

Wednesday, November 30, 2016, 8:30 to 4:30

Oregon School Law and Finance Wilder Room

Speakers: Michael Elliott, Program Analyst, Oregon Department of Education
Lisa Freiley, Staff Counsel/PACE Administrator, Oregon School Boards Association

The Oregon School Law and Finance (OSLF) class is a two-credit course, which is held in conjunction with the Oregon School Law Conference. OSLF is designed to provide school personnel holding a restricted administrative license with up-to-date information on legal and financial issues critical to Oregon schools. This presentation covers the workings of the State School Funding Formula and how various factors impact the money provided to Oregon's school districts.

Wednesday, November 30, 2016, 1:00 to 4:00

Back to Basics: Employee Discipline & Dismissal O'Neil Room

Speakers: Paul Dakopolos, Shareholder, Garrett Hemann Robertson PC
Kelly Noor, Shareholder, Garrett Hemann Robertson PC

This presentation will focus on current Oregon laws (both statutory and administrative) and collective bargaining agreements that relate to employee discipline and dismissal. It will provide information that will help you maneuver through the requirements a district must address prior to disciplining or dismissing staff.

The Basics of Student Rights and Discipline Bloch Room

Speakers: Nancy Hungerford, Attorney, The Hungerford Law Firm
Jennifer Hungerford, Attorney, The Hungerford Law Firm

This wide-ranging survey of the law regarding student rights and discipline includes the basics plus recent developments (e.g., after-school religious programs, equitable justice scrutiny, transgender issues, new Oregon laws, off-campus conduct and free speech claims).

Nuts and Bolts: Special Education Sousa Room

Speaker: Richard Cohn-Lee, Attorney, The Hungerford Law Firm

This presentation will provide a comprehensive overview of the special education process from child find and evaluation through IEP drafting and implementation. The program is oriented towards professionals new to the field as well as experienced educators seeking a refresher.

Thursday, December 1, 2016, 9:30 to 10:30

Special Education Hot Topics Composers Hall

Speakers: Kelly Noor, Shareholder, Garrett Hemann Robertson PC
Mike Franklin, Legal Specialist, Office of Department of Education

This presentation will cover a variety of current issues in special education including relevant case law and recent decisions, current advocacy and disability rights issues, complex IEP meeting issues, and state and federal guidance. Discussion of these topics is designed to help prepare districts to avoid compliance issues and to provide information to assist in addressing difficult and complex special education cases.

How Not to Get Fired: Administrator Employment Issues O'Neil/Williams Room

Speakers: Nancy Hungerford, Attorney, The Hungerford Law Firm
Nathan Rietmann, Attorney, Rietmann & Rietmann Law Firm

Attorneys Hungerford and Rietmann review the state and federal law governing school administrators, the focus on recent problematic situations, including TSPC ethical issues and discipline, off-duty conduct, student and parent complaints, and school board relations.

Your School and Title IX Hellman/Wilder Room

Speaker: Karin Moscon, Civil Rights Education Specialist, Title IX Coordinator, Oregon Department of Education

Title IX requires that educational programs and activities receiving federal funding must operate in a manner that does not discriminate on the basis of sex. Participants in this session will receive a foundation on the content and implications of Title IX, hear about current issues concerning Title IX in Oregon, and end with a Q and A.

Thursday, December 1, 2016, 10:45 to 11:45

Bullying and Harassment Composers Hall

Speaker: Paul Dakopolos, Shareholder, Garrett Hemann Robertson PC

This presentation will focus on bullying and harassment between students. Understanding the legal issues involved is critical for building administrators. We will discuss the most current case law involving students who have been bullied at school by fellow students. Disabled students are often targets of bullying/harassment by peers. Learn what OCR has to say about disability harassment, how these claims are treated by the courts, and what districts need to do about it.

Social Media (students & employees) Hellman/Wilder Room

Speaker: Haley Percell, Attorney, Oregon School Boards Association

Discussion of emerging social media applications being used by students and staff. The school's legal obligations with respect to investigating and taking action on off-campus/off-duty student and staff social media use. Avoiding liability under state and federal discrimination and whistle blowing laws. And no discussion of social media would be complete without considering constitutional Free Speech rights!

Discipline and Termination O'Neil/Williams Room

Speaker: Brian Hungerford, Attorney, The Hungerford Law Firm

While the basic strategies and requirements set forth in collective bargaining agreement and Oregon law for handling discipline and dismissal situations have remained fairly consistent, evolving technology and societal issues have changed many of the situations now facing administrators. This session will apply the normal contractual requirements of just cause and due process to emerging misconduct situations, and will focus on how to avoid the missteps that commonly trip up administrators in an arbitration or FDAB setting.

