The Resegregation of Education in America

November 12-15, 2014 – Sheraton San Diego, California
<table>
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<tr>
<th>Wednesday</th>
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<tr>
<td>8:00 A.M. – 5:00 P.M.</td>
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<td>8:30 A.M. – 12:00 P.M.</td>
<td>Preconference Seminar: Current K-12 Legal Issues in California**</td>
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<td>ELA Board of Directors Meeting</td>
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<td>Welcome Reception: Cash bar, light fare**</td>
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<td>Topic Sessions A1-A5</td>
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<td>Role Alike (RA) Lunch**</td>
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<td>Session C: First Feature, Erwin Chemerinsky</td>
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<tr>
<td>2:15 P.M. – 3:30 P.M.</td>
<td>Topic Sessions D1-D5</td>
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<td>3:45 P.M. – 5:00 P.M.</td>
<td>Topic Sessions E1-E5</td>
</tr>
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<td>Silent Auction ELA Technology Fundraiser: Cash bar, light fare**</td>
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<tr>
<td>6:15 P.M. – 6:45 P.M.</td>
<td>Committee Meetings</td>
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<tr>
<th>Friday</th>
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<tr>
<td>7:30 A.M. – 5:00 P.M.</td>
<td>Registration</td>
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<tr>
<td>8:00 A.M. – 8:45 A.M.</td>
<td>Roundtable Presentations/Discussions**</td>
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<tr>
<td>8:45 A.M. – 10:00 A.M.</td>
<td>Session F: Raynard Sanders, Plessy &amp; Ferguson Foundation</td>
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<tr>
<td>11:30 A.M. – 12:30 P.M.</td>
<td>Lunch on Your Own, Past Presidents' Meeting</td>
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<tr>
<td>12:45 P.M. – 2:00 P.M.</td>
<td>Topic Sessions H1-H6</td>
</tr>
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<td>Topic Sessions I1-I6</td>
</tr>
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<td>3:45 P.M. – 5:00 P.M.</td>
<td>Awards and Business Session, Elections</td>
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<tr>
<td>5:00 P.M. – 5:45 P.M.</td>
<td>Gratitude Reception (hosted by Brackett &amp; Ellis P.C. &amp; past presidents)**</td>
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<tr>
<td>7:30 A.M. – 2:00 P.M.</td>
<td>Registration</td>
</tr>
<tr>
<td>7:30 A.M. – 8:00 A.M.</td>
<td>Breakfast**</td>
</tr>
<tr>
<td>8:00 A.M. – 9:15 A.M.</td>
<td>Session J: Supreme Court Update with Mark Walsh</td>
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<tr>
<td>11:00 A.M. – 12:15 P.M.</td>
<td>Topic Sessions L1-L4</td>
</tr>
<tr>
<td>12:30 P.M. – 1:30 P.M.</td>
<td>Lunch for Post-Conference Session</td>
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<td>Post-Conference Session for Graduate Students’</td>
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</tbody>
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** Food/beverage at this function included with registration  + Additional fee required to attend this function
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Important Information

Contacting ELA Headquarters

Please remember to change the ELA address in your files and also with your accounting personnel. The ELA headquarters moved from the University of Dayton to Cleveland-Marshall College of Law at Cleveland State University in July 2013. A noticeable number of membership renewals and payments have been delayed because the old address was used. Mail is no longer being forwarded by USPS, but for the time being our friends at UD are forwarding mail when they catch it.

Education Law Association
2121 Euclid Ave., LL 212, Cleveland, OH 44115
Phone: 216-523-7377, Fax: 216-687-5284
ela@educationlaw.org

Thursday Dine-Around

Join members of ELA at San Diego restaurants for dinner Thursday evening. The event is self-pay with shared taxis, but this gives you the opportunity to see old friends and make new friends and enjoy a good meal out on the town. Sign up near the conference registration desk.

Hotel Information

Sheraton San Diego Hotel & Marina (Bay Tower)
1380 Harbor Island Drive, San Diego, CA 92101
Phone: 619-291-2900, Fax: 619-692-2363

Conference Meeting Room Assignments

Bel Aire Ballroom: Orientation & Welcome, Feature Sessions C, F, and J, RA Attorneys (South), RA Administrators (North), Roundtables
Catalina (2nd floor): RA Professors, Silent Auction, Gratitude Reception
Coronado A: Lunch for Post-Conference Session
Coronado B: Board of Directors Meeting
SLR Comm.
Fairbanks B: A4, B4, D4, E4, G4, H4, I4, K4, L4
Yearbook Comm.
Fairbanks C: A5, B5, D5, E5, G5, H5, I5, K5
Membership Comm.
Fairbanks D: H6, I6, Publications Comm., Post-Conference
Point Loma A: P2, P4, A1, B1, D1, E1, G1, H1, I1, K1, L1
Point Loma B: P1, P3, A2, B2, D2, E2, G2, H2, I2, K2, L2
Sunset Suite (12th Floor): Past Presidents Meeting

Locations are subject to change, watch for announcements
The founder of ELA, Madaline Kinter Remmlein, was a member of the staff of the National Education Association. She and her colleagues were interested in forming an organization to have a channel for exchanging information and ideas.

The origin of the Education Law Association can be traced to February 1954, after a roundtable discussion on school law during an AERA and AASA conference. Ed Bolmeier then influenced the CPEA to produce a conference on school law issues at Duke University in June 1954 and, after informal parliamentary procedure, the foundation of NOLPE was created.

In the meantime Lee Garber, the second editor of The Yearbook of School Law (now The Yearbook of Education Law) had started his own school law newsletter, which was discontinued after the formation of NOLPE. There was some discussion about NOLPE being sponsored by or a sub-organization of the NEA or the ABA, but the decision was made to be independent of, and therefore a combination of, educational and legal organizations with its own identity.

NOLPE has undergone many changes since 1966, including a name change in 1996 to Education Law Association and a move of the headquarters from Topeka, Kansas to Dayton, Ohio in 1997 and to Cleveland, Ohio in 2013.

T.K. Daniel’s 2004 presidential term marked the fiftieth anniversary year for the association. He provided poignant thoughts on the mission and action of ELA:

The mission of ELA is to bring together educational and legal scholars and practitioners to inform and advance educational policy and practice through knowledge of the law. ELA communicates this message through conferences and publications. ELA has the responsibility to inform and advance education policy and work toward constructive change and educational improvement so as to positively affect the lives of students, faculty, and administrators in the educational enterprise.

In keeping with tradition, the Education Law Association (ELA), formerly NOLPE, continues to abide by the original mission, all the while staying current in education law.

The Education Law Association annual conference, first held at the University of Chicago in 1955, has always been steeped in tradition. Over the NOLPE/ELA years, the conference evolved into a three-day event, hosting more than forty concurrent general topic sessions, three general sessions, and several optional pre-conference events. More recently, under the direction of Executive Director Cate Smith, with the help of Professor Kevin Brady, the poster session and round table session was also added to the schedule.

Added to the conference this year are a pre-conference seminar on legal and educational ethics and a post-conference seminar for graduate students, helping to shape future careers in education and education law, as well as to inspire future membership in ELA.

The National Organization on Legal Problems in Education (NOLPE) started with fifty-seven members from fifteen states and the District of Columbia. By August of 1954, NOLPE had grown to 205 members from 40 states. By January 1955, NOLPE had its first constitution and first officers, including Madaline Remmlein as President, Lee Garber as Secretary-Treasurer, and Ed Bolmeier as one of four Executive Committee members. In 1966, the first ten years of NOLPE was celebrated with a publication documenting details of ELA’s first decade in existence.

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1954-56................................................................. Lee O. Garber
1957-61................................................................. Roger M. Shaw
1962-82............................................................... Marion A. McGehehey
1983-90............................................................... Thomas N. Jones
1990-91............................................................... Stephen B. Thomas (Interim)
1991-94............................................................... Floyd G. Delon
1995-99............................................................... Robert M. Wagner
2000-2009........................................................... Mandy Schrank
2009-Present....................................................... Cate K. Smith
The Supreme Court and Educational Diversity – Then and Now

From The Yearbook of School Law 1954

Racial Segregation and Discrimination

While awaiting the United States Supreme Court’s ruling on the question of segregation, only a few cases involving this question have come before the courts, recently. In one case, the Supreme Court of Alabama has reiterated its stand that no child with an appreciable admixture of Negro blood will be admitted to a school for white pupils. In Florida, two decisions were rendered in a case brought against a school board to require it to admit a Negro student to a vocational school for white pupils, where there was no similar school for Negroes. The plaintiff had applied for admission and had been refused. He contended it was because of his race. The board, while admitting Negroes would not be accepted, contended his refusal was based upon the fact that he was not physically qualified to follow the trade he had selected. The court refused the request for a writ of mandamus. It held that the board had the authority to use its discretion in admitting applicants.

From The Yearbook of School Law 1955

Racial Segregation and Discrimination

The United States Supreme Court, in its long-awaited decision, ruled that segregation of pupils on the basis of race, as a public school policy, was unconstitutional. Segregation as a practice, however, apparently remains unaffected for the time being.

From The Yearbook of Education Law 2014

Chapter VIII: Students in Higher Education

On further review of a grant of summary judgment in favor of the university, the Supreme Court vacated in favor of the student in Fisher v. University of Texas. The Court reaffirmed their adherence to the idea that obtaining the educational benefits of student body diversity is a compelling state interest that could justify the use of race in admissions. Even so, the Court rejected the plan because the classifications at issue were not subjected to strict scrutiny insofar as the Fifth Circuit too quickly deferred to university officials. The Court vacated and remanded for further proceedings consistent with its opinion.
Preconference Schedule for Wednesday | November 12, 2014

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<td>ELA Board of Directors Meeting (Location: Coronado B)</td>
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PC1: California-Specific Preconference Seminar
► Location: Point Loma B

**Current K-12 Legal Issues in California**

Attorneys from the law firm of Fagen, Friedman & Fulfrost, LLP, will provide vital information on California law for school administrators. Learn to skillfully manage conflict and reduce your exposure to expensive litigation. Topics will include Teacher Evaluations and Dismissals, Conducting an Investigation, Education in the Information Age: What Every Administrator Wants to Know, plus a Q&A session for your specific questions.

