

*Start your
Convention early!*

22ND ANNUAL PRE-CONVENTION

SCHOOL LAW SEMINAR


**EARN 6.5
CLE CREDITS**

THURSDAY, OCT. 25, 2018 • 8:00 A.M. – 4:00 P.M.
SHERATON NEW YORK TIMES SQUARE • NEW YORK CITY



Attend a **full day** of programming
that highlights **current developments**
in areas that **affect** the
governance and operation
of your school district
on a daily basis.

- School Safety
- Free Speech
- Sexual Harassment
- Special Education

Co-hosted by:



New York State
School Boards
Association

and



NYSASA

New York State Association of School Attorneys

Register now at
convention.nyssba.org

SCHOOL LAW SEMINAR

Who Should Attend?

- School Board Members
- School Attorneys
- Superintendents
- Building Administrators

Why Attend?

You'll bring back to your district essential legal and practical information such as:

- Keeping students and staff safe from violent attacks while at school
- How to manage political speech activities on school grounds
- What districts can do better to prevent, identify, investigate and resolve incidents of sexual harassment of staff
- Trending and emerging employment issues, both in the bargaining and non-bargaining arenas
- Deciding whether to settle or litigate special education disputes

Plus get an overview of new and pending laws and regulations, recent court decisions and other rulings.



6.5 CLE CREDITS

New York State Continuing Legal Education (CLE) Credits: 6.5 hours in the area of Professional Practice. Course content is appropriate for newly admitted attorneys and experienced attorneys.

Important Notice: Partial credit for program segments is 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, no 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 Jay Worona, New York State School Boards Association, at 518-783-0200 or 800-342-3360, or by email at jay.worona@nyssba.org.



Agenda

7:00 – 8:00 a.m.

Registration and Continental Breakfast

8:00 – 8:15 a.m.

Introduction and Welcome

Jay Worona, Esq., Deputy Executive Director & General Counsel, NYSSBA

Jeffrey F. Swiatek, Esq., President, NYSASA

Howard Friedman, Esq., General Counsel, NYC Department of Education

8:15 – 9:30 a.m.

School Safety – A World Turned Upside Down

Sadly there are no guarantees that will keep school children and staff safe from a violent attack while at school. Recent events again have districts re-examining what they can do better to prevent and respond to such an event. From community engagement, security measures and training to mental health, interagency collaboration and law enforcement partnerships, join a discussion of the real life and legal issues involved.

Speakers: **Alison B. Bianchi, Esq.**, Counsel and Deputy Commissioner for Legal Affairs, NYS Education Department, **Bryan Vossekuil**, President The Metis Group, Inc.; **Steven E. Skrynecki**, Chief of Police, South Hampton, Police Department; and **Elise Cappella, Ph.D.**, Associate Professor of Applied Psychology, New York University

Moderator: **Jay Worona, Esq.**, Deputy Executive Director & General Counsel, NYSSBA

9:30 – 9:45 a.m. • BREAK

9:45 – 10:40 a.m.

Political Discourse in Public Schools – Complex Issues without Simple Rules

Public schools can limit the exercise of free speech rights within their buildings and grounds, including expressions of political solidarity. But what if school officials want to allow or even engage in such speech? When and what limitations might be appropriate? To whom would they apply? Understand better the legal issues involved.

Speakers: **Donald (Don) E. Budmen, Esq.**, Partner, Ferrara Fiorenza P.C.; **Sara E. Visingard, Esq.**, Partner, Harris Beach PLLC; **Dr. Lorna Lewis**, Superintendent, Plainview-Old Bethpage CSD; **Dr. L. Oliver Robinson**, Superintendent, Shenendehowa Central School District; and **Jordan Rosner**, High School Student, Plainview-Old Bethpage CSD

Moderator: **Thomas M. Volz, Esq.**, Law Offices of Thomas M. Volz, PLLC



10:40 – 11:30 a.m.

