

16TH ANNUAL

EDUCATION LAW CONFERENCE

Italics = tentative

SUNDAY JULY 19

SU 6:00 PM OPENING RECEPTION FOR WINGSPREAD AND ALL EARLY ARRIVERS, USM PORTLAND LIBRARY

314 Forest Avenue, directions at <http://library.usm.maine.edu/about/campuses.html>

The reception is open to all Wingspread attendees and all other early arrivers for the Conference. The USM library looks out over Portland's scenic Back Bay and is a true Portland venue for what promises to be a spectacular Maine reception. Catered by the beloved Aurora, past guests know the food will be local, Maine, and terrific, and newcomers have something to anticipate!

WELCOME AND REMARKS ON DIVERSITY IN THE PROFESSION

Peter Pitegoff, Dean, University of Maine School of Law

H. Thomas Wells, Jr., Esq., Maynard, Cooper & Gale, Birmingham, AL, President, American Bar Association

WINGSPREAD CELEBRATION AND AWARDS

Sarah Redfield, Chair, 16th Annual Education & Law Conference, Moderator

Louise Dempsey, Assistant Dean for External Affairs Cleveland-Marshall College of Law Cleveland State University & Board Member, Cleveland Metropolitan School District, and past Wingspread Award Recipient!

Starting with Wingspread IV, we have presented a Wingspread award to pipeline leaders. The tradition is for past recipients to join us to present to the next. Prior recipients include Kent Lollis, for his work with the Law School Admissions Council on pipeline projects; Fred Buenrostro, for his commitment to diversity and to pipeline initiatives as CEO of CalPERS; Eduardo Rodriguez, for his work with the Texas Bar and elsewhere (everywhere) to improve education and close the achievement gap; Hugh McKay, for his work as leader of the Cleveland Bar's remarkable 3Rs program; Louise Dempsey, for her work as part of the Cleveland program and on the Cleveland Municipal School Board; and Errol Stone of Sonnenschein, Nath, for the firm's remarkable work starting Chicago's Legacy School.

Join us to meet this year's (surprise!) recipient, sure to be another star!

MONDAY JULY 20

ABROMSON CENTER FOR REGISTRATION AND ROOM INFORMATION

88 Bedford St., Portland, ME directions at
<http://usm.maine.edu/conferences/abromson/directions.html>

MAM 8:00—WINGSPREAD FOR NEWCOMERS

Louise Dempsey, Assistant Dean for External Affairs, Cleveland-Marshall College of Law
Cleveland State University & Board Member, Cleveland Metropolitan School District

A quick orientation on Wingspread's history and purpose plus a quick update on ongoing projects. All are welcome!

MAM 9:00 A.M. —WELCOME & INTRODUCTION

Peter Pitegoff, Dean, University of Maine School of Law, Portland, ME

MAM00 9:15-10:30 A.M. JOINT CONFERENCE KEYNOTE—THINKING OUTSIDE THE BOX

Gregg B. Bethel, Senior Executive for Career & Technical Education, Office of Portfolio
Development, New York City Department of Education, New York, NY

Karina Hamilton, Esq., Co-Director, Saturday Law Academy at the University of California Irvine

Karen Sanchez-Griego, Principal, Atrisco Heritage Academy, Albuquerque, NM

Sarah Redfield, Professor of Law, Franklin Pierce Law Center, Concord, NH, Moderator

The intransigence of the achievement gap and the continued loss of minority students from the educational pipeline pose enormous challenges to those interested in securing a qualified workforce for our nation's future. The crisis proportions of the leaking and narrowed pipeline from preschool to the profession call for new and bold approaches. This panel of future-oriented thinkers will offer examples of ongoing innovative solutions that focus on unique business/education partnerships. The examples include the unique and successful Urban Assembly Schools in New York City, the extraordinary themed high school Atrisco Heritage in Albuquerque, NM, and the Saturday Law Academy at the University of California Irvine. All serve as illustrations of collaborations that others can learn from and replicate.

[WINGSPREAD Diversity Law-themed Reform Curriculum]

MONDAY MORNING WORKSHOPS 10:45-NOON

MAM01 – KEYNOTER WORKSHOP

A small group opportunity to pursue questions and conversation with the keynoters.