PC2: Ethics Preconference Seminar
► Location: Point Loma A

**Legal and Educational Ethics**

The presenters, an attorney and a professor, will discuss legal ethics in education and how to avoid ethics problems in your legal practice by following the Model Rules of Professional Conduct.

- **Steele N. Gillaspy, Esq.**, Gillaspy & Gillaspy, San Diego, CA
- **Jacqueline A. Stefkovich, Ed.D., J.D.** – Professor of Educational Leadership, Penn State University, State College, PA

PC3: K-12 Preconference Seminar
► Location: Point Loma B

**K-12 Special Education: Common Core, Transition, Community Education**

This pre-conference workshop will explore issues regarding the impact of Common Core on students with disabilities. How can these new standards be implemented while preserving the various protections provided in special education law? What case law is available to guide implementation and what are the likely legal challenges? Topics will include: What is the potential impact of Common Core on FAPE? What are the assessment considerations for students with disabilities? What are the legal challenges to the Common Core by parents of special education students? How does the Common Core impact secondary transition planning? What are the regulations and case law regarding transition and community integration?

- **Dr. Stanley L. Swartz**, College of Education, Department of Education Leadership & Curriculum, California State University, San Bernardino
- **Dr. Jeff McNair**, Professor of Education / Director of M.A. in Disability Studies, California Baptist University, Riverside, CA

PC4: Higher Education Preconference Seminar
► Location: Point Loma A

**Higher Education: Avoiding a Legal Crisis When Supporting Students of Concern**

Many institutions of higher learning across the U.S. have established teams for the purpose of prevention and intervention when dealing with students who display warning signs of distress or disruptive behavior. Led by a distinguished panel, this session presents practice tips based on legal issues, especially those pertaining to students with disabilities (e.g., Section 504 of the Rehabilitation Act, ADA); privacy (e.g., FERPA, HIPAA); speech (e.g., true threats and incitement); and federal compliance (e.g., Clery Act).

- **Rhonda Beassie, J.D.** (Texas State University System);
- **Joy Blanchard, Ph.D.** – Assistant Professor, Higher Education, Florida International University, Miami, FL
- **Jeffrey C. Sun, J.D., Ph.D.** – Professor, Department of Evaluation, Leadership, & Organization Development, University of Louisville, Louisville, KY
- **William E. Thro, J.D., M.A.** – General Counsel, University of Kentucky, Lexington, KY

Casual Welcome Reception
► Location: Catalina

Join us for a casual welcome reception for those who arrive early. Cash bar, light fare.
2014 Conference Track Planner

The Thursday through mid-Saturday conference is divided into topic sessions A, B, D, E, G, H, I, K, and L. Each of these has four to six 75-minute concurrent sessions, with one or two presentations per session. Three general attendance, special feature sessions are listed in the schedule as C, F, and J. Also on the program are a Role Alike Lunch on Thursday, divided into groups for attorneys, administrators, and professors. Concurrent roundtable (RT) presentations/discussions on ten topics will take place on Friday morning.

Shown below are general topical tracks, for your planning convenience:

<table>
<thead>
<tr>
<th>Charter/Alternative Schools</th>
<th>Higher Education</th>
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<tbody>
<tr>
<td>B5, E4, RT4, RT8, G3,</td>
<td>A2, B2, B4, D2, E2, RT7, RT11, G2, H2, I2, I6, K1, K2, L1, L2</td>
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<tr>
<td>Desegregation/Resegregation, Affirmative Action</td>
<td>Immigration, Equal Access</td>
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<tr>
<td>A4, D4, G4, I6, H4</td>
<td>B2, E3, RT1, RT5, RT7, H4, H5, L1</td>
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<tr>
<td>First Amendment, Speech, Religion</td>
<td>Law, Legislation</td>
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<tr>
<td>A1, B1, D1, E1, RT3, RT6, G1, L2</td>
<td>B3, B4, D4, RT2, RT5, H6, I1, I3, I5, K1, K5, L3</td>
</tr>
<tr>
<td>Fourth Amendment, Policing, Gun Control</td>
<td>Social Media, Technology</td>
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<tr>
<td>A3, B2, G2, H1,</td>
<td>B3, D1, D3, E3, RT6, I1, I5</td>
</tr>
<tr>
<td>Governance, Employment Issues, Collective Bargaining, Teacher Education</td>
<td>Special Education</td>
</tr>
<tr>
<td>D2, G2, G3, H5, I3, I4, K3, K5, L3</td>
<td>A5, B4, D5, E5, RT9, RT10, G5, L4</td>
</tr>
<tr>
<td>Harassment, Bullying, Sexual Assault, Gender Issues</td>
<td>Student Discipline</td>
</tr>
<tr>
<td>A2, D3, E4, RT6, G2, H4, I2, I4, K2, K4, L1</td>
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### Orientation & Welcome

**Location: Bel Aire Ballroom**

Those attending the ELA Annual Conference for the first time are invited to an orientation session, followed by the official welcome, introductions, and announcements session with breakfast.

### Sessions A | Thursday | 8:45 A.M. - 10:00 A.M.

**A1: First Amendment**

**Location: Point Loma A**

**On narrowest grounds: The effect of Justice Alito’s concurrence in Morse v. Frederick on First Amendment jurisprudence and public schools**

A review of the courts’ use of Morse v. Frederick, particularly the Alito concurrence, in deciding student free speech cases involving political or social commentary.

- **B. Glen Epley, Ph.D.** – Professor, Department of Education, Stetson University, DeLand, FL

“I ♥ Boobies! (Keep A Breast)” bracelets: What’s your policy? The United States Supreme Court has been asked to decide.

This session reviews litigation related to efforts by schools regulating “I ♥ Boobies! (Keep A Breast)” bracelets and the associated student freedom of expression concerns.

- **Robert F. Hachiya, Ed.D.** – Assistant Professor, Educational Leadership Dept., Kansas State University, Manhattan, KS

**Presider:** Wayne D. Haglund, J.D. – Attorney, The Haglund Law Firm, P.C., Lufkin, TX

**A2: Higher Education, Law, Policy Issues**

**Location: Point Loma B**

**An analysis of higher education policy related to sexual harassment and sexual assault: A mixed methods evaluation of selected campuses**

This overview of the legal and regulatory landscape includes results from content analysis of selected campus policies, as well as evaluation of data and potential links to drug/alcohol abuse.

- **Joy Blanchard, Ph.D.** – Assistant Professor, Higher Education, Florida International University, Miami, FL

**Update: Title IX sexual harassment and sexual assault obligations of colleges and universities**

A comprehensive update on cases and investigations addressing college and university obligations under Title IX in the area of sexual harassment and sexual assault.

- **Terry Harmon, J.D.** – Associate, Sniffen & Spellman P.A., Tallahassee, FL

**Presider:** Jeffrey C. Sun, J.D., Ph.D. – Professor, Department of Evaluation, Leadership, & Organization Development, University of Louisville, Louisville, KY

### A3: Fourth Amendment

**Location: Fairbanks A**

**Challenges to school policing: An update**

The panel will update the current status of SROs based on statutory, administrative, and case law, as well as pertinent research on policing in public schools.

- **Jennifer A. Sughrue, Ph.D.** – Professor, Department of Educational Leadership and Technology, Southeastern Louisiana University, Hammond, LA

- **Betty Cox, Ed.D., Ph.D.** – Associate Professor and Chair, Department of Educational Studies, University of Tennessee at Martin, Martin, TN

- **M. David Alexander, Ed.D.** – Professor, Department of Educational Leadership & Policy Studies, Virginia Tech, Blacksburg, VA

- **Luke M. Cornelius, Ph.D., J.D.** – Associate Professor of Higher Education, Department of Leadership, School Counseling & Sport Management, University of North Florida, Jacksonville, FL

**Presider:** Marilyn J. Bartlett, J.D., Ph.D. – Professor of Education and Law, Texas A&M University, Kingsville, TX
Yesterday, today, and tomorrow: Lessons for the nation about school desegregation and resegregation from Charlotte, NC
This presentation recounts the history of desegregation and resegregation in the Charlotte-Mecklenburg Schools from a multidisciplinary approach, including an interview with Julius Chambers.

- Roslyn Arlin Mickelson, Ph.D. – Professor, Sociology and Public Policy, University of North Carolina at Charlotte, NC
- Stephen Samuel Smith, Ph.D. – Professor, Political Science, Winthrop University, Rock Hill, SC
- Amy Hawn Nelson, Ph.D. – Director, Institute of Social Capital and Director of Research Urban Institute, University of North Carolina at Charlotte, NC

Resegregation and recreated inequalities and inequities in education in the post-apartheid setting
This presentation re-examines legislative and policy regimes to address inequities, inequalities, racism and ethnicity in schools and higher education, and how these might recreated in a democratic society in South Africa.

- Isaac Ntshoe, M.A., Ph.D. – Research Professor, Academic Vocational and Professional Pedagogy, Central University of Technology, Bloemfontein, South Africa

Presider: John Borkowski, J.D. – Partner, Hogan Lovells US LLP, South Bend, IN

Legal issues involving the identification and eligibility of children with autism spectrum disorder: A 2014 legal update
An update on the most current legal considerations and concerns involving K-12 autistic students, this presentation will explore in detail contemporary and controversial legal issues involving students on the autism spectrum.

- Kevin P. Brady, Ph.D. – Associate Professor, Department of Leadership, Policy and Adult and Higher Education, North Carolina State University, Raleigh, NC

Appropriate planning for children with serious emotional disturbance and mental health needs: Issues, case law, and recommendations under IDEA and Section 504
Analysis of case law related to designing appropriate services for children with emotional disturbances under IDEA and 504. Included are recommendations for educators and attorneys.

- Nicole D. Snyder, Esq. – Associate, Latsha, Davis & McKenna, P.C., Exton, PA
- Cynthia A. Dieterich, Ph.D. – Visiting Faculty, Teacher Education, Cleveland State University, Cleveland, OH
- Christine J. Villani, Ed.D. – Professor, Southern Connecticut State University Education Dept., New Haven, CT

Presider: Ann Elizabeth Blankenship, J.D., Ph.D. – Assistant Professor, Educational Administration, University of Southern Mississippi, Hattiesburg, MS

Establishment Clause: The conversation continues
This interactive session is designed to provide a lively forum for discussion on the current status of religion in the marketplace of ideas known as public education.