Sexual Harassment of Staff – What Every School Board Needs to Know

The prohibition against sexual harassment in the workplace is not new. But the #MeToo Movement shows work still needs to be done in this area. Find out if your policies and practices adequately protect both your district and its staff. Reassess your prevention, identification, investigation and resolution processes.

Speakers: **Frank W. Miller, Esq.**, *The Frank W. Miller Law Firm*, and **Beth A. Bourassa, Esq.**, *Partner, Whiteman Osterman & Hanna LLP*

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

11:30 a.m. – Noon

School Law: A Year in Review Part I – New Laws and Regulations

School district responsibilities are continuously evolving. Learn how this year's actions by the Legislature and the State Education Department have transformed those obligations.

Speaker: **Kimberly A. Fanniff, Esq.**, *Senior Staff Counsel, NYSSBA*

Noon – 1:30 p.m. • LUNCH (ON YOUR OWN)

1:30 – 2:20 p.m.

Employment Law – Some Bargaining and Non-Bargaining Issues

Discuss the impact of the recent Supreme Court's agency shop decision on your district. Review the various bargaining implications of New York's ESSA Plan. Hear about non-bargaining employment issues you should be aware of.

Speakers: **John H. Gross, Esq.**, *Partner, Ingerman Smith, LLP*; **Gregory J. Guercio, Esq.**, *Partner, Guercio & Guercio, LLP*; and **Jeffrey D. Honeywell, Esq.**, *Honeywell Law Firm PLLC*

Moderator: **Eugene R. Barnosky, Esq.**, *Partner, Lamb & Barnosky, LLP*

2:20 – 2:35 p.m. • BREAK

2:35 – 3:30 p.m.

Special Education Disputes – Litigate or Settle: That is the Question

It is not always easy to resolve parental issues over special education services. Should you litigate all disputes? When should you settle? Learn about the factors you need to consider when making that decision.

Speakers: **Laura J. Granelli, Esq.**, *Partner, Jaspán Schlesinger LLP* and **Beth L. Sims, Esq.**, *Partner, Shaw, Perelson, May & Lambert, LLP*

Moderator: **Edward J. Sarzynski, Esq.**, *Of Counsel, Hogan, Sarzynski, Lynch, DeWind & Gregory, LLP*

3:30 – 4:00 p.m.

School Law: A Year in Review Part II – New Court Cases and Other Rulings

Official interpretations of law and regulations affect how school boards govern and operate their schools. Hear how your district might need to adapt to satisfy changes in legal requirements.

Speaker: **Jeffrey Mongelli, Esq.**, *Senior Staff Counsel, NYSSBA*

4:00 p.m. • ADJOURN



Board members will earn 20 points in NYSSBA's School Board U Recognition Program.



Registration

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Register online at convention.nyssba.org.

EVENT INFORMATION

- **Date:** Oct. 25, 2018
- **Location:** Sheraton New York Times Square, New York City
- **Pre-Registration/Cancellation Deadline:** Oct. 12, 2018
- **Registration Fee: \$285/Registrant** (A \$30 reduction in price from that of last year's)

Fee includes resource material, continental breakfast and a nonrefundable \$50 administrative fee. You may pay by check, credit card or purchase order. Cancellations will not be refunded after the pre-registration/cancellation deadline. No-shows will be billed the full registration fee.

Registration for this event is not included as part of your registration for NYSSBA's Annual Convention.

- Already registered for NYSSBA's Annual Convention?
Go to convention.nyssba.org/registration#registration-info. Under *Convention Changes and Cancellation Policy* click **Registration Change Form** and follow the instructions for change request.
- If you are only attending the Pre-Convention School Law Seminar, register at convention.nyssba.org.

**For more information, please contact the
New York State School Boards Association at (518) 783-0200
or 800-342-3360 or via email at info@nyssba.org.**

GREEN INITIATIVE

Attendees will receive a packet that includes the PowerPoint slides used during the seminar instead of a traditional binder. A few days prior to the seminar, you will receive an email with a direct link to download and preview the seminar materials in a printer-friendly format.