MAM02—4TH AMENDMENT GOES TO SCHOOL: SCHOOL SEARCH & SEIZURE

Patrick T. O’Day, Burns, Bryant, Cox, Rockefeller & Durkin, P.A., Dover, NH

This session will review in depth the ever-contentious school topic of search and seizure. It will review the standards and considerations governing different types of searches (person, bag, strip search, school locker, car, canine search, police involvement, etc.), will examine sample policies from ME/NH/MA schools, and will discuss real cases (that were close calls) as hypotheticals, all with audience participation.

[Liability Civil Rights]

MAM03—EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT CHARTER SCHOOLS AND HAD TO COME TO MAINE TO ASK

Paul T. O'Neill, Esq., Chief Regulatory Officer & Senior Vice President, Edison Schools, New York, NY

Cliff S. Schneider, Cohen Schneider LLP, New York, NY

Charter schools continue to draw increasing national attention and are an increasingly important part of the education landscape. These premier charter school experts will focus on the issues and lessons for charter schools from local startups to national concerns.

[Reform General]

MAM04—AUTISM STRAND (1) WHY DO THEY DO THAT? UNDERSTANDING THE MOVEMENT, ANXIETY, COMMUNICATION, AND SENSORY CHALLENGES FACED BY STUDENTS WITH LABELS OF AUTISM AND WHAT TO DO ABOUT IT

Linda H. Rammler, M.Ed., Ph.D., Executive Director, Autism Spectrum Differences Institute of New England, Inc., Rocky Hill, CT and colleagues

The autism strand runs all day and focuses on the neurodiversity experiences and challenges of those who have Autism Spectrum Disorder (ASD) labels.

More and more children are being diagnosed with Autism Spectrum Disorders (ASD). As budgets get squeezed ever more tightly at the local level, providing a free and appropriate public education takes on added dimensions. Presentations will explain how some common practices (e.g., ABA, inclusive classroom participation without add-on accommodations/supports to support each individual's MACS differences, and using traditional models of didactic social skills training) relate—or NOT—to satisfying

FAPE for these children. Most importantly, the session will provide direct answers to what to do instead.

[Special Ed]

MAM05—OCR / SECTION 504

Allen Kropp, Deputy Chief Attorney, U.S. Department of Education, Office for Civil Rights, Boston, MA

Ruth Ricker, Equal Opportunity Specialist/Investigator, U.S. Department of Education, Office for Civil Rights, Boston, MA

Section 504 of the Rehabilitation Act places obligations on public schools that are, in some cases, similar to and in others differ from those imposed by Individuals with Disabilities Education Act (IDEA). In this presentation, OCR will address the obligations on elementary and secondary schools under Section 504. Also included will be a discussion of recent changes to Section 504 by the ADA Amendments Act of 2008 and OCR's overall role with regard to ensuring access to education for students with disabilities.

[Special Ed]

MAM06—PHILANTHROPY AND LAW-THEMED EDUCATION

Leah Williams, Strategies, LLP, San Francisco, CA, Moderator

Additional Panelists tba

The role of philanthropy in supporting innovative and successful collaborations in education reform is critical. These panelists and their organizations each have played key roles in moving forward an innovative education agenda committed to closing the achievement gap and to a proportionately diverse workforce. Specific examples will be provided as bases for replication.

[WINGSPREAD Diversity Reform]

12:15-1:15 pm – MONDAY Networking Lunch

MONDAY AFTERNOON 1ST WORKSHOPS MPM 1:30-2:45

MPM01— THE INTELLIGENT DESIGN BATTLES IN PUBLIC SCHOOLS

Frank S. Ravitch, Esq., Professor, Michigan State University Detroit College of Law, East Lansing, MI

In December 2007, the Texas Education Agency’s director of science education was dismissed from her post - purportedly because she spoke in favor of teaching evolution, a position then consistent with Texas’ science standards. Battles over states’ evolution-related science standards have flared up in the past few years. During this same time, individual school boards’ decisions to promote intelligent design or to be critical of evolution have been challenged in court in the *Kitzmiller* and *Selman* cases.

In this session, we will analyze those conflicts as well as yet-unresolved issues related to the teaching of evolution, creationism, and intelligent design in public schools. Furthermore, we will discuss the results of a recent nationwide survey of college students regarding the frequency and manner of instruction about these three concepts in public high school science classes.

[Civil Rights Curriculum]

MPM02—SAFETY BEGINS HERE AT SCHOOL!