- Charles J. Russo, J.D., Ed.D. – Panzer Chair in Education, School of Education and Allied Professions, and Adjunct Professor of Law, University of Dayton, Dayton, OH
- Ralph D. Mawdsley, Ph.D., J.D. – Professor of Law, Roslyn Z. Wolf Endowed Chair in Urban School Leadership, College of Education and Human Services, Cleveland State University, Cleveland, OH
- Martha M. McCarthy, Ph.D. – Presidential Professor, Department of Educational Leadership, Loyola Marymount University, Los Angeles, CA
The debate over gun control legislation in higher education
This presentation discusses recent gun control legislation and public policy questions germane to attorneys, policy makers, professors, students, and researchers in both K-12 and higher education.

“I have no papers”: The plight of undocumented students and the professionals who assist them
The purpose of this study is to access the knowledge of student affairs professionals in assisting undocumented students in their designated capacities.

Social media boot camp for administrators
Social Media Boot Camp for administrators provides information surrounding social media use among faculty and staff by examining legal, ethical, and practical implications.

Notes

New developments in charter school law
This presentation provides an update on legal issues involving charter schools across the country and highlights issues from an insider’s perspective in Hawaii, Michigan, Ohio, and Pennsylvania.

Self-presided
Role-Alike Luncheon
Thursday, November 13, 2014 | 11:30 A.M. - 12:30 P.M.
Locations: Attorneys (Bel Aire Ballroom South); Professors (Catalina, 2nd Floor); Administrators (Bel Aire Ballroom North)

Join your constituency group colleagues for lunch and a relevant discussion on current topics. No additional cost for paid registrants—guest tickets are available for purchase at the registration desk.

Each attendee is required to present a role-alike lunch ticket upon arrival. Tickets are included in the registration packet for those who indicated, at time of registration, that they would be attending the Role-Alike Luncheon.

Session C, First Feature | Thursday | 12:45 P.M. - 2:00 P.M.

Location: Bel Aire Ballroom

Erwin Chemerinsky, author of the recent book, The Case Against the Supreme Court (Viking, September 2014), will address civil rights and other constitutional issues. He is the founding Dean and Distinguished Professor of Law, and Raymond Pryke Professor of First Amendment Law, at the University of California, Irvine School of Law, with a joint appointment in Political Science.

D1: First Amendment
Location: Point Loma A

Student off-campus cyber-expression and the perception of school administrators: Trapped between Scylla and Charybdis on a sea of legal confusion
An examination of the legal knowledge of school administrators regarding student off-campus expression rights and the limits of school authority.

• Joe Dryden, J.D., Ed.D. – Associate Professor, School of Education, Texas Wesleyan University, Fort Worth, TX

But I said it off-campus: Student off-campus speech, on-campus discipline, and court reactions
Detailed analysis of off-campus student speech cases that result in on-campus discipline based on student actions, school district discipline, and court rulings.

• Spencer C. Weller, Ph.D. – Associate Professor, Educational Leadership and Policy Studies, University of Northern Colorado, Greeley, CO

D2: Higher Education Law, Policy, Issues
Location: Point Loma B

Use of disposition criteria in the approval process of teacher candidates by schools of education: Legal issues and responsible practices
Legal aspects and responsible practices in using disposition criteria in the approval process of teacher candidates by schools of education.

• Lawrence T. Kajs, Ed.D. – Professor and Chair, Educational Leadership Program, University of Houston-Clear Lake, Houston, TX

• Bettye Grigsby, Ph.D. – Associate Professor, Educational Leadership Program, University of Houston-Clear Lake, Houston, TX

• Kent A. Divoll, Ed.D. – Assistant Professor, Curriculum & Instruction, University of Houston-Clear Lake, Houston, TX

Beyond reasonable: Key psychological concepts and legal issues in higher education human resources, conflict management, and employee negotiation
Presented by a psychologist/lawyer team, this session will review key legal concepts in human resource management and provide important practical tools for employee conflict resolution.

• Mark St. Louis, J.D., MBA – General Counsel, New College of Florida, Sarasota, FL

• Brian J. Mistler, Ph.D., MA – Associate Dean of Students, Ringling College of Art & Design, Sarasota, FL

Presider: John E. Rumel, BA, J.D. – Associate Professor of Law, University of Idaho College of Law, Boise, ID; former General Counsel, Idaho Education Association

Notes

Presider: Naomi May, Esq. – Cooley, LLP, Washington, DC
D3: School Reform / Technology

Virtual Ed! Schooling in a cyber world
Discussion of legal issues and empirical research related to cyber/virtual charter schools.

- Tiffany Puckett, J.D., Ed.M. – Doctoral Student, Education Policy, Organization Department, University of Illinois at Urbana-Champaign

Legal Implications of Cyberbullying
Anti-bullying laws in many states are now requiring school administrators to discipline students for online behavior outside of the school building.

- Luke J. Stedrak, Ed.D. – Assistant Professor, Education Leadership, Management and Policy, Seton Hall University, South Orange, NJ
- Jennifer A. Mezzina, M.S. – Teacher, World Language Department, Northern Valley Regional High School, Hawthorne, NJ

Presider: Justin Bathon, J.D., Ph.D. – Assistant Professor, Education Leadership Studies, University of Kentucky, Lexington, KY

D4: Equal Protection, Civil Rights, Due Process / School Reform

Views from the field: 27 years of working in the field of desegregation
Hear reflections from the field on 27 years of desegregation litigation. What went right? What went wrong and where do we go from here?

- John W. Borkowski, J.D. – Partner, Hogan Lovells US LLP, South Bend, IN

My brother’s keeper
This is an analysis of President Obama’s best practices to close the school-to-prison pipeline for males of color, which can only take place with new approaches to education and changes in legislation and judicial opinions.

- Philip T.K. Daniel, J.D., Ed.D. – William and Marie Flesher Professor of Educational Administration, Adjunct Professor of Law, The Ohio State University, Columbus, OH

Presider: Jon E. Anderson, J.D. – Attorney/Team Leader, Godfrey & Kahn, S.C., Madison, WI

E1: First Amendment

Jailbait: A not so “minor” issue on campus
A look at students between the ages of fifteen and eighteen on college campuses and the duties of K-12 and higher education institutions in regard to Title IX and FERPA.

Presider: Marilyn J. Bartlett, J.D., Ph.D. – Professor of Education and Law, Texas A&M University, Kingsville, TX

E2: Higher Education Law, Policy, Issues / Higher Education

Jailbait: A not so “minor” issue on campus
A look at students between the ages of fifteen and eighteen on college campuses and the duties of K-12 and higher education institutions in regard to Title IX and FERPA.

Presider: Christine J. Villani, Ed.D. – Professor, Southern Connecticut State University Education Dept., New Haven, CT

E3: Higher Education Law, Policy, Issues / Higher Education

Jailbait: A not so “minor” issue on campus
A look at students between the ages of fifteen and eighteen on college campuses and the duties of K-12 and higher education institutions in regard to Title IX and FERPA.

Presider: Marilyn J. Bartlett, J.D., Ph.D. – Professor of Education and Law, Texas A&M University, Kingsville, TX
Legal relationship of student organizations to universities: Variables accentuating and mitigating the strength of relationship

This presentation outlines the legal relationship variables between student organizations, university, and faculty sponsors, and how different variables affect the strength of the legal relationships.

- **Clayton H. Slaughter, J.D., Ph.D.** – Partner, Slaughter and Slaughter Attorneys at Law, Bloomington, IN
- **Tara B. Slaughter, M.S.** – Assistant Bursar and Manager of Student Organization Accounts, Indiana University, Bloomington, IN

**Presider:** Tiffany R. Paige, J.D. – Director of Diversity and Outreach, Assistant Director of Admissions, Mississippi College School of Law, Jackson, MS

E3: Technology/Educational Policy

- **Location:** Fairbanks A

BYOD: Legal and learning considerations for policy development and implementation

BYOD is the bringing of a personally owned mobile device to school for use on an institutional network as a valid outsourcing of technology acquisition.

- **Kenneth E. Lane, Ed.D.** – Professor of Educational Leadership, Southeastern Louisiana University, Hammond, LA

McKinney-Vento: Are you in compliance?

This presentation will explore the legal and practical steps required to avoid or to defend cases brought under the McKinney-Vento Act, addressing the rights of homeless students to access education.

- **Edmund J. O’Meally, J.D.** – Attorney, Labor and Education Department, Pessin Katz Law, P.A. Towson, MD

**Presider:** Luke J. Stedrak, Ed.D. – Assistant Professor, Education Leadership, Management and Policy, Seton Hall University, South Orange, NJ

E4: Equal Protection, Civil Rights, Due Process / School Reform

- **Location:** Fairbanks B

Barriers to creating and maintaining diverse charter schools

This presentation discusses the legal, practical and political barriers to creating and maintaining racially and socioeconomically diverse charter schools.

- **Robert A. Garda, Jr., J.D.** – Fanny Edith Winn Distinguished Professor of Law, Loyola University New Orleans, New Orleans, LA
- **Renita Thukral, J.D.** – Partner, Civil Rights Solutions, and Senior National Legal Advisor, National Alliance for Public Charter Schools, San Francisco, CA

**Presider:** Stephanie Klupinski, J.D. – Executive Director of Charter Schools, Cleveland Municipal School District, Cleveland, OH

E5: Special Education

- **Location:** Fairbanks C

Special education law update: Trials and trends in 2013

This session provides an update and discussion of the recent 2013 cases related to disability rights, specifically the IDEA, Section 504, and the ADA.

- **Susan C. Bon, J.D., Ph.D.** – Professor of Education & Law, University of South Carolina
- **Allan G. Osborne, Jr., Ed.D.** – Principal (Retired), Snug Harbor Community School, Quincy, MA

**Presider:** Betty Cox, Ed.D., Ph.D. – Associate Professor & Chair, Dept of Educational Studies, University of Tennessee at Martin, TN

Notes
**ELA Notes**

From the early days of typed, mimeographed NOLPE Notes newsletters, to the 24-page printed, four-color ELA Notes of October 2014, keeping members informed has been a primary goal of the association.

