

CCSA Annual Workshop Agenda Thursday, December 5, 2019 San Diego Marriott Marquis, San Diego, CA	
<i>All events will take place in Grand Ballroom 10-11 unless otherwise noted.</i>	
8:00 – 8:30 am	Registration and Continental Breakfast
8:30 – 8:45 am (.25 MCLE)	Opening Remarks and Introduction Presenter: Loren Soukup, CCSA President and Sr. Assoc. General Counsel, School & College Legal Services of CA
8:45 – 9:45 am (1.0 MCLE)	Click, Copy, Claim: Responding to Intellectual Property Challenges against School Districts – There has been a recent uptick in copyright claims against school districts for images that the districts, school sites, or student publications have copied from on-line and reused on websites or in publications. Several plaintiffs' law firms are now monitoring the use of on-line images on behalf of various national and international artists, photographers and businesses, and striking quickly when they track down copyrighted images that have been used without a license to do so. Additionally, there continue to be copyright and trademark claims from large businesses and universities relative to use of logos and names. This session will address new plaintiff strategies, review some recent case studies regarding demands that have been made of California school districts, and will discuss strategies for dealing with such demands when they are received. The presenter will also address best practices that can be shared with school district clients (and that provide some good reminders for law firms as well!). Presenter: Harold Freiman, Partner, Lozano Smith
9:50 – 11:05 am (1.25 MCLE)	Confronting Crossover Complaint Issues and Public Records Requests Through Collaboration – This session will focus on the many different ways in which more and more School Administrators, and the attorneys who work with them, face crossover issues which require collaboration across school district departments, and between outside legal counsel in multiple arenas. School districts receive volumes of public records requests and complaints which implicate laws, policies and procedures outside the realm of just one department or area of law. During this session, the presenters will identify common crossover themes and scenarios which require collaboration between school district personnel, and across legal practice areas. The presenters (lawyers practicing in multiple areas of school law) will provide concrete guidance on how to identify and tackle crossover issues, including when a request, complaint, or problem should prompt collaboration with Pupil Services, Human Resources, Special Education, or possibly the district's risk management experts – to name a few. The presenters will review real world examples which demonstrate how to approach these crossover issues from a legal perspective, and offer real world solutions to utilize in building collaborative and effective processes within client districts– and thereby better enable your clients to avoid and/or lessen, negative public/media scrutiny, agency exposure, and, ultimately, legal liability. Presenters: Lisa Dennis, Associate, Fagen Friedman & Fulfro; Kara Walton, Associate, Fagen Friedman & Fulfro
11:15 – 12:30 pm (1.0 MCLE, .25 Ethics MCLE)	Begin with the End in Mind: Hearing Strategies to Consider When You Embark on an Investigation – In every case, there is a moment when counsel wishes that the client had made a different decision. While school districts may not consult counsel on every investigation, we can teach our clients to make informed, strategic decisions early in a case to help ensure later success. During this session, the presenters will review several issues that frequently arise throughout the investigation process leading up to employee and student discipline hearings which can alter the outcome of the hearing. The presenters will also discuss the benefits and drawbacks to the decisions that school districts make in advance of issuing investigation reports. Finally, the presenters will review the ethics and civility rules mandated by the California Bar as they relate to the investigation and discipline process. Presenters: Kerrie McNally, Partner; Elizabeth Harland, Associate, Adams Silva & McNally LLP
12:30 – 1:30 pm Pacific Ballroom 23-24	Lunch
1:40 – 2:40 pm (1.0 MCLE)	Concurrent Sessions: Main Room: <ol style="list-style-type: none"> Changes to the FEHA – How to Advise Clients in Light of the Legislature's New Standard – Effective January 1, 2019, the California Legislature enacted a new statute which stated its intent that the "severe or pervasive" standard on which employers have relied for decades will no longer be the standard. This represents a significant change in the law. This workshop will focus on how this change affects our clients' preventative strategies, assessment of liability, and preparation for litigation, and the unique impacts of the Legislature's intent on each. We will also discuss other changes to the FEHA effective January 1, 2019 and how to effectively advise clients in light of the changes. Presenters: Laura Schulkind, Partner, Kristin Lindgren, Associate, Liebert Cassidy Whitmore
Grand Ballroom 10-11	
Rancho Santa Fe	Breakout Room: <ol style="list-style-type: none"> School Bond Basics for the Non-Bond Lawyer – School districts are gearing up for another big election year in 2020 and many will be attempting to pass bond measures. The process can be all-consuming for school district clients and school boards, and yet many general practitioners are not well versed in the law in this area, and issues can be missed. This session will (1) provide an overview of the laws related to bond elections and bond issuance, (2) familiarize attorneys with key bond concepts, (3) describe the specialized roles played by bond counsel, underwriters and other members of a finance team, and (4) identify common issues that can spill over into facilities programs and general practice.

	<i>Presenter: Janet Mueller, Shareholder, Dannis Woliver and Kelley</i>
2:50 – 3:50 pm (1.0 Elimination of Bias MCLE)	LGBTQ Education Laws: Student and Employment Issues – California’s lesbian, gay, bisexual, transgender and questioning (LGBTQ) laws are among the most progressive in the country. This session will provide attendees with information to ensure they are familiar with the federal and state mandates regarding LGBTQ rights of students and school employees, including, Title IX, hate crimes, cyber-bullying and how to respond to harassment and discrimination. <i>Presenters: Christine Hsu, Partner, Ines Kuperschmit, Partner, Olivarez Madruga Lemieux O’Neill, LLP</i>
4:00 – 6:00 pm (5.75 MCLE)	Reception – Location TBA

CCSA Annual Workshop Agenda
Friday, December 6, 2019
San Diego Marriott Marquis, San Diego, CA