Matthew Comai, School Risk Management Representative, Local Government Center, Concord, NH

This presentation will focus on steps educators and administrators can take to assure safety starts in the classroom by focusing on key concerns that can be addressed at the outset to avoid liability.

[Liability Safety]

MPM03—EMERGING LIGATURES IN THE CONSTITUTIONAL RIGHT OF TEACHERS TO WHISTLEBLOW

Joseph Oluwole, Esq., Montclair State University, Montclair, NJ

When public school teachers blow the whistle on the illegal acts or abuses in their school districts, they often face reprisals from their employers. Teachers often look to the First Amendment as a source of protection against reprisals from their employers for whistle blowing. This session reviews the development of the United States Supreme Court’s public employment-free speech whistle blowing jurisprudence to help administrators and educators better understand the jurisprudence and related rights. Implications of the jurisprudence are identified in order to guide school district policies.

[Liability Civil Rights]

MPM04—AUTISM STRAND (2)

Linda H. Rammler, M.Ed., Ph.D., Executive Director, Autism Spectrum Differences Institute of New England, Inc., Rocky Hill, CT, and colleagues

Continuation of day-long autism strand.

MPM05—SPECIAL EDUCATION CASELAW UPDATE

Mark Weber, Esq., Professor, DePaul University College of Law, Chicago, IL

This session will cover recent decisions in special education cases and new developments in statutes and regulations governing special education. It will discuss special education eligibility, IEPs, FAPE, least restrictive environment, private school services, discipline, mediation, due process hearings, court appeals, attorneys' fees, and other topics. The presenter is the author of the leading treatise on special education law and co-author with Sarah Redfield and Ralph Mawdsley of a casebook on special education law.

[Special Education]

MPM06 – AMERICAN BAR ASSOCIATION PRESIDENTIAL ADVISORY COUNCIL ON DIVERSITY, REACHING UNDERREPRESENTED MINORITIES

H. Thomas Wells, Jr., Maynard, Cooper & Gale, Birmingham, AL, President, American Bar Association, Moderator

Edd Vasquez, Attorney, New York, NY, Chair, Program Committee ABA Presidential Advisory Council on Diversity (ACD)

Additional panelists tba

Efforts to reach out to underrepresented minorities along the pipeline are critical. ABA initiatives are the focus of this presentation.

[WINGSPREAD Diversity Reform]

MONDAY AFTERNOON 2nd WORKSHOPS 3:00-4:15

MPM07 & MPM 08 & MPM12

WINGSPREAD PIPELINE SHOWCASE = see MPM12

MPM09—WHEN RELIGION, POLITICS AND SCHOOLS MIX: A Look at Religious and Political Speech in the School Setting

Maureen A MacFarlane, Esq., Legal Counsel, Cambridge Public Schools Office of Legal Counsel, Cambridge, MA

Despite the issuance of guidance by the United States Department of Education on constitutionally protected prayer in the public schools and numerous cases on political speech in schools, school districts continue to struggle with when it is permissible to permit and when to prohibit religious and political expression in the school setting. This presentation will review the key provisions covering when such forms of speech are permitted and/or prohibited by students and school staff. School district practices that still may be subject to legal challenge will be highlighted and policies that school districts should review to ensure compliance with current law will be discussed.

The objectives of this presentation are to review the key factors that school districts or administrators must consider when determining whether religious or political speech by a student or school staff member should be permitted as an exercise of free speech or should be considered a prohibited form of conduct in the school setting; to highlight school district practices that may be subject to legal challenges; and to identify policies that school districts should review to ensure consistency with current law.

[Liability Civil Rights]

MPM10—AUTISM STRAND (3)

Linda H. Rammler, M.Ed., Ph.D., Executive Director, Autism Spectrum Differences Institute of New England, Inc., Rocky Hill, CT and colleagues

Continuation of day-long autism strand.

[Special Education]

MPM11— STUDENTS WITH DISABILITIES: TRANSITION FROM HIGH SCHOOL TO COLLEGE

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Allen Kropp, Deputy Chief Attorney, U.S. Department of Education, Office for Civil Rights, Boston, MA

Ruth Ricker, Equal Opportunity Specialist/Investigator, U.S. Department of Education, Office for Civil Rights, Boston, MA

MPM11- Students with Disabilities: Transition from High School to College

Do you know what is in store for students with disabilities who graduate from high school and head off to college? Do you have the information you need to advise them on what to expect in postsecondary education?