Quarterly issues of ELA Notes are accessed online and mailed in print format to members who request it. In addition to messages from ELA’s president and executive director, the newsletters contain information about members, partner organizations’ calls for papers, seminars and conferences, and publications available from the ELA Bookstore.

The primary content of ELA Notes is scholarly articles reprinted from the Education Law Into Practice section of West’s Education Law Reporter. Prospective ELIP articles may be submitted to the association’s Education Law Into Practice committee for consideration.

Members are also invited to share news about their promotions, awards, new publications and job changes, to be reported in the next issue and on our website.

**Silent Auction Technology Fundraiser**

**Thursday, November 13, 2014 | 5:00 P.M. - 6:00 P.M.**

**Location:** Bel Aire Ballroom

Help ELA grow its technology fund by bidding on items in this year’s Silent Auction. Members and supporters of ELA have donated items including original art and jewelry, electronic items, and autographed books. The event will offer a cash bar and light fare.

**ELA Committee Meetings**

**Thursday | 6:15 P.M. - 7:00 P.M.**

**Locations:** School Law Reporter, Fairbanks A; Yearbook Authors, Fairbanks B; State Membership Directors, Fairbanks C; Publications Committee, Fairbanks D

Attend one of the committee meetings, or speak with a chair or co-chair, to find out how you can be more involved in ELA.

**2014 ELA Committee Chairs and Co-Chairs**

**Ambassadors**

Brad Colwell

**Conference Program**

Betty Cox and Jennifer Sughrue

**Development**

Jon Anderson

**Beckham Award**

Joy Blanchard and Susan Bon

**Education Law In Practice**

Ralph D. Mawdsley and Allan G. Osborne, Jr.

**Goldberg Award**

Lois Berlin and Chris Borreca

**Joseph Award**

Philip T. K. Daniel and Patrick Pauken

**McGhehey Award**

David Alexander and Martha McCarthy

**Membership:**

Kerry Brian Melear

**Nominating**

Bill Thro

**Professional Development**

Lynn Rossi Scott and Bill Thro

**Professional Partnership**

David Peak and Jeff Sun

**Publications**

Suzanne Eckes and Nathan Roberts

**Seminars/Technology**

Justin Bathon and Kevin Brady

**Steinhilber Award**

Tyson Bennett and Tom Hutton


Those taking part in tonight’s Dine-Around will meet following the Committee Meetings
2014 School Law Reporter Contributors

Co-Editors
Brad Colwell, Bowling Green State University
Patrick Pauken, Bowling Green State University

Reporters
Traci Ballard, University of Oklahoma-Tulsa
Wendy Beetelstone, Hangley Aronchick Segal & Pudlin
Joy Blanchard, Florida International University
Luke M. Cornelius, University of North Florida
Betty Cox, University of Tennessee at Martin
David Dagley, University of Alabama
Janet Decker, Indiana University
Suzanne Eckes, Indiana University
Rick Geisel, Grand Valley State University
Robert Hachiya, Kansas State University
Bonnie Hoffman, Hangley Aronchick Segal, Pudlin & Schiller
Jermaine Johnson, Iowa State University Christine Kiracofe, Northern Illinois University
Brenda Kallio, University of North Dakota
Christine Kiracofe, Northern Illinois University
C. Aaron LeMay, Sam Houston State University
Tim Letzring, University of Mississippi
Elizabeth T. Lugg, Illinois State University
R. Stewart Mayers, Southeastern Oklahoma State University
Kathy McCary, McCary & Huff, LLP
Vicky McGinley, West Chester University of Pennsylvania
Joseph McNabb, Northeastern University
David H.K. Nguyen, Indiana University
Chuck Noland, Noland Law Office
Gretchen Oltman, University of Nebraska
Tiffany Puckett, University of Illinois at Urbana-Champaign
Larry Rossof, University of Houston-Victoria
Rebecca Schlosser, Sul Ross State University
Luke J. Stedrak, Seton Hall University
Amy Steketee, Baker & Daniels LLP
Jennifer Sughrue, Southeastern Louisiana University
Jeanne Surface, University of Nebraska-Omaha
Michael Tan, William Woods University
Jodi Tudor, University of San Diego
Spencer Weller, University of Northern Colorado

School Law Reporter

Published monthly, the School Law Reporter contains citations and summaries for all current education law decisions reported by state and federal courts of record in the U.S., as well as the most recent U.S. Supreme Court docket. The Case Index is published annually. ELA members can access cases via the SLR Express, a searchable online database with analyses of selected cases that are prepared by recognized authorities in education law.

Your support of the Silent Auction Fundraiser will help ELA update and improve SLR Express and the interactive functions of our website, www.educationlaw.org.

Three generations of School Law Reporter are shown. Over the years, thousands of case summaries have been provided by volunteer reporters, covering federal courts (U.S. Supreme Court, all Circuit Courts, and Federal Supplement), federal and state cases in higher education, and state courts in all regions of the U.S.

You can continue a tradition of service

Our archives are full of photos and papers showing the commitment of NOLPE and ELA members over the past 60 years.

Members continue to devote countless hours of service to the association: serving on the board or committees, preparing case summaries for School Law Reporter, writing ELIP articles, or featured commentary for SLR Express, recruiting new members, taking part in seminars and webinars, writing books or monographs for ELA to publish and sell in the bookstore, making financial contributions, and generally being an active, involved supporter of ELA and its mission.

You are invited to help Education Law Association remain a vibrant and valuable professional association for the next 60 years.
**Schedule for Friday | November 14, 2014**

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<th>Activity</th>
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<td>7:30 A.M. – 5:00 P.M.</td>
<td>Registration</td>
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<td>8:00 A.M. – 8:45 A.M.</td>
<td>Roundtable Presentations/Discussions</td>
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<td>8:45 A.M. – 10:00 A.M.</td>
<td>Session F: Raynard Sanders, Plessy &amp; Ferguson Foundation</td>
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<td>11:30 A.M. – 12:30 P.M.</td>
<td>Lunch on Your Own, Past Presidents’ Meeting</td>
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<tr>
<td>12:45 P.M. – 2:00 P.M.</td>
<td>Topic Sessions H1-H5</td>
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<td>2:15 P.M. – 3:30 P.M.</td>
<td>Topic Sessions I1-I5</td>
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<tr>
<td>3:45 P.M. – 5:00 P.M.</td>
<td>Awards and Business Session, Elections</td>
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<td>5:00 P.M. – 5:45 P.M.</td>
<td>Gratitude Reception (hosted by Brackett &amp; Ellis P.C. &amp; past presidents)</td>
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**Roundtable Presentations & Breakfast**

**Roundtable 1**

Potential Legal Challenges in Educating Undocumented Immigrant Populations

The recent influx of undocumented immigrants into the United States creates impetus for a review of potential legal challenges facing public education providers.

- **James H. Young, III, Ph.D.**, Instructor/Consultant, Department of Educational Leadership and School Counseling, The University of Southern Mississippi, Hattiesburg, MS
- **Thelma J. Roberson, Ph.D.**, Chair and Associate Professor, Department of Educational Leadership and School Counseling, The University of Southern Mississippi, Hattiesburg, MS
- **Rebekah E. Young, Ph.D.**, Executive Coordinator of Administration and Planning, Institute for Disability Studies, The University of Southern Mississippi, Hattiesburg, MS

**Roundtable 2**

The Education Expert Witness: What Should an Attorney Expect

During this session we will discuss the role and qualifications of an education expert witness, how to find the right witness, and how to discuss the issues of the case without revealing your legal strategy.


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**Roundtable 3**

Safeguarding Teacher Speech in the Vergara Era: A Legal and Policy Analysis of How States Can Improve Schools through Teacher Protection Laws

Responding to the Vergara decision, this session will explore how new teacher-speech protection laws can improve schools by promoting teacher psychological safety and within-school collaboration.

- **Jason Snyder, J.D.**: Lecturer, School of Education, Teaching & Health, American University, Washington, DC

**Roundtable 4**

For God’s Sake, Don’t Segregate: The Religious Charter School Challenge

The session will discuss ‘Religious Charter Schools’, a perplexing educational phenomenon that raises unique legal challenges such as establishment of religion and segregation.

- **Tammy Harel Ben-Shahar, L.LD.**, Visiting Scholar, Columbia University Law School, NYC, NY

**Roundtable 5**

A Litigation Trend Analysis of Case Law Outcomes Pertaining to the Educational Rights of English Learners: A Civil Rights Issue

This session provides a discussion of litigation trends related to English Learners’ educational rights, including the CRA, the EEOA, the Fourteenth Amendment EPC, and NCLB.

- **Delia E. Racines, Ph.D.**, Faculty, Rossier School of Education, University of Southern California, Los Angeles, CA

**Roundtable 6**

Bullies and Free Speech: An Examination of the proposed Megan Meier Cyberbullying Prevention Statute

A review of the language used in the proposed Megan Meier Cyberbullying Prevention statute, and its impact on First Amendment rights.

