

13th Annual School Attorney Law Conference

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CLIMATE CHANGE:

Surviving Tsunamis, Hurricanes and APPR

Gain the knowledge and the tools
to help your school districts
weather the storms



May 31 - June 2, 2013

The Sagamore • Bolton Landing, New York



Presented by

The New York State Association of School Attorneys

in conjunction with

The New York State School Boards Association

Join the

New York State Association of School Attorneys

and the

New York State School Boards Association

For a conference that will give you the tools to survive any storm

CONFERENCE REGISTRATION FEES

- NYSASA Member Rate \$325
- Nonmember Rate: \$375 (Receive a \$50 credit toward NYSASA membership if you join within 30 days of the conference.)
- Golf: \$100 per person includes greens fees and cart. Payable on site.

LODGING • THE SAGAMORE



The New York State Association of School Attorneys has reserved a room block at The Sagamore until May 15, 2013. After May 15, rooms will be on a space-available basis. For hotel reservations, call the Sagamore at 1-800-358-3585 or go to www.thesagamore.com. Please indicate that you are attending the New York State Association School Attorneys Conference, reservation group code **51Q31**. (letter "O")

- Per-night room rates, for single or double occupancy:
Lodge Room: \$225 • Hotel Room: \$310 • Lodge Suite: \$340 • Hotel Suite: \$375

The Sagamore provides an 18-hole golf course, luxury spa, tennis courts, trails, boating, private beach, indoor/outdoor pools and a fitness center.

MORE INFORMATION

For more information about the conference, visit www.nysasa.org, or contact **John Christopher**, NYSASA President at (716) 856-4000 by email at jchristopher@hodgsonruss.com or **Jay Worona**, NYSSBA, at 800-342-3360 or by email at jay.worona@nyssba.org

Program Chairs: **Kathy Ahearn**, Guercio & Guercio, LLP and **Michael Lambert**, Shaw, Perelson, May & Lambert, LLP

12 CLE CREDITS*

11 credit hours of Professional Practice

1 credit hour of Ethics

New York State Continuing Legal Education (CLE) Credits: Application for accreditation of this course or program in New York is currently pending. If approved, this program may be eligible for 11 CLE credit hours in Professional Practice and 1 CLE credit hour in ethics.

Important Notice: Partial credit for program segments not allowed. Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

Tuition Assistance: Application for tuition assistance to attend this program may be made based on financial hardship. Under that policy, an applicant who has a genuine financial hardship may apply in writing not later than five working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive tuition assistance, depending upon the circumstances. For more details, please contact John J. Christopher, NYSASA President, at (716) 856-4000, or by email at jchristopher@hodgsonruss.com, or Jay Worona, New York State School Boards Association, at (800) 342-3360 or (518) 783-0200 or by email at jay.worona@nyssba.org

*Includes credit hours for attending Education Law Basics

CLIMATE CHANGE: Surviving Tsunamis, Hurricanes and APPR

PROGRAM AGENDA

FRIDAY, MAY 31, 2013

1:00 – 2:00 p.m. • Registration – Education Law Basics and Main Conference

EDUCATION LAW BASICS

1:50 – 2:00 p.m. • Introduction and Welcome

John J. Christopher, Esq., *President, NYSASA*

2:00 – 2:50 p.m. • Cloud Seeding: Defending Education Law Section 310 Appeals

Learn how to respond to Commissioner's Appeals in a way that will maximize your client's chances of success.

Kathy A. Ahearn, Esq., *Partner, Guercio & Guercio, LLP*

2:50 – 3:40 p.m. • Greenhouse Gas: Review of Construction Contracts

Review the common forms used in connection with capital projects and how to protect your client against unreasonable risk.

Robert H. Cohen, Esq., *Partner, Lamb & Barnosky, LLP*

Joseph G. Shields, Esq., *Partner, Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C.*

3:40 – 3:50 p.m. • Break

3:50 – 4:40 p.m. • Protection Against Bad Weather: The Role of District Legal Counsel at CSE Meetings

Learn when a district should and should not have its attorney in attendance at a CSE meeting and what the attorney should do before, during and after the meeting.