For students with disabilities, a big factor in their successful transition from high school to postsecondary education is accurate knowledge about their civil rights. The purpose of this presentation is to inform students, school personnel, parents and others as students with disabilities get ready to move to the postsecondary education environment.

[Special Education Civil rights]MPM12—THE WINGSPREAD PIPELINE SHOWCASE

☆☆☆☆ For far too long the work around closing the achievement gap and increasing the number of diverse students successfully traversing the educational pipeline from preschool to law-themed careers and the profession has been more talk than walk. This showcase is the walk. A selected group of ongoing pipeline programs will be part of a showcase presentation. They will have a team at the Conference to talk to others interested in their approach, data, et al. Attendees can plan on leaving with the details needed to duplicate and replicate the initiatives in their communities. ☆☆☆☆

MONDAY EVENING 5 pm – MAINE LOBSTERBAKE, location tba

TUESDAY JULY 21

ABROMSON CENTER FOR REGISTRATION AND ROOM INFORMATION

88 Bedford St., Portland, ME directions at
<http://usm.maine.edu/conferences/abromson/directions.html>

TAM 9:00 AM-- WELCOME & INTRODUCTION

TAM00 – KEYNOTE ROLEPLAY— OH WHAT A TANGLED WEB!

Peggy McAllister, Executive Director, New Hampshire School Principals Association, Concord, NH

Peter D. Lowe, Esq., Brann & Isaacson, Lewiston, ME

And other stars!

The internet presents schools with both limitless opportunities and potentially limitless concerns. This session will illustrate and discuss the legal and practical issues raised in these new media where the internet blurs the traditional boundaries of the schoolyard. Those who attended early ELI conferences will no doubt welcome back the role-play format.

{Liability Technology Civil Rights}

And other stars!

TUESDAY MORNING WORKSHOPS 10:45-NOON

TAM01—KEYNOTERS WORKSHOP

A small group opportunity to pursue questions and conversation with the keynoters.

{Liability Technology Civil Rights}

TAM02—HOLD THOSE PEANUTS! FOOD ALLERGIES @ SCHOOL

Margaret Sova-McCabe, Esq., Professor of Law, Franklin Pierce Law Center, Concord, NH

While peanut allergy is likely the most familiar food allergy, school administrators are increasingly managing children with multiple allergies, or those to dairy and wheat, where a "ban" on the allergen is simply not an option. School administrators need to understand both their legal obligations to these students and best practices for managing the allergic condition. This session will cover the nuts and bolts of legal obligations to accommodate life-threatening food allergies, as well as presenting ideas for school-wide management of allergies.

[Special Education General]

TAM03—ELECTRONIC PORTFOLIOS

Tba

In order to deliver on the new 3Rs, there needs to be an authentic and relevant process of assessment, something beyond bubbled test. This is critical at all levels of education as the academy transitions into new media. This session talks about one aspect of this work, e-portfolios, on the cutting edge...

[Assessment Reform]

TAM04—IN THE HIGH SCHOOL LAW CLASSROOM

Beth Bulgeron, Esq., Consultant, Law-themed Education, Sacramento, CA

Stephanie Ferro, Esq., Professor of Law, Franklin Pierce Law Center, Concord, NH and High School Teacher

Streetlaw is the grandfather of programs that teach law curricula to students in high school. There are other developing curricula that are showing high school success as well. This session is a presentation from the "streets" by a lawyer who teaches both law and high schools students and a lawyer/teacher who is at the forefront of these curricular issues. Lessons to take home are sure to abound.

[Law themed Curriculum]

TAM05—SETTLING SPECIAL EDUCATION DISPUTES

Mark Weber, Esq., Professor, DePaul University College of Law, Chicago, IL

This session will discuss the legal issues involved in settling special education cases, including dispute resolution and mediation, offers of settlement, and attorneys' fees for settlements. It will analyze cases concerning when and how a settlement can be enforced if the parent or school district fails to live up to

the agreement, and it will provide practical guidance for making settlements stick. The presenter is the author of the leading treatise on special education law and co-author with Sarah Redfield and Ralph Mawdsley of a casebook on special education law.