- **James E. Vines, Ph.D.**, Candidate, Educational Leadership Department, Clemson University, Clemson, SC
- **Patricia F. First, J.D., Ph.D.**: Distinguished Professor, Educational Leadership Department, Clemson University, Clemson, SC
Roundtable 7
Higher Education, Law, Policy Issues
This roundtable will engage in dialogue with administrators, teachers, and policy makers on ways to increase educational access to students from our most impoverished backgrounds.
- **Chinasa A. Elue, Ph.D.**: Assistant Professor, Education Administration, Kent State University, Kent, OH

Roundtable 8
Appointed Charter School Boards in New Orleans and the Equal Protection Clause: What Can We Do If Charter Schools Appoint Disproportionately White Boards of Directors?
Appointed charter school boards may be disproportionately White. This roundtable addresses how the Equal Protection Clause could be used to regulate the appointment of these boards.
- **Steven L. Nelson, J.D., Ph.D., M.A.T.**: Graduate Assistant, Educational Leadership Program, Pennsylvania State University, University Park, PA
- **Heather N. Bennett, Esq., Ph.D. Candidate**: Educational Leadership Program, Pennsylvania State University, University Park, PA

Roundtable 9
Laboratory and Hand-On Classrooms: IDEA and 504 Considerations
Addressing accommodations under IDEA and 504 for secondary level career and technical programs. Includes implications for modifications to curriculum in hands-on and laboratory classrooms.
- **Cynthia A. Dieterich, Ph.D.**: Visiting Faculty, Cleveland State University College of Education and Human Services, Teacher Education, Cleveland, OH
- **Kristian J. Smith, M.Ed.**: Supervisor, Lorain County Joint Vocational School, Oberlin, OH

Roundtable 10
Current Issues in Special Education Law for School Leaders
- **Suzanne Eckes, J.D., Ph.D.**, Associate Professor, School of Education, Indiana University, Bloomington, IN
- **Kelly Spegel, M.S.**, Doctoral Candidate, School of Education, Indiana University, Bloomington, IN
- **Yanua F. Ovares, M.Sc.**, Professor of Special Education, University of Costa Rica

Roundtable 11
A New Peer in the Peer Review Process? Accrediting Agencies as Both the Evaluators and the Evaluated in Recent Litigation
Recent lawsuits pitting institutions against their accrediting agencies are breaking new ground in traditional accreditation jurisprudence. This presentation explores the implications for classrooms and boardrooms.
- **Naomi Harralson May, J.D.**, Associate, Cooley LLP Higher Education, Washington, DC

Notes
Dr. Raynard Sanders, host of The New Orleans Imperative broadcast, is a member of the board of directors for the Plessy and Ferguson Foundation for Education, Preservation, and Outreach. He will discuss how the market model reform in New Orleans public schools has perpetuated inequity, disenfranchised the public, and created politically correct, segregated public schools.
G1: First Amendment

Location: Point Loma A

Religious freedom, establishment, regulation, tolerance, and accommodation: Meeting the new challenges of religion

This session is a discussion of legal requirements surrounding religion in the educational environment, including issues related to discrimination, accommodation, academic freedom and extracurricular activities.

• Paula Barran, J.D. – Partner, Barran Leibman LLP, Portland, OR
• Jeffrey D. Jones, J.D., Ph.D. – Associate Professor of Law, Lewis & Clark Law School, Portland, OR; Of Counsel, Barran Leibman LLP, Portland, OR

Overcoming obstacles to religious exercise in K-12 education

Examining federal and state religious freedom acts’ ineffectiveness in achieving K-12 education goals, and recommending state statutes advancing religious liberty within Establishment Clause constraints.

• Lewis M. Wasserman, J.D., Ph.D. – Associate Professor, Educational Leadership and Policy Studies, University of Texas at Arlington, Arlington, TX

Presider: B. Glen Epley, Ph.D. – Professor, Department of Education, Stetson University, DeLand, FL

G2: Higher Education Law, Policy, Issues

Location: Point Loma B

A way forward on direct threat analysis and involuntary removal

This presentation will examine OCR and court cases on the issue of direct threat analysis and permissible responses to suicidal students.

• Jermaine D. Johnson, J.D. – Doctoral Candidate, School of Education, Iowa State University, West Des Moines, IA

Law and policy remedies for workplace bullying in higher education

This presentation examines the problem of workplace bullying in higher education, reviews possible remedies, and makes suggestions for needed law and policy reforms.

• John Dayton, J.D., Ed.D. – Professor of Education Law and Adjunct Professor of Higher Education, University of Georgia, Athens, GA
• Betul Tarhan, Ph.D. – Instructor, University of Georgia, Athens, GA

Presider: R. Stewart Mayers, Ed.D. – Professor, Department of Educational Instruction and Leadership, Southeastern Oklahoma State University, Durant, OK

G3: Educational Policy & Administration

Location: Fairbanks A

What’s on the (bargaining) table? Courts’ and legislatures’ roles in shaping collective bargaining agreements

Surveying collective bargaining statutes and case law across several states and assessing what education policy topics are negotiable based.

• Mark Paige, J.D., Ph.D. – Assistant Professor, Department of Educational Leadership, University of Massachusetts, Dartmouth, MA; Adjunct Faculty, UMASS Law, North Dartmouth, MA

Employment and collective bargaining issues in charter schools

This concurrent session presentation will discuss employment and labor law/collective bargaining issues impacting charter schools.

• John E. Rumel, BA, JD – Associate Professor of Law, University of Idaho College of Law, Boise, ID; former General Counsel, Idaho Education Association

Presider: Jeanne L. Surface, Ed.D. – Associate Professor, Educational Leadership, University of Nebraska at Omaha, NE

G4: Specialized Topic / Specialized Topic

Location: Fairbanks B

An evaluation of school segregation changes in Louisville and Seattle since the PICS ruling

This presentation analyzes the impact of the PICS ruling on public school segregation in Louisville and Seattle, the districts involved in the case.

• William J. Glenn, J.D., Ph.D. – Associate Professor, Education Leadership, Virginia Tech, Falls Church, VA

Resegregation or decreasing desegregation? The curious case of the St. Louis Voluntary Transfer Program

Using data about the city’s voluntary transfer program, this presentation will examine school desegregation and the future of resegregation in the St. Louis metropolitan area.

• Ain A. Grooms, Ph.D. – Education Administration and Policy Program, University of Georgia, Athens, GA

Presider: Regina Umpstead, J.D., Ph.D. – Associate Professor, Educational Leadership Department, Central Michigan University, Mount Pleasant, MI

G5: Special Education / Equal Protection, Civil Rights, Due Process

Location: Fairbanks C

Expanding public preschool opportunities to maximize the least restrictive environment: A case study of the Early Childhood Learning Center

This session reviews the LRE requirement for preschoolers, and uses ECLC as an example of how LEAs can expand inclusive public preschools, using a local fee-based model.
Schools of last resort: A discussion on the academic and behavioral conditions in disciplinary alternative education facilities
An analysis of the legal and educational issues that are present in alternative education programs in Pennsylvania.

• Santosh Madahar, J.D., M.Ed. – Doctoral Student, Education Theory and Policy, Penn State University, State College, PA
• Heather Bennett, J.D. – Doctoral Student, Education Leadership, Penn State University, State College, PA

Presider: Jennifer A. Sughrue, Ph.D. – Professor, Dept of Educational Leadership and Technology, Southeastern Louisiana University, Hammond, LA

H1: Fourth Amendment
► Location: Point Loma A
Fourth Amendment Update
This presentation will focus on Fourth Amendment law in K-12 public schools including school searches, seizures, and immunity issues.

• Jacqueline A. Stefkovich, Ed.D., J.D. – Professor of Educational Leadership, Penn State University, State College, PA
• Traci N. Ballard – Associate Director, Professional Development & Leadership Academy, University of Oklahoma, Tulsa, OK

Presider: Robert J. Safransky, Ph.D. – Adjunct Professor of School Law and American Government, Nova Southeastern University, North Miami Beach, FL

H2: Higher Education, Law, Policy Issues
► Location: Point Loma B

After Plyler v. Doe: Barriers to access to higher education for undocumented students
Notwithstanding the guarantee of a K-12 education in Plyler v. Doe, some states have created barriers of access to higher education for undocumented students. The author reviews this guarantee and varying state efforts.

• David H.K. Nguyen, MBA, J.D., LL.M. Adv. – Ph.D. Candidate and Associate Instructor, Department of Educational Leadership and Policy Studies, Indiana University, Bloomington, IN

The provision of educational benefits for undocumented immigrant students in higher education: Legislation and court cases
A discussion of federal and state legislation and court cases, and their effects on the educational benefits for undocumented immigrant students in higher education.

• Michael S. Tan, Ph.D. – Associate Professor of Education, William Woods University, Fulton, MO

Presider: Terrence Leas, Ph.D. – President, Big Bend Community College, Moses Lake, WA

H3: Specialized Topic
► Location: Fairbanks A

The buck stops where? Refined parameters for identifying supervisors in Title VII workplace discrimination cases
This presentation reviews the basic rules for recovery in Title VII workplace harassment cases and the Supreme Court's refined definition of "supervisor" from Vance v. Ball State University.

• Ann Elizabeth Blankenship, J.D., Ph.D. – Assistant Professor, Educational Administration, University of Southern Mississippi, Hattiesburg, MS
**H1: Technology**

The presentation reports the findings of an empirical analysis of court rulings where K-12 public school principals challenged adverse employment actions during the period 1998–2012.

- Linda K. Mayger, M.A.Ed. – Graduate Assistant, College of Education, Lehigh University, Bethlehem, PA
- Perry A. Zirkel, Ph.D., J.D. – University Professor of Education and Law, Lehigh University, Bethlehem, PA

**Presider: Joe Dryden, J.D., Ed.D.** – Associate Professor, School of Education, Texas Wesleyan University, Fort Worth, TX

**H4: Equal Protection, Civil Rights, Due Process**

- **Location: Fairbanks B**

*Where's the restroom? Separate may not be so equal*

The Maine Supreme Court's recent decision in *Doe v. Regional School Unit 26* concerning the rights of transgender students is analyzed.

- R. Stewart Mayers, Ed.D. – Professor, Department of Educational Instruction and Leadership, Southeastern Oklahoma State University, Durant, OK
- Michael F. Desiderio, Ph.D. – Professor, Department of Teacher and Bilingual Education, Texas A&M University, Kingsville, TX

**Presider: Cate K. Smith, J.D., M.P.A.** – Executive Director, Education Law Association

**H5: School Reform / Educational Policy and Administration**

- **Location: Fairbanks C**

*Double Jeopardy: The Status of Illegal Immigrants in K20 Schools Today*

Increasing numbers of illegal immigrant students in K20 education have brought numerous equity cases. Cases, legislation, rights, issues and trends will be reviewed.

- Carole de Casal, MBA, Ed.D. – Professor, Educational Leadership, Tennessee State University, Nashville, TN
- Jewell Winn, Ed.D. – Executive Director for International Programs & Chief Diversity Officer, Tennessee State University, Nashville, TN

**Presider: Julie F. Mead, Ph.D.** – Professor, Educational Leadership and Policy Analysis, University of Wisconsin, Madison, WI

**H6: School Finance**

- **Location: Fairbanks D**

*Money Makes the World Go Round: Recent Developments in State Constitutional Challenges to School Finance Systems*

This interactive session provides a lively forum for presentation and discussion on the current status educational finance law and other contemporary developments in school finance.

