in the schoolhouse to keep boards out of the courthouse (Repeated)** - In this interactive session, participants will learn about potential missteps that can keep boards entangled in litigation, complaints or grievances.
Dr. Jesulon Gibbs-Brown, *Superintendent, Orangeburg Consolidated School District Three*
Dr. Tiffany N. Richardson, *General Counsel and Director of Policy and Legal Services, SCSBA*
- **Student data privacy under FERPA in the electronic age** - This presentation will provide an overview of the confidentiality and nondisclosure provisions of FERPA with an emphasis on student privacy, security considerations and preventative measures related to electronic student data.
David T. Duff, Esquire, *Duff Freeman Lyon, L.L.C.*
- **The crossroads of school law and family law** - Learn more about the challenges school districts often face when put in the middle of private custody actions. We'll discuss encountering subpoenas, FOIA requests, family court orders, and visits from

guardian ad litem and caseworkers. Join us as we further explore the controversial topic of choice vaccinations, children victimized in the opioid crisis and the school districts' protection of these children and other issues at the intersection of school law and family law.

Elizabeth S. Owen, *Partner Attorney at Law, Morton & Gettys*

• **Individuals with Disabilities Education Act (IDEA) (Repeated) -**

Come hear an overview of the lawsuit with the United States Department of Education regarding our state's Individuals with Disabilities Education Act (IDEA).

Barbara A. Drayton, *Deputy General Counsel, Office of General Counsel, South Carolina Department of Education*

4 - 5 p.m.

S.C. Caucus of Black School Board Members meeting

This meeting is open to all participants.

Sunday, August 25

8 - 8:30 a.m.

Registration and breakfast break

● Co-sponsored by Boykin & Davis, LLC

8:30 - 9:30 a.m.

Second general session

Opening remarks

Tony Folk, *SCSBA President, Dorchester School District 4*

Let's talk politics - Join us for a Sunday morning "Meet the Press" type of session where legislative leaders will field general questions

and political commentary from a panel of school board advocates and SCSBA staff. The session will feature observations of the 2019 Legislative session to include teacher advocacy, education reform legislation, this year's state budget and a new call for education funding reform for 2020.

Debbie Elmore, *Director of Governmental Relations and Communications*

9:30 - 9:45 a.m.

Beverage break

● Co-sponsored by Duff Freeman Lyon, L.L.C.

9:45 - 11 a.m.

Closing general session

Avoiding the \$10,000 fine: What you need to know about South Carolina Ethics - Join us for an overview of the Ethics Reform Act with an emphasis on the rules of conduct for new school board members.

Meghan Walker, *Executive Director, S.C. State Ethics Commission*

11 a.m.

Closing remarks

Tony Folk, *SCSBA President, Dorchester School District 4*

2019

**South Carolina
School Boards Association**

SCHOOL LAW

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AUG 24-25

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