[Special Education]

TAM06—RESERVED

12:15-1:15 pm – TUESDAY NETWORKING LUNCH

TUESDAY AFTERNOON FIRST WORKSHOPS 1:30-2:45

TPM01— CONSTITUTIONAL LITERACY: LESSONS FROM MARSHALL BRENNAN

Maryam Ahranjani, Associate Director of the Program on Law & Government, American University Washington College of Law, Washington, DC

James B. Raskin, Professor of Law & Director of the Law and Government Program, American University Washington College of Law, Washington, DC

In the fall of 1999, Professor Jamin Raskin of American University Washington College of Law launched the Marshall-Brennan Constitutional Literacy Project named in honor of the late United States Supreme Court Justices Thurgood Marshall and William J. Brennan, Jr. This project, founded with the enthusiastic support of Mrs. Cissy Marshall and the late Mrs. Mary Brennan, was designed to mobilize talented second- and third-year law students to teach courses on constitutional law and juvenile justice in public high schools in the District of Columbia and Maryland. In recent years, the program has expanded to law schools across the country.

This movement for constitutional literacy is rooted in the belief that students will profit for a lifetime from learning the system of rights and responsibilities under the U.S. Constitution. Many citizens do not participate and feel disengaged from politics. The Marshall-Brennan Fellows work with teachers, administrators and lawyers to teach students their rights as citizens, the strategic benefits of voting, how lawmaking occurs and other fundamental constitutional processes.

[Civil Rights Reform Diversity Law-themed Curriculum]

TPM02—INNOVATIVE ASSESSMENT

Stuart Kahl, President, Measured Progress, Dover, NH

Other panelists to be announced.

This session builds on the e-portfolio presentation. In order to deliver on the new 3Rs, there needs to be an authentic and relevant process of assessment, something beyond bubbled test. This is critical at all levels of education. This session talks about the overall issues of assessment, measurement, and equity. The lead presenter is Measured Progress’s Stuart Kahl. Measured Progress’s mission is to improve teaching and learning by providing customized assessment products and educational services. Its motto, “It’s all about student learning. Period.,” demonstrates its approach. This session puts this motto into a future-oriented context.

{Assessment Diversity Reform}

TPM03—CHILDHOOD VICTIMIZATION: VIOLENCE, CRIME, AND ABUSE IN THE LIVES OF YOUNG PEOPLE

David Finkelhor, Ph.D., Director, Crimes against Children Research Center and Professor of Sociology, University of New Hampshire, Durham, NH

From the review of Prof. Finkelhor’s book by the same title: Children are the most criminally victimized segment of the population, and a substantial number face multiple, serious "poly-victimizations" during a single year. And despite the fact that the priority emphasis in academic research and government policy has traditionally gone to studying juvenile delinquents, children actually appear before authorities more frequently as victims than as offenders.

But at the same time, the media and many advocates have failed to note the good news: rates of sexual abuse, child homicide, and many other forms of victimization declined dramatically after the mid-1990s, and some terribly feared forms of child victimization, like stereotypical stranger abduction, are remarkably uncommon.

This session will present an overview of a new vision to encompass the prevention, treatment, and study of juvenile victims, unifying conventional subdivisions like child molestation, child abuse, bullying, and exposure to community violence. What a chance to learn from the expert.

[Children General]

TPM04 – LAW CURRICULUM: LESSONS SHARED

Ilene Kantrov, Ph.D., Director, Center for Educational Resources and Outreach, Education Development Center, Inc., Newton, MA

And other panelists, tba

The number of small learning communities throughout the country continues to grow, and many are devoted to law and social justice themes. This session will present ongoing work by the Education Development Center (EDC) under the auspices of California’s James Irvine Foundation on a law-themed high school curriculum.

[Law-themed Curriculum]

TPM05—VIEW FROM THE PARENT ADVOCATES

Theresa Kraft, Esq., Chichester, NH

[Children Parents Special Education]

TPM06—RESERVED

TUESDAY AFTERNOON 2ND WORKSHOPS 3:00-4:15

TPM07—A PROPOSAL FOR TEACHING HUMAN RIGHTS AND RELIGIOUS FREEDOM IN HIGH SCHOOL

Brett Scharffs, Esq., Professor of Law, Brigham Young University J. Reuben Clark Law School, Provo, UT

It has been sixty years since the United Nations General Assembly unanimously adopted the Universal Declaration of Human Rights, under the leadership of Eleanor Roosevelt. The preamble calls the Declaration a “common standard of achievement for all peoples and all nations,” and calls for each nation to “strive by teaching and education to promote respect for these rights and freedoms.” As a nation we have largely failed in this obligation. Today, not only do we neglect to teach about the UDHR in our schools, but the key role of Eleanor Roosevelt as Chairwoman of the Human Rights Commission has been largely forgotten.

