

South Carolina School Boards Association

2015

School Law Conference

August 29-30

Marriott at Grande Dunes, Myrtle Beach



2015

School Law Conference

Public schools must constantly respond to new and changing legal requirements and procedures. The SCSBA School Law Conference brings together board members, administrators and the attorneys who advise them to present valuable, up-to-date information on legal and regulatory issues impacting public schools. This interactive and 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.

Boardmanship Institute

15 points, 7 hours

Registration

The registration fee for SCSBA members is \$185 per person, which includes Saturday lunch. Registration for all others is \$285 per person. Additional guest lunch tickets are available for \$30 each. Guest lunch ticket purchases and/or special dietary requests can be made on the registration form. The deadline for cancellations is August 14, 2015. No refunds will be made after this date.

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

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

Hotel

The Marriott at Grande Dunes is located at 8400 Costa Verde Drive in Myrtle Beach. A nightly room rate of \$129 for single/double occupancy, plus tax and fees, is available through August 17, 2015, or until the block is full, whichever comes first. Hotel reservations will be accepted by emailing the Hotel Reservation Form. The reservation process, including instructions and forms, are available at scsba.org.

Dress code

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

Agenda

Saturday, August 29

8:15-9 a.m.

Registration and continental breakfast

● Co-sponsored by Boykin & Davis, LLC

9-10:15 a.m.

First general session

Welcome and purpose

Robert Gantt, *SCSBA President, District Five of Lexington and Richland 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., Esq., *Associate Executive Director, Office of General Counsel, National School Boards Association*

10:15-10:50 a.m.

Beverage break

● Co-sponsored by Duff, White, & Turner, LLC

10:50 a.m.-12 p.m.

Breakout sessions (choose one of four)

Transgender student issues: what schools need to know — What does the term transgender mean? How does it relate to other LGBTQ terms? In this session, the presenter will discuss current legal issues related to transgender persons, review current laws and how they may be interpreted for transgender students, their rights, the school's responsibilities, and the rights of others.

Margaret Hazel, Esq., *Moore Taylor Law Firm*

The ABC's of IDEA — 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 participants' knowledge.

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

Board ethical dilemmas and legal liability — 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 and 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 dilem-

may arise, which an experienced school board attorney will identify and discuss during this session.

Kenneth L. Childs, Esq., *Childs & Halligan, P.A.*

"Gun free schools:" Has this designation become a misnomer in 2015? — 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, Esq., *Duff, White & Turner, LLC*

12-1:15 p.m.

Lunch (included in registration)

1:30-2:30 p.m.

Breakout sessions (choose one of four)

Repeats at 2:45 p.m.

Unprofessional conduct: protecting our children — 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? — 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

Upcoming!

- **Beyond the Basics Series**

October 7, 2015 - Columbia, SCSBA
Training Center

- **Risky Business Seminar**

SCSBIT's Workers' Compensation and
Property & Casualty Insurance Trust
Seminar

October 21-23, 2015 - Myrtle Beach,
Marriott at Grande Dunes

- **Legislative Advocacy Conference
& Delegate Assembly**

December 4-6, 2015 - Hilton Head, Sonesta
Hotel

- **Annual Convention, New Board
Orientation, Board Chair Workshop**

February 18-21, 2016 - Hilton Head, Hilton
Head Marriott

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, Esq., *Legal Compliance Officer for Special Services Department, Georgetown County School District*

Joint liability: medical marijuana and schools — 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*

Why must we do it that way? It's the law — 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*

2:30-2:45 p.m.

Beverage break

● **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**
- **Transgender students: Is your district ready to address this growing student population?**
- **Joint liability: medical marijuana and schools**
- **Why must we do it that way? It's the law**

4-5 p.m.

S.C. Caucus of Black School Board Members

This meeting is open to all participants.

Sunday, August 30

7:45-8:30 a.m.

Registration and continental breakfast

● **Co-sponsored by Childs & Halligan, P.A.**

8:30-9:30 a.m.

Third general session

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

9:45-10:45 a.m.

Closing general session

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

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



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