- Scott Bauries, Ph.D., J.D. – Associate Professor of Law, University of Kentucky, Lexington, KY
- J. David Thompson, J.D. – Partner, Thompson & Horton, Houston, TX
- William E. Thro, J.D., M.A. – General Counsel, University of Kentucky, Lexington, KY
- R. Craig Wood, Ed.D. – Professor, University of Florida, Gainesville, FL

**Presider: Joe Dryden, J.D., Ed.D.** – Associate Professor, School of Education, Texas Wesleyan University, Fort Worth, TX
This session presents an overview of published case law where doctoral students are the instigators of legal action against their institutions.

• Gretchen Oltman, J.D., Ph.D. – Gretchen Oltman, J.D., Ph.D., Assistant Professor of Leadership, Creighton University, Omaha, NE

Campus sexual assaults: Times are finally (maybe) changing
This presentation will focus on the application of Title IX by federal courts to alleged college mishandling of student sexual assault cases.

• David L. Stader, Ed.D. – Professor, Educational Leadership & Counseling, Southeast Missouri State University, Cape Girardeau, MO
• Jeanne L. Surface, Ed.D. – Associate Professor, Educational Leadership, University of Nebraska at Omaha, NE
• Jodi L. Williams, MBA – Doctoral Candidate, Southeast Missouri State University, Cape Girardeau, MO
• Elisabeth M. Krimbill, Ed.S. – Professor, Assistant Principal, Barbara Bush Middle School, San Antonio, TX

Presider: Luke M. Cornelius, Ph.D., J.D. – Associate Professor of Higher Education, Department of Leadership, School Counseling & Sport Management, University of North Florida, Jacksonville, FL

I3: Educational Policy and Administration

► Location: Fairbanks A

When politics and board governance collide
Seasoned school lawyers, an administrator, and a school board member will discuss school board governance and politics, and how both are impacted when they collide.

• Lynn Rossi Scott, J.D. – Attorney/Shareholder, Brackett & Ellis, P.C., Fort Worth, TX
• Susan G. Clark, Ph.D., J.D. – Interim Dean, College of Education, Professor, University of Akron, OH
• Chris Borreca, J.D. – Partner, Thompson & Horton, Houston, TX
• Wayne D. Haglund, J.D. – Attorney, The Haglund Law Firm, Lufkin, TX

Self-presided

I4: Equal Protection, Civil Rights, Due Process

► Location: Fairbanks B

Same-sex partner employment benefits for school district employees
Discussion of the current legal landscape in regard to whether school districts may, may not, or must provide benefits to same-sex partners of school employees.

• Bradley J. Domangue, J.D. – Associate Attorney, Thompson & Horton LLP, Houston, TX
• Janet L. Horton, J.D. – Partner, Thompson & Horton LLP, Houston, TX

Presider: P. Tyson Bennett, J.D. – Carney, Kelehan, Bresler, Bennett and Scherr, Annapolis, MD

I5: Legal Research / Specialized Topic

► Location: Fairbanks C

Research in school law: Methods and tools in contemporary society
The presentation will focus on sharing information on the forthcoming text, “Research Methods in the Study of Legal Issues in Education,” and will focus on the integration of statistical evidence and design in addition to traditional research in legal cases and issues.

• Steven Permuth, Ed.D. – Professor, College of Education, University of South Florida, Tampa, FL
• David H. Goldenberg, Ed.D. – Dean, Hillyer College, University of Hartford, West Hartford, CT

Enhance your class presentations with YouTube selections
This presentation will identify specific YouTube videos that can be used by a principal, lawyer, or professor to inform, to enlighten, and to present a message.

• Robert J. Safransky, Ph.D. – Adjunct Professor of School Law and American Government, Nova Southeastern University, North Miami Beach, FL

Presider: Cynthia A. Dieterich, Ph.D., Visiting Faculty, Cleveland State University College of Education and Human Services, Teacher Education, Cleveland, OH

I6: Higher Education

► Location: Fairbanks D

Past as Prologue in the Affirmative Action Jurisprudence of the Supreme Court: Reflections on Fisher v. University of Texas and Schuette v. Coalition to Defend Affirmative Action
Given the deeply embedded racism and the hyper-utility of higher education as the gatekeeper to employment, affirmative action is the indispensable mechanism to provide the rough justice of pragmatic political proportionality.

• Sarah Mannix, J.D. Candidate – President, Labor Relations and Employment Law Society, St. John’s University School of Law, Queens, NY
• David L. Gregory, J.D., LL.M., J.S.D. – Professor of Law, Executive Director of Center for Labor and Employment Law, St. John’s University, Queens, NY

Affirmative Action as a Critical Issue in Higher Education Law
Both the Court’s decision in Schuette and the Fisher case on remand to the Fifth Circuit Court of Appeals have potentially long-term consequences for those who work in and study higher education at the student, faculty, and institutional level.

• Karen Miksch, J.D. – Associate Professor of Law and Higher Education, University of Minnesota, Minneapolis, MN

Presider: Joy Blanchard, Ph.D. – Assistant Professor, Higher Education, Florida International University, Miami, FL
ELA Presidents 1955 - 2013

Titles reflect the positions held at the time of the past presidents’ terms.

1955-56 Madaline Kinter Remmlein, National Education Association
1957 Eugene S. Lawler, Florida State University
1958-59 Reynolds C. Seitz, Marquette University
1960 Edward C. Bolmeier, Duke University
1961 Marion A. McGhehey, U.S. Office of Education
1962 Walter L. Hetzel, Ames, Iowa, Schools
1963 Marlin M. Volz, University of Louisville
1964 Lloyd E. McCann, University of Arizona
1965 Lee O. Garber, University of Pennsylvania
1966 Henry E. Butler, Jr., University of Rochester
1967 E. Edmund Reutter, Jr., Columbia University
1968 Martha L. Ware, National Education Association
1969 Joseph E. Bryson, University of North Carolina at Greensboro
1970 John Philip Linn, University of Denver
1971 Manny S. Brown, Attorney at Law, Racine
1972 Thomas A. Shannon, Deputy Superintendent and School Attorney
1973 Roger M. Shaw, Kent State University
1974 Robert E. Phay, University of North Carolina-Chapel Hill
1975 M. Chester Nolte, University of Denver
1976 Irving C. Evers, Attorney at Law - Hackensack, NJ
1977 August W. Steinhilber, National School Boards Association
1978 Philip K. Piele, University of Oregon
1979 Kelly Frels, Bracewell & Patterson, LLP
1980 Burton R. Shifman, Shifman & Goodman, PC
1981 Floyd G. Delon, University of Missouri-Columbia
1982 William F. Patton, Oconomowoc Public Schools
1983 Ralph D. Stern, Whitmore & Kay
1984 Dale Gaddy, National School Board Association
1985 Martha M. McCarthy, Indiana University-Bloomington
1986 John F. Lewis, Squire Sanders & Dempsey
1987 D. Parker Young, University of Georgia-Athens
1988 William C. Bednar, Jr., Eskew, Muir & Bednar
1989 Marylyn D. Jaffe, Staples High School
1990 Stephen B. Thomas, Kent State University
1991 Joseph C. Beckham, Florida State University - Tallahassee
1992 James C. Ullman, Jennings, Strouss & Salmon
1993 Steve W. Batson, West Virginia State College
1994 Nelda Cambron-McCabe, Miami University of Ohio - Oxford
1995 Ivan Gluckman, National Association of Secondary School Principals
1996 Perry A. Zirkel, Lehigh University
1997 Richard Dickinson, Ohio School Boards Association
1998 Jeffery J. Horner, Bracewell & Patterson, LLP
1999 Charles J. Russo, University of Dayton
2000 Terrence Leas, Valley Community College
2001 Ralph D. Mawdsley, Cleveland State University
2002 R. Craig Wood, McGuireWoods LLP
2003 Allan G. Osborne, Jr., Snug Harbor Community School
2004 Philip T.K. Daniel, The Ohio State University
2005 P. Tyson Bennett, Reese & Canevy, LLP
2006 Lois F. Berlin, Falls Church City Public Schools
2007 M. David Alexander, Virginia Tech
2008 Christopher P. Borreca, Bracewell & Patterson, LLP
2009 Kathleen Crume, Academy School District 20
2010 Brad Colwell, Bowling Green State University
2011 Edwin C. Darden, Appleseed
2012 Susan G. Clark, University of Akron
2013 William E. Thro, University of Kentucky

Business Meeting & Awards

Friday | 3:45 P.M. - 5:00 P.M.
Location: Bel Aire Ballroom

Annual business meeting, election of officers, and presentation of annual awards. Support those who make outstanding contributions to the field of education law.

M.A. McGhehey Award

The Education Law Association presents this award in recognition of outstanding contributions to the field of education law and service to the Education Law Association.

Joseph C. Beckham Dissertation of the Year Award

This award recognizes exemplary dissertations by doctoral students in the field of education law. To be eligible, the dissertation must be defended or a degree must be awarded between 8/1/13 and 7/31/14.

George Jay Joseph Education Law Writing Award

Sponsored by the Education Law Association in cooperation with the Journal of Law and Education

The purpose of this national competition is to generate increased interest in and recognition of education law among not only graduate students in education schools but also, in particular, to students in law schools.

Steven S. Goldberg Award for Distinguished Scholarship in Education Law

This award is presented annually in recognition of an outstanding article, book, book chapter, or other form of scholarly legal writing in the field of education law.

August Steinhilber Best Brief Award

Scheduled for initial presentation at the 2015 ELA Annual Conference in Cleveland, Ohio, this new professional award recognizes outstanding brief writing in the appellate courts in cases of education law. Any ELA member may nominate a brief, but the author(s) need not be a member of ELA Both amicus curiae briefs and party briefs are eligible.

Gratitude Reception

Friday | 5:00 P.M. - 5:45 P.M.
Location:
Come enjoy a beverage, eat a few light hors d’oeuvres, and mingle with your colleagues at this evening reception.