Thursday, December 1, 2016, 1:00 to 2:15

The U.S. Supreme Court and Education: Follow-up O'Neil/Williams Room

Speaker: Mark Walsh, Contributing Writer, Education Week

In this session, Mark Walsh will take questions and offer more analysis about K-12 education cases before the Supreme Court. He will also offer school administrators and education lawyers some resources and tips on following education cases and issues in the Supreme Court and in the courts generally.

Update on Oregon's ESSA State Plan Composers Hall

Speaker: Theresa Richards, D.Ed., Director of Federal Systems, Department of Education

This session will provide an update on development of the Every Student Succeeds Act (ESSA) State Plan with an opportunity for participants to provide input on the drafts presented.

TSPC New Faces Hellman/Wilder Room

Speakers: Monica Beane, Executive Director, Teacher Standards and Practices Commission
Trent Danowski, Deputy Director, Teacher Standards and Practices Commission

This is an opportunity to meet and communicate directly with the new leadership of the Oregon Teacher Standards and Practices Commission (TSPC). This interactive session is designed for engaging conversation and meaningful collaboration regarding the role of TSPC in preparation, licensure and professional practice of educators.

Dr. Monica Beane became the fourth Executive Director of TSPC on June 1, 2016. Beane, who has a doctorate in educational leadership with an emphasis in higher education administration, has nearly twenty years of experience as a classroom teacher, principal, and state education agency administrator. Trent Danowski was appointed Deputy Director beginning August 1, 2016. Danowski brings with him a shared vision for professional practice and teacher leadership based on his experience with educator effectiveness and accomplished teaching.

Thursday, December 1, 2016, 2:30 to 3:45

Basics of Bargaining..... Bloch Room

Speakers: Brian Hungerford, Attorney, The Hungerford Law Firm
Shawn Swisher, Attorney, High Desert ESD

This session will focus on the basics of bargaining under the Public Employee Collective Bargaining Act as well as legal standards set forth by the Employment Relations Board. At each step, specific examples will be discussed regarding areas of potential dispute using current trends in bargaining. Attendees will learn the extent of the employer's obligation to provide information, how to tell when your 150-day bargaining clock has started, what the current standards for bargaining in good faith are, and recent trends in bargaining economics, to name just a few.

Title IX: Investigations and Beyond Vistas II Room

Speakers: Naomi Haslitt, Attorney, Miller Nash Graham & Dunn
Michael Porter, Attorney, Miller Nash Graham & Dunn

This session will discuss how to navigate an OCR investigation and strategies to avoid the most significant consequences in litigation on Title IX issues.

Student Behavior Off Campus..... O'Neil Room

Speaker: Paul Dakopolos, Shareholder, Garrett Hemann Robertson P.C.

This presentation will explore the legal issues relating to off-campus student behavior and a school district's ability to regulate the behavior through its discipline policies. When does a district have jurisdiction to take action against a student for an off-campus fight? When does a district violate a student's free speech rights when it suspends a student for off-campus speech? What legal claims does a student have against a school district and individual employees? We will also look at the most current case law around the nation on these subjects.

Student Discipline and Behavior: Removal from the School Environment..... Wilder Room

Speaker: Kelly Noor, Shareholder, Garrett Hemann Robertson PC

Attendance is a critical component of student success, and the laws and regulations regarding attendance, appropriate discipline, behavior concerns and removal from school are prevalent issues for students. We will discuss the laws, policies and district decision processes regarding discipline and behavior, impact on attendance, and consider effects and legal requirements for special populations such as homeless, second language learners, students with disabilities, and students in foster care.

McKinney-Vento Homeless Education and ESSAJoplin/Seeger Room

Speaker: Dona Bolt, Education Specialist, Oregon Dept. of Education

The reauthorization of the McKinney-Vento Act's education provisions has reinforced and clarified homeless student rights, district responsibilities and Liaison duties. This session reviews the changes under ESSA and provides information on supports for homeless families and youths, from early childhood through high school graduation.

FERPA Issues Studio B/C

Speakers: Rebekah Jacobson, Attorney, Garrett Hemann Robertson
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Hank Stebbins, Attorney, Garrett Hemann Robertson

This presentation will review the basics of student record confidentiality and provide guidance to building administrators on how to handle the most common FERPA issues.

Investigation Basics Hellman Room

Speakers: Christine Nesbit, Associate Director, Labor Relations, Eugene SD 4J
Susan Nisbet, Licensed Private Investigator

This session will provide participants with an overview of the basic principles of an employee misconduct investigation designed to gather accurate information. The presentation will provide successful guidelines and identify potential initial errors to avoid in conducting a detailed inquiry.