This session will suggest a framework for introducing the Declaration into our high school history and social science curriculum.

[Civil rights Curriculum]

TPM08—LAW SCHOOLS—PASS THROUGH OR VALUE ADDED?

M. Elizabeth (Beth) Kransberger, Associate Dean for Student Affairs, Thomas Jefferson School of Law, San Diego, CA

Smart students come to law school, smart students graduate. What happens in between? Do some law schools add more value than others? Why are some law schools able to start with lower admissions numbers and graduate those who will pass the bar? This session discusses all.

[Curriculum Reform Wingspread]

TPM09—SCHOOL UNIFORMS: THE FREE LUNCH REFORM? A LAW & POLICY ANALYSIS

Todd A. DeMitchell, Professor and Chair, Department of Education, and Professor, Justice Studies Program, University of New Hampshire, Durham, NH

Mark A. Paige, Esq., Drummond Woodsum & MacMahon, Portland, ME

School uniforms have been touted as a reform that saves money for parents, reduces peer pressure, increases student achievement, and builds a cohesive school. All this and at no additional cost to a school--a truly free lunch reform. But is it? This session will explore the legal and policy implications of school uniforms as a reform strategy.

[Civil Rights General]

TPM10—LAW FIRM AND SCHOOL PARTNERSHIPS

Gary K. Craig, Esq., Sidley Austin LLP, Los Angeles, CA

Errol L. Stone, Sonnenschein, Nath & Rosenthal, LLP, Chicago, IL

The legal community offers a rich source of human and intellectual resources for students. New partnerships between lawyers and schools offer examples of success changing aspirations and achievement. This panel offers real life illustrations and shows results across the country, preschool to the profession.

[Law-themed Curriculum Reform]

TPM11— PARENT INVOLVEMENT

Brenda Bennett, Executive Director, Learning Disabilities Association LDA of Maine, Oakland, ME

Sue Henri-MacKenzie, Program Director, Southern Maine Parent Awareness, Sanford, ME

This is an encore from last year, coming back to an enthusiastic audience with the latest updates on educational regulations and systemic changes affecting parental involvement.

[Children Parents Special Education]

TPM12—RESERVED

5:00 pm TUESDAY ALL CONFERENCE RECEPTION-- Blackboard Bench and Bar

This year's Blackboard Bench and Bar reception—location tba.

WEDNESDAY July 22

ABROMSON CENTER FOR REGISTRATION AND ROOM INFORMATION

88 Bedford St., Portland, ME directions at
<http://usm.maine.edu/conferences/abromson/directions.html>

WAM 9:00 A.M. WELCOME & INTRODUCTION

WAM00 – KEYNOTE Made in America: The Global Youth Justice Movement”

Scott Bernard Peterson, National Director of Criminal and Juvenile Justice, YouthBuild USA & International, Boston, MA

There are currently now more than 1,200 local youth and teen court programs in 49 states and the District of Columbia. During the most recent one year period, a record 111,868 juvenile and delinquent cases were referred to local youth and teen courts and more than a record 133,832 youth and adult volunteers helped with the disposition and sentencing of these juvenile cases. Youth court programs offer a positive alternative to traditional juvenile justice and school disciplinary procedures, hold juveniles accountable for their delinquent and criminal behavior, promote restorative justice principles, help educate youth about the legal system and encourage and teach civic and service life lessons. For those with a program, a chance to learn from the master; for those interested in starting a program, a presentation too valuable to miss.

WEDNESDAY MORNING WORKSHOPS 10:45-NOON

WAM01 – KEYNOTERS WORKSHOP

A small group opportunity to pursue questions and conversation with the keynoters

[Civil Rights Curriculum Discipline Reform]

WAM02— TURNING THE OUTRAGE OF HARASSMENT INTO A TEACHABLE MOMENT

Dr. Edward F. Dragan, Education Management Consulting, LLC, Lambertville, NJ

Parents are generally at a loss when a child is harassed in school. Who should I contact, what are the school rules about bullying and should I call the police are common questions. Schools don't always respond appropriately to incidents of harassment and this can create a chain of harms that will damage students emotionally and sometimes physically. This presentation draws upon real life experiences of children, parents and schools. Parents need to know how to interact with the school when their child is harassed and schools need to know how to respond to and document instances of harassment. The goal – to use these situations as a teachable moment – one that will change students and the climate of the school. Based upon his upcoming book “No More Tears: Danger-Proofing Your Child,” Dr. Edward F. Dragan will present stories from his cases that will provide school attorneys, administrators and parents with a blue-print to follow in order to take the outrage of harassment and turn it into a teachable moment.