No additional cost for paid registrants—guest tickets are available for purchase at the registration desk.
2014 ELA Officers

President
Kenneth E. Lane, Ed.D.
Southeastern Louisiana University
Hammond, LA

President-Elect
Patrick Pauken, J.D., Ph.D.
Bowling Green State University
Bowling Green, OH

Vice President
R. Craig Wood, Ed.D.
The University of Florida
Gainesville, FL

Immediate Past President
William E. Thro, J.D.
University of Kentucky
Lexington, KY

2014 ELA Board of Directors

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Florida International University
Miami, FL

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Raleigh, NC

Cynthia A. Dieterich, Ph.D.
Cleveland State University
Cleveland, OH and Alexandria, VA

Wayne D. Haglund, J.D.
Hagland Law Firm
Lufkin, TX

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Winchester Public Schools
Winchester, VA

Lynn Rossi Scott, J.D.
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Fort Worth, TX

Leslie R. Stellman, J.D.
Pessin Katz Law, P.A.
Towson, MD

Jeffrey C. Sun, J.D., Ph.D.
University of Louisville
Louisville, KY

Danelle Walker, J.D.
U.S. Government
Philadelphia, PA

NOLPE/ELA Gallery

Roger M. Shaw served as NOLPE’s president in 1973 and received the second M.A. McGhehey Award, in 1985.

Pictured at the 2005 ELA Conference in Memphis, are: (front row, left to right) Philip T.K. Daniel, Martha M. McCarthy, and August W. Steinhilber; (middle row) Allan G. Osborne, Jr., Ralph D. Stern, and Charles J. Russo; (top row) R. Craig Wood, Jeffrey J. Horner, Terrence Leas, Kelly Frels, and P. Tyson Bennett.
M.A. McGhehey Award

<table>
<thead>
<tr>
<th>Year</th>
<th>Winner</th>
<th>Year</th>
<th>Winner</th>
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<tbody>
<tr>
<td>1984</td>
<td>Reynolds C. Seitz</td>
<td>1999</td>
<td>D. Parker Young</td>
</tr>
<tr>
<td>1985</td>
<td>Roger M. Shaw</td>
<td>2000</td>
<td>Perry Zirkel</td>
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<tr>
<td>1986</td>
<td>E. Edmund Reutter, Jr.</td>
<td>2001</td>
<td>Clifford P. Hooker</td>
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<td>1987</td>
<td>Irving C. Evers</td>
<td>2002</td>
<td>Charles J. Russo</td>
</tr>
<tr>
<td>1988</td>
<td>M. Chester Nolte</td>
<td>2003</td>
<td>Jeffrey J. Horner</td>
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<td>1989</td>
<td>Walter L. Hetzel</td>
<td>2004</td>
<td>Ralph D. Mawdsley</td>
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<tr>
<td>1992</td>
<td>Martha M. McCarthy</td>
<td>2007</td>
<td>M. David Alexander</td>
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<tr>
<td>1993</td>
<td>Martha L. Ware</td>
<td>2008</td>
<td>Allan G. Osborne, Jr.</td>
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<td>1994</td>
<td>Floyd G. Delon</td>
<td>2009</td>
<td>R. Craig Wood</td>
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<td>1995</td>
<td>August W. Steinhilber</td>
<td>2010</td>
<td>Terrence Leas</td>
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<tr>
<td>1996</td>
<td>Joseph C. Beckham</td>
<td>2011</td>
<td>David M. Schimmel</td>
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<tr>
<td>1997</td>
<td>Nelda Cambron-McCabe</td>
<td>2013</td>
<td>P. Tyson Bennett</td>
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<tr>
<td>1998</td>
<td>John Lewis</td>
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Joseph C. Beckham Dissertation of the Year Award

<table>
<thead>
<tr>
<th>Year</th>
<th>Winner</th>
<th>Year</th>
<th>Winner</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>Rosette Liberman</td>
<td>2002</td>
<td>Watt Lesley Black, Jr.</td>
</tr>
<tr>
<td>1990</td>
<td>Terrence Leas</td>
<td>2003</td>
<td>Richard Elliott Day</td>
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<td>1991</td>
<td>Jill Jones White</td>
<td>2004</td>
<td>Judith Risch</td>
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<td>1992</td>
<td>Anne Browning Masters</td>
<td>2005</td>
<td>John LaNear</td>
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<tr>
<td>1993</td>
<td>James Thomason Jeffers</td>
<td>2006</td>
<td>Rodney Marty</td>
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<tr>
<td>1994</td>
<td>Julie Fisher Mead</td>
<td>2007</td>
<td>Laurence B. Alexander</td>
</tr>
<tr>
<td>1996</td>
<td>Patricia Todd Bausch</td>
<td>2008</td>
<td>Howard J. Eberwein, III</td>
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<td>1997</td>
<td>Susan Clark</td>
<td>2009</td>
<td>Scott R. Bauries</td>
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<tr>
<td>1999</td>
<td>Cheri C. Magill</td>
<td>2012</td>
<td>Erica Salkin</td>
</tr>
<tr>
<td>2000</td>
<td>Theresa B. Harrison</td>
<td>2013</td>
<td>Robert Fitzgerald</td>
</tr>
<tr>
<td>2001</td>
<td>Kerry Brian Melear</td>
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Steven S. Goldberg Award for Distinguished Scholarship in Education Law

<table>
<thead>
<tr>
<th>Year</th>
<th>Winner</th>
<th>Year</th>
<th>Winner</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>Goodwin Liu</td>
<td>2011</td>
<td>Martha L. Minow</td>
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<tr>
<td>2008</td>
<td>James E. Ryan</td>
<td>2012</td>
<td>Eloise Pasachoff</td>
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<tr>
<td>2009</td>
<td>Benjamin M. Superfine</td>
<td>2013</td>
<td>Anne Newman</td>
</tr>
<tr>
<td>2010</td>
<td>Kristi L. Bowman</td>
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</table>

George Jay Joseph Education Law Writing Award

<table>
<thead>
<tr>
<th>Year</th>
<th>Winner</th>
<th>Year</th>
<th>Winner</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>Kimberly Gee</td>
<td>2011</td>
<td>Dylan P. Grady</td>
</tr>
<tr>
<td>2009</td>
<td>Lauren S. Foley</td>
<td>2012</td>
<td>Calanthe A. Cope-Kasten</td>
</tr>
<tr>
<td>2010</td>
<td>Caitlin M. Cullitan</td>
<td>2013</td>
<td>Matthew Saleh</td>
</tr>
</tbody>
</table>

R. Craig Wood, then a professor of education at Purdue, receives the 1985 Golden Membership Award from Dale Gaddy for recruiting 33 new members in NOLPE

Past president in 2001, and McGhehey Award winner, Ralph Mawdsley

Reynolds Seitz (right) receives the first McGhehey Award from Kelly Frels in 1984

The late August Steinhilber was president in 1977 and won the M.A. McGhehey Award in 1995. A new award in his name is scheduled for presentation in 2015.
Does anyone know if this is Martha Ware, 1968 Past President?

Can you help identify the men in these old file photos?

Thomas Shannon, 1972 Past President

Back row: Perry Zirkel, Joe Beckham, Rick Dickinson, Marv Jaffe, Gus Steinhilber, Jeff Horner

Front row: Ralph Stern, Floyd Delon, Martha McCarthy, D. Parker Young

Brad Colwell, Mary Colwell, Dee Lammers, Stephanie Klupinski, and John Concannon, at the 2009 conference

Tom Hutton and Ed Darden, 2010

Jacqueline Stefkovich and Lawrence Rossow

Past President (1998)

Chris Borreca
## Conference & Post Conference Schedule for Saturday | November 15, 2014

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>7:30 A.M. – 2:00 P.M.</td>
<td>Registration</td>
</tr>
<tr>
<td>7:30 A.M.</td>
<td>Breakfast</td>
</tr>
<tr>
<td>8:00 A.M. – 9:15 A.M.</td>
<td>Session J: Supreme Court Update with Mark Walsh</td>
</tr>
<tr>
<td>11:00 A.M. – 12:15 P.M.</td>
<td>Topic Sessions L1-L4</td>
</tr>
<tr>
<td>12:30 P.M. – 1:30 P.M.</td>
<td>Lunch for Post-Conference Session Participants</td>
</tr>
<tr>
<td>1:30 P.M. – 4:30 P.M.</td>
<td>ELA Board of Directors Meeting</td>
</tr>
<tr>
<td>1:30 P.M. – 4:30 P.M.</td>
<td>Post-Conference Session for Graduate Students</td>
</tr>
</tbody>
</table>

### Breakfast | Saturday | 7:30 A.M.  
Location: Bel Aire Ballroom

### Session J, Third Feature | Saturday | 8:00 A.M. – 9:15 A.M.  
Location: Bel Aire Ballroom

**Supreme Court Update with Mark Walsh**
Get an overview of recent and upcoming cases, as well as other important legal issues and national trends, and their impact on education.

**Presented by:**
Mark Walsh – Contributing Writer/Supreme Court Correspondent, Education Week, Washington, DC; Author of the School Law Blog (sent to ELA members via the listserv)

### Sessions K | Saturday | 9:30 A.M. – 10:45 A.M.

**K1: Awards**

Location: Point Loma A

**Winner:** George Jay Joseph Education Law Writing Award

The Restatement (Third) of Torts: Combating Sexual Assaults on College Campuses by Recognizing the College-Student Relationship

- **Tyler Brewer, Esq.** – Anspach, Meeks & Ellenberger, LLP

**Winner:** Steven S. Goldberg Award for Distinguished Scholarship in Education Law

Suing Alma Mater: Higher Education and the Courts

Considering higher education litigation in the latter half of the twentieth century and the rise of “purposive organizations,” such as the American Civil Liberties Union and the Alliance Defense Fund (now known as the Alliance Defending Freedom), that exist to advance litigation.

- **Michael Olivas, Ph.D., J.D.** – The University of Houston Law Center, Houston, TX

**Presider:** Chris Borreca, J.D. – Partner, Thompson & Horton, Houston, TX

**K2: Higher Education Law, Policy Issues**

Location: Point Loma B

**The Preponderance of Evidence vs. Section 304’s Statement of Evidence**

How the evidence standards for institutional disciplinary proceedings promulgated by OCR and Section 304 of VAWA differ and what they mean for OCR authority.