Michael K. Lambert, Esq., *Partner, Shaw, Perelson, May & Lambert, LLP*

4:40 – 5:30 p.m. • Unexpected Storms at the Annual Meeting

Review the issues that frequently arise on Election Day and how to keep your client on the right side of an Education Law Section 310 appeal.

Laura J. Granelli, Esq., *Partner, Jaspan Schlesinger LLP*

Michael D. Ranieri, Esq., *Partner, Jaspan Schlesinger LLP*

4:00 – 6:00 p.m. • Registration for Main Conference

6:00 – 6:15 p.m. • Introduction and Welcome

John J. Christopher, Esq., *President, NYSASA*

6:15 – 7:30 p.m. • The Forecast from SED: SED's Office of Counsel Update

Join us for the annual roundtable discussion about the State Education Department.

Richard J. Trautwein, *Counsel and Deputy Commissioner*

of Education for Legal Affairs, New York State Education Department

John J. Christopher, Esq., *Partner, Hodgson Russ, LLP and President of the New York State Association of School Attorneys (NYSASA)*

7:30 p.m. • Dinner on Your Own

SATURDAY, JUNE 1, 2013

7:00 – 9:00 a.m. • Registration

7:00 – 8:30 a.m. • Breakfast *(included with registration)*

7:30 – 8:30 a.m. • NYSASA Board of Directors Meeting

8:30 – 8:40 a.m. • Introduction and Welcome

John J. Christopher, Esq., *President, NYSASA*

8:40 – 9:50 a.m. • Tsunami Alert: How Will the Affordable Care Act Affect Public School Districts?

Learn about the changes facing school districts as a result of "Obamacare".

John J. Christopher, Esq., *Partner, Hodgson Russ, LLP*

David S. Shaw, Esq., *Partner, Shaw, Perelson, May & Lambert, LLP*

9:50 – 10:00 a.m. • Break

10:00 – 11:10 a.m. • How Big Must Your Umbrella Be? Addressing the Problem of Student Bullying

Discuss how far a district must and may go in its efforts to ensure that its schools are free from bullying.

Linda Bakst, *Deputy Director of Policy Services, New York State School Boards Association*

Amol Sinha, Esq., *Director of the Suffolk County Chapter, New York Civil Liberties Union*

Jay Worona, Esq., *General Counsel, New York State School Boards Association*

11:10 a.m. – 12:20 p.m. • Eye of the Storm: Education Law Section 3012-c: Lessons Learned and Where Do We Go From Here?

Review the issues encountered in the first year of APPR and how districts can use the lessons learned as we approach year two.

Erin M. O'Grady-Parent, Esq., *Partner, Guercio & Guercio, LLP*

Julie M. Shaw, Esq., *Senior Associate, Shaw, Perelson, May & Lambert, LLP*

Eric J. Wilson, Esq., *Partner, Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C.*

12:20 p.m. • NYSASA Annual Meeting for Members *(with election of directors and officers)*

12:30 – 1:30 p.m. • Lunch *(included with registration)*

1:30 – 3:30 p.m. • Golf Tournament or Tennis *(Weather permitting!)*

6:30 – 9:00 p.m. • Reception and Barbecue *(included with registration)*

SUNDAY, JUNE 2, 2013

7:30 – 9:00 a.m. • Breakfast *(included with registration)*

7:30 – 8:30 a.m. • NYSASA Board of Directors Meeting

8:50 – 9:00 a.m. • Introduction and Welcome

John J. Christopher, Esq., *President, NYSASA*

9:00 – 9:50 a.m. • Hurricane Warning: Dealing with Natural Disasters

Discuss lessons learned from SuperStorm Sandy, Hurricane Irene and other natural disasters.

John P. Sheahan, Esq., *Partner, Guercio & Guercio, LLP*

Charles Szuberla, Jr., *Assistant Commissioner, School Operations, New York State Education Department*

9:50 – 10:40 a.m. • Where's My Rainy Day Fund?

Review legal issues associated with districts on the brink of financial insolvency.