[Children Liability Safety]

WAM03 – TBA

[Diversity Higher Ed]

WAM04— BRUTALITY 101: BULLYING IN HIGHER EDUCATION

Daniel B. Weddle, University of Missouri-Kansas City School of Law

What is known about bullying in lower schools and in the workplace suggests its almost certain presence on college and university campuses. In fact, if one examines the characteristics of bullies and bullying cultures in the two worlds that bracket the college experience, it is easy to conclude that some higher educational institutions – in particular, law schools and other highly competitive, insular professional schools – may be the perfect storm of bullying dynamics.

Given the severe effects of bullying demonstrated in lower schools and in the workplace, the likelihood that bullying is alive and well in higher education cannot be ignored. If what is happening in other settings is occurring on U.S. campuses, too many of our students are being tormented, hamstrung emotionally and educationally, and ultimately driven away from their educations and their career goals simply because those who enjoy bullying others can get away with doing so.

This seminar will suggest how university administrators and educational and other researchers can begin an aggressive effort to determine whether bullying is prevalent in colleges and universities. If bullying exists, as workplace and lower school research suggests that it does, it can be counteracted effectively with the kinds of approaches that have been shown to be successful in these other settings. The seminar will also explore potential constitutional and statutory constraints on institutional action and suggest how best to address bullying within those constraints.

[Higher ed Liability]

WAM05—THE REMEDY OF REIMBURSEMENT FOR UNILATERAL PLACEMENTS IN SPECIAL EDUCATION

James D. Gerl, Esq., Scotti & Gerl, Lewisburg, WV

This session presents an overview of the law and an analysis of the policy underlying the remedy of reimbursement for unilateral placements. The session also includes an in depth discussion of the case now before the U. S. Supreme Court: *Forest Grove Sch Dist v. TA* (concerning whether a student must receive special education in a public school before parents can seek reimbursement).

[Special Education]

WAM06 –NH EDUCATION LAW

Sarah Browning, Esq., Special Asst. to the Commissioner, NH Department of Education, Concord, NH

Important up to the minute update on NH issues from the master.

12:15-1:15 pm – WEDNESDAY NETWORKING LUNCH

WEDNESDAY AFTERNOON 1ST WORKSHOPS 1:30-2:45

WPM01 — SUPPLEMENTING FAILURE: WHY BOTH THE LEFT AND RIGHT WANT OUR CHILDREN WORKING OVERTIME

Monica Teixeira de Sousa, Assistant Professor, New England Law, Boston, MA

This session critically considers Supplemental Educational Services under NCLB and the decision made frequently by policymakers to place much needed educational services outside of the regular school day and to make them available for only those students who are willing and able to avail themselves of these services. Sure to be very thought provoking for all.

[WINGSPREAD Civil Rights Diversity Reform]

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[Curriculum Reform]

WPM02—ED LITIGATION

John R. Munich, Esq., Attorney, Stinson Morrison Hecker LLP, St. Louis, MO

Education continues to be the subject of litigation all across the spectrum from elementary school to higher ed, from state courts to the Supreme Court. This nationally-known expert returns to the Conference to review all for us. Don't miss this session if you want to be current on the latest court news.

[Liability Reform]

WPM03—YOUTH COURT

Evidence is strong that youth courts can change school climate for the better. This presenter started a youth court program at a middle school in Sacramento. The program reports, "It really changed the school climate last year. It was always talked about how you better make good choices or face your peers in peer court." Learn how to begin from someone who has been there and done this.

Gavin Mody, Esq., Education Law Consultant, Hillside, NJ

[Civil Rights Curriculum Reform]

WPM04—SUICIDE LIABILITY ISSUES

Lucy Hodder, Esq., Partner, Rath, Young & Pignatelli, Concord, NH

[Higher ed Liability Safety]

WPM05 – VIEW FROM THE HEARING OFFICERS

Scott F. Johnson, Esq., Education Law Resource Center Concord, NH

Whatever side you are on in special education litigation, knowing the perspective of the decision maker is always invaluable.

{Special Education}

WPM06 – RESERVED

WEDNESDAY AFTERNOON 2ND WORKSHOPS 3:00-4:15

WPM07 – FREE SPEECH

Clay Calvert, Esq., Co-Director, Pennsylvania Center for the First Amendment, State College, PA

Robert D. Richards, Esq., Co-Director, Pennsylvania Center for the First Amendment, State College, PA

This presentation addresses current opinions affecting the free speech and press rights of public school students including cases dealing with 1) expression on the Internet; 2) fictional writing that references violent conduct or images; 3) dress code and clothing controversies; 4) student newspapers; and 5) policies related to the distribution of literature and posting of materials in school. The presenters encourage audience participation and viewpoints on these issues.

[Civil Rights]

WPM08 – MAINE ED LAW UPDATE

Sarah Forster, Assistant Attorney General, Counsel to Department of Education, State of Maine, Moderator

Current topics for northeast lawyers and educators from the expert!

[General]

WPM09— ROLE OF THE FEDERAL GOVERNMENT IN EDUCATION

James D. Gerl, Esq., Scotti & Gerl, Lewisburg, WV

The title says it all, the view from the experts. [Reform Curriculum et al.]

WPM10—BRIDGING THE GAP BETWEEN PARENTS AND SCHOOLS WHEN CONFLICTS ARISE

Dominic Depatsy, President MADSEC & Special Ed Director, Cape Elizabeth School Dept., Cape Elizabeth, ME

Katie Hawes, Assistant Director of Special Education, Gorham School Dept., Gorham, ME

This session highlights the focus on the student as the main intent of Special Education and Instructional Support Services. Real practitioners in the field offer real strategies, solutions, and common goals for situations where conflicts arise and opinions differ.

[Parents Special Education]

WPM11 –DISPUTE RESOLUTION

Scott F. Johnson, Esq., Education Law Resource Center, Concord, NH

This session is intended to help educators, parents and other professionals involved in special education understand some of the dispute resolution mechanisms in special education. The session will discuss facilitated IEP meetings, resolution sessions, due process hearings, mediation, neutral case evaluation, and state complaints. The session will cover the laws that apply to these mechanisms and provide tips and suggestions on resolving special education disputes through mediation and other non-adversarial methods.

[Special Education]

WPM12—NCLB AND MORE

James D. Gerl, Esq., Scotti & Gerl, Lewisburg, WV

With so much change afoot, the perspective of this education leader sure to be invaluable.

[General]

THURSDAY JULY 31 CLE STRAND

8:20 AM WELCOME & INTRODUCTION

Sarah Browning, Esq., Special Asst. to the Commissioner, NH Department of Education, Concord, NH

Sarah Forster, Assistant Attorney General, Augusta, State of Maine

8:30-9:30 AM TH CLE1 – NEW DEVELOPMENTS IN SPED LAW

James D. Gerl, Esq., Scotti & Gerl, Lewisburg, WV

9:40-10:40 AM TH CLE2 – EDUCATION LITIGATION

John R. Munich, Esq., Attorney, Stinson Morrison Heckler LLP, St. Louis, MO

10:50-11:50 AM TH CLE3—FREE SPEECH INSIDE & OUTSIDE OF PUBLIC SCHOOLS

Clay Calvert, Esq., Co-Director, Pennsylvania Center for the First Amendment, State College, PA

Robert D. Richards, Esq., Co-Director, Pennsylvania Center for the First Amendment, State College, PA

11:50 AM-1:20 PM WORKING LUNCH AND TH CLE4— ETHICS

Scott F. Johnson, Esq., Education Law Resource Center, Concord, NH

Maureen A MacFarlane, Esq., Legal Counsel, Cambridge Public Schools Office of Legal Counsel, Cambridge, MA

1:30-2:30 PM TH CLE5 – LAWYERS IN SCHOOLS

TBA

2:40-3:40 PM TH CLE6— § 1983 AND EDUCATION LITIGATION

Mark Weber, Esq., Professor, DePaul University College of Law, Chicago, IL

3:50-4:50 TH CLE7 – STATE LAW PERSPECTIVE AND UPDATE

Sarah Browning, Esq., Special Asst. to the Commissioner, NH Department of Education, Concord, NH

Sarah Forster, Assistant Attorney General, State of Maine