- **Kathleen Conn, Ph.D. J.D., LL.M.** – Of Counsel, King, Spry, Herman, Freund & Faul, LLC, Bethlehem, PA

**Presider:** Clayton H. Slaughter, J.D., Ph.D. – Partner, Slaughter and Slaughter Attorneys at Law, Bloomington, IN

**K3: Specialized Topic / Educational Policy and Administration**

Location: Fairbanks A
New approaches, new types of evidence, and new legal issues in the evaluation and licensure of educators and the accountability of educational institutions
Legal and evidentiary issues concerning privacy, fraud, and error in educator and institutional evaluation and accountability.

• Diana Pullin, J.D., Ph.D. – Professor of Education Law and Public Policy, School of Education and School of Law, Boston College, Chestnut Hill, MA

New directions in the law and governance of teacher education
This presentation examines the current landscape of laws governing teacher preparation, and recent changes at federal and state levels, particularly around evaluation and accountability.

• Benjamin M. Superfine, J.D., Ph.D. – Associate Professor, Department of Educational Policy Studies, University of Illinois at Chicago, Chicago, IL

Presider: Kenneth E. Lane, Ed.D. – Professor in Educational Leadership, Southeastern Louisiana University, Hammond, LA

K4: Equal Protection, Civil Rights, Due Process

Location: Fairbanks B

Sexual harassment and bullying – similar, but not the same: An update for 2014
This presentation explores current legal developments in the areas of sexual harassment and bullying K-12 and examines strategies for developing and implementing policy and training.

• Ellery M. “Rick” Miller, Jr. M.A. – Executive Director, Professional Development and Training Center, Inc., Citizenship Law- Related Education Program, Baltimore, MD
• Eric S. “Rick” Mondschein, Ed.D. – Author and Education Consultant, Queensbury, NY

Presider: Janet Decker, J.D., Ph.D. – Assistant Professor, School Law and Policy, Indiana University, Bloomington, IN

K5: School Reform

Location: Fairbanks C

School reform legislation: An act coming to a state near you!
Louisiana passed education reform in teacher hiring, firing and tenure. Is this a growing trend, and how would superintendents from other states view the change?

• Nathan M. Roberts, J.D., Ph.D. – Professor and Department Head, Educational Foundations & Leadership, University of Louisiana at Lafayette, Lafayette, LA
• Robert LeBlanc, Ed.D. – Dean of the School of Education, University of St. Thomas, Houston, TX
• Virginia Leiker, Ed.D. – Assistant Professor & Chair of Educational Leadership, University of St. Thomas, Houston, TX

Presider: Michael F. Desiderio, Ph.D. – Professor, Department of Teacher and Bilingual Education, Texas A&M University, Kingsville, TX

L1: Higher Education

Location: Point Loma A

Winner: The Joseph C. Beckham Dissertation of the Year
HIV positive students: An analysis of the public school law & policy

• Michelle Gough McKown, J.D., Ph.D. – General Counsel, Indiana State Board of Education, Bloomington, IN

An analysis of sexual abuse prevention and awareness programming in Texas private schools
Highlighting dissertation research this session will provide an analysis of private school athletic policies and their alignment with the International Olympic Committee Safesport Manual for the prevention of childhood sexual assault.

• Shane Naterman, Ed.D. – Principal, Southwest Christian School, Fort Worth, TX
• Joe Dryden, J.D., Ed.D. – Associate Professor, School of Education, Texas Wesleyan University, Fort Worth, TX

Presider: Joe Dryden, J.D., Ed.D. – Associate Professor, School of Education, Texas Wesleyan University, Fort Worth, TX

L2: Higher Education / First Amendment

Location: Point Loma B

“Not dead yet”: Recent legal decisions supporting faculty First Amendment speech rights
This session examines the continuing judicial responses to the applicability (or not) to faculty speech of the legal standards announced in Garcetti v. Ceballos.

• Neal Hutchens, J.D., Ph.D. – Associate Professor of Higher Education, Penn State University, Port Matilda, PA
• Jeffrey Sun, J.D., Ph.D. – Professor, University of Louisville, Louisville, KY

Exploring the boundaries of First Amendment protection for expressions on matters of public concern by school personnel
This presentation closely examines recent jurisprudence that demonstrates how public employee speech that touches on matters of public concern may nonetheless fail to be protected by the First Amendment.

• Brenda R. Kallio, Ed.D. – Associate Professor, University of North Dakota, Grand Forks, ND
• Richard T. Geisel, J.D., Ph.D. – Associate Professor, Educational Leadership, Grand Valley State University, Grand Rapids, MI

Presider: Naomi May, Esq. – Cooley, LLP, Washington, DC
**L3: Educational Policy & Administration**

Location: Fairbanks A

**Current legal issues facing K-12 administrators**
In this interactive session participants discuss current legal topics that challenge school administrators on a daily basis. The session presenters, a retired public school principal, and two professors of education law, each offer a unique perspective. Session attendees are encouraged to raise questions and actively participate in the discussion. As an interactive session, topics discussed are raised by participants.

- **Brad Colwell, J.D., Ed.D.** – Professor and Dean, College of Education & Human Development, Bowling Green State University, Bowling Green, OH

**Presider:** Lynn Rossi Scott, J.D. – Attorney/Shareholder, Brackett & Ellis, P.C., Fort Worth, TX

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**L4: Equal Protection, Civil Rights, Due Process**

Location: Fairbanks B

**Special education vouchers and accountability for FAPE**
This presentation will examine special education voucher programs, their similarities and differences, and their effect on due process complaints in the states that have them.

- **Julie F. Mead, Ph.D.** – Professor, Educational Leadership and Policy Analysis, University of Wisconsin, Madison, WI

**Presider:** Kevin McKenna, J.D. – Latsha Davis & McKenna, P.C., Exton, PA

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**Notes**

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**Post-Conference Session for Graduate Students**

Location: Fairbanks D

**FORECAST FOR SUCCESS: Practical advice for graduate students**
Saturday, November 15 | 12:30-4:30 p.m. | Includes lunch with the ELA Board of Directors

**How-to sessions include:**
- Writing and publishing
- Job hunting in PK-12 and higher education, understanding and conquering the application and interview process
- Mentoring: Maximizing your work with your advisor and current and future colleagues

**Featured speakers/facilitators:**
- **Susan G. Clark, Ph.D., J.D.** – Interim Dean, College of Education, Professor, University of Akron, OH
- **Betty Cox, Ed.D., Ph.D.** – Associate Professor & Chair, Dept of Educational Studies, University of Tennessee at Martin, TN
- **Suzanne E. Eckes, J.D., Ph.D.** – Professor, Education Law, Indiana University, Bloomington, IN
- **Richard Fossey, J.D., Ed.D.** – Professor, Educational Foundations & Leadership, University of Louisiana at Lafayette, Lafayette, LA
- **Nathan M. Roberts, J.D., Ph. D.** – Professor & Department Head, Educational Foundations & Leadership, University of Louisiana at Lafayette, Lafayette, LA
- **Jennifer A. Sughrue, Ph.D.** – Professor, Dept of Educational Leadership and Technology, Southeastern Louisiana University, Hammond, LA

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**Post-Conference Lunch | Saturday | 12:30 P.M. - 1:30 P.M.**

**Lunch for Post-Conference Session Participants**

Location: Coronado A

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**ELA Board of Directors Meeting**

Location: Coronado B

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Thank you to the generous members who donated $400 or more toward the relocation of the ELA office from the University of Dayton to the Cleveland-Marshall College of Law, Cleveland State University.

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Education Law Association staff at the University of Dayton, prior to the association’s July 2013 move to Cleveland. Pictured, left to right, are Judie Slife (a UD employee who helped out at the annual conference), Rudy the UD mascot, Cate Smith, Jody Thornburg, and Judy Pleiman.
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- A1-L4 Concurrent Topic Sessions
- C, F, J Special Feature Sessions
- RT1-RT10 Roundtables
- Post Post-Conference for Graduate Students

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2016: Orlando, FL

- November 2-5, 2016
- Buena Vista Palace, Orlando

Buena Vista Palace Downtown Disney Resort is a chic, sophisticated, decadently comfortable resort located across from the street from Downtown Disney®. The full-service hotel boasts a recently upgraded 10,000 sq. ft. spa, 7 restaurants and lounges, and countless recreational activities. As An Official Walt Disney World® Hotel, the Buena Vista Palace Downtown Disney offers a level of service unlike any other. Relax in the plush bedding of our spacious accommodations or order from our 24-hour room service menu and enjoy a movie in your suite. For work and play, we make sure details like ample workspace, wired and wireless high-speed Internet access, botanical bath amenities and elegant décor surround you with the comfort you expect.

ELA on the Road

Bring a colleague to learn about ELA at our table exhibit during one of the following conferences:

- National Conference on Law and Higher Education
  Orlando, FL  February 14-16, 2015
- National Education Finance Conference
  St. Louis, MO  February 25-27, 2015
- Higher Education Law Conference
  Denton, TX  March 30-31, 2015

Spring Seminar Scheduled

ELA will be hosting the annual School Law for School Administrators seminar at Texas A&M University School of Law Saturday, March 28, 2015. This event is produced with the help of ELA members Joe Dryden and Lynn Rossi Scott, and sponsored by the law firm of Brackett & Ellis of Fort Worth. If you are interested in working with ELA to produce a similar seminar, please speak with ELA staff.

Coming soon to the ELA Bookstore

Yearbook of Education Law 2014
Charles Russo, Editor

Supreme Court Digest of Education Cases, 2014 Update
Perry Zirkel, Mark Walsh

Research Methods for Studying Legal Issues in Education
Steven Permuth, Editor

R. Craig Wood

Sexual Harassment & Bullying: Similar but Not the Same
Ellery ’Rick’ Miller, Eric Mondschein

Case Studies in Higher Education: The Law and Administrative Decision Making
Susan Clark, Sandra Coyner

Case Studies in Higher Education Law
Richard Fossey, K.B. Melear, Suzanne Eckes

Conference Papers from 2013 and 2014

Thank you for joining us for our 60th anniversary conference!
Map of Area Restaurants

Locations In Relation To The Sheraton San Diego Hotel & Marina
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