Jeffrey F. Swiatek, Esq., *Partner, Hodgson Russ, LLP*

Christopher F. Venator, Esq., *Partner, Ingerman Smith LLP*

10:40 – 10:50 a.m. • Break

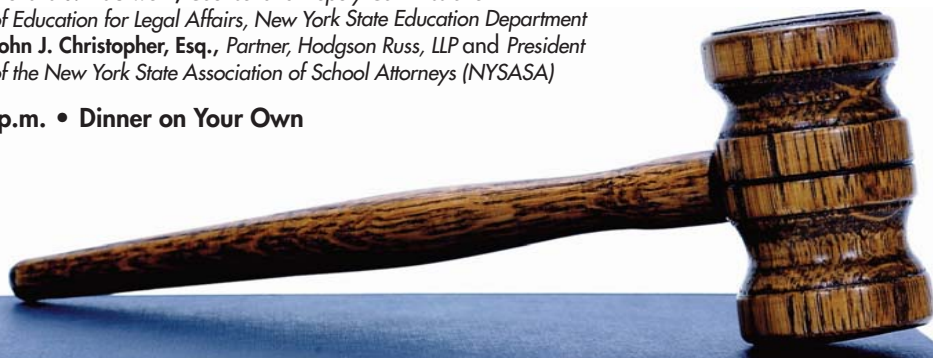
10:50 – 11:50 a.m. • Here Comes the Sun: Surviving the Split or Dysfunctional Board

Learn how to guide (and keep) the dysfunctional client in an ethical and professional manner.

Benjamin J. Ferrara, Esq., *Partner, Ferrara, Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C.*

Florence T. Frazer, Esq., *Partner, Frazer & Feldman, LLP*

11:50 a.m. • Adjourn



SCHOOL ATTORNEY LAW CONFERENCE

REGISTRATION FORM



TWO CONVENIENT WAYS TO REGISTER:

Fax the completed registration form to NYSSBA at 518-783-3541.

Mail the completed form to the **New York State School Boards Association**,
P.O. Box 1322, Williston, VT 05495.

Conference Registration Deadline: May 24, 2013

Refunds will not be granted for cancellations received after May 24, 2013. All cancellations must be made in writing to the New York State School Boards Association. No-shows will be billed.

Please print clearly. This form may be duplicated.

Name: _____

Title: _____

Business/Law Firm: _____

Street Address: _____

City/State/Zip: _____

Telephone: (____) _____ - _____ Fax: (____) _____ - _____

Email: _____

Name(s) of guest(s) if applicable: _____

Please indicate if you would like to play golf (\$100 per person additional, payable on site)

Yes How many? _____

CONFERENCE REGISTRATION FEES: Please mark all that apply and total below.

NYSASA Member Rate: \$325 **Nonmember Rate: \$375***

*(Fees include refreshment breaks, two breakfasts, lunch, reception, Saturday barbecue and all materials as well as a non-refundable \$65 administrative fee. *Receive a \$50 credit toward NYSASA membership if you join within 30 days of the conference. Contact Phil Brothman of NYSASA at (716) 200-5102 for more details.)*

Please check if you are attending the "Education Law Basics" portion of the conference (Friday, May 31: 1:50 – 5:30 p.m.) (No additional fee required)

Guests/spouse/child(ren) of participant rate (Meals only; no program or materials):

_____ **Guest Rate (18+ years): \$200** # _____ **Teenager (13 – 18 years): \$125**

_____ **Child(ren) (3-12 years): \$35** # _____ **Child(ren) (Under 3 years): \$0**

TOTAL REGISTRATION FEE(S) including guests/spouse/child(ren) \$ _____

TWO EASY WAYS TO PAY: Check or Credit Card

Check: Make checks payable to: New York State School Boards Association

Credit Card: VISA MasterCard American Express Discover

Credit Card No.: _____ Exp. Date: _____

Credit card authorization: I agree to pay the total amount according to the card use agreement.

Signature: _____

Please check here if you require special accommodations or special meals.
Contact us or attach a written description of needs.



24 Century Hill Drive, Suite 200
Latham, NY 12110-2125



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