Implementing the Requirements of Oregon's New Dyslexia Legislation Sousa Room

Speaker: Carrie Thomas Beck, Dyslexia Specialist, Oregon Department of Education

SB 612 requires the Department of Education to develop a plan for Oregon districts to screen all kindergarten and first grade students for risk factors of dyslexia and for districts to ensure that one teacher in each K-5 building has received training related to dyslexia. ODE's Dyslexia Specialist, Carrie Thomas Beck, will provide a brief overview of the plan for screening and instructional support that was presented to the legislature in September of 2016. She will also provide an update on the work to date in developing a list of dyslexia-related training opportunities. This small group discussion format will allow participants the opportunity to both ask questions about the implementation requirements of the bill as well as to provide feedback on the recommendations in the plan.

Healthy Schools - Lead & Toxins Vistas I Room

Speaker: Lori Sattenspeil, Legislative Services Specialist, Oregon School Boards Association

"Children and families, as well as educators, must be assured of safe and healthy school facilities. That is why I directed state agencies to work together with school officials to ensure that local school districts address environmental health factors, such as lead in drinking water and paint." - Governor Brown

What does this mean for your school district? Attend and learn about what is required to address the problem.

PE Mandate Williams Room

Speakers: Moragn Allen, Deputy Executive Director of Policy and Advocacy, COSA
Jim Green, Deputy Executive Director, Oregon School Boards Association

Come learn about current Physical Education requirements for instructional time that are scheduled to begin during the 2017-18 school year. This is also your opportunity to share feedback on challenges your district faces meeting the mandated minutes as we prepare to make the case to legislators that changes are needed to the law.

Friday, December 2, 2016, 9:20 to 10:30

Addressing Student-Related LGBTQ Issues O'Neil/Williams Room

Speakers: Jollee Patterson, Former General Counsel, Portland Public Schools
Kelly Noor, Shareholder, Garrett Hemann Robertson PC

This session will cover issues related to LGBTQ students in schools, with a focus on recent guidance and case law concerning transgender students, and provide practical solutions for supporting students. Bring your questions!

Paid Sick Leave/Minimum Wage/Overtime Hellman/Wilder Room

Speakers: Lisa Freiley, Staff Counsel/PACE Administrator, Oregon School Boards Association
Peggy Stock, Director of Human Resources, Medford SD

Oregon becomes the fourth state to pass paid sick leave law. The new sick leave law applies to virtually all people working in the state. When and how are minimum wage and overtime laws applicable to our school employees? Does it make a difference what classification of employee you have? Find out the correct information and guidance that best applies to your school district.

A Fresh Look at Public Charter Schools Composers Hall

Speaker: Kate Pattison, Charter School Specialist, Oregon Department of Education

Oregon has had public charter schools since 1999 and for the first time in years we have seen the number of charter schools go down in the state. In this session we will explore recent trends, how the Department is supporting quality, and where innovation is brewing. Come with your questions and ready for a dynamic discussion.

Friday, December 2, 2016, 10:45 to 12:00

Top 10 Legal Issues (panel) O'Neil/Williams Room

Speakers: Kelly Noor, Shareholder, Garrett Hemann Robertson PC
Naomi Haslitt, Attorney, Miller Nash Graham & Dunn
Rebekah Jacobson, Shareholder, Garrett Hemann Robertson P.C.

The panelists will address the "Top 10" legal issues which school administrators should be concerned. These will be derived from both those items that arise frequently but also some items that administrators may not see or think about often but that create significant risk or exposure in the event they do arise.

Marijuana Issues Related to Students and Employees Composers Hall

Speakers: Nancy Hungerford, Attorney, The Hungerford Law Firm
Joel Hungerford, Attorney, The Hungerford Law Firm

This presentation will cover everything you need to know about students, staff, and the legalization of marijuana in Oregon. Topics covered will include: How does the recent legalization of marijuana in Oregon affect schools? Can a teacher now be fired for recreational marijuana use? Are nurses allowed to supervise a student's use of medical marijuana? Can long-term/serious drug use qualify a student for special education?

Legislative Impact on Your District Policies Hellman/Wilder Room

Speakers: Peggy Holstedt, Director, Policy Services, Oregon School Boards Association
Spencer Lewis, Member Services Attorney/Policy Specialist, Oregon School Boards Association

This small group discussion will provide the audience with an opportunity to dialogue around policies related to but not limited to federal nutrition regulations/Wellness policies, drones, AngelSense, ESSA, medications /adrenal crisis, marijuana, 5th year programs, veterans preference, and crowd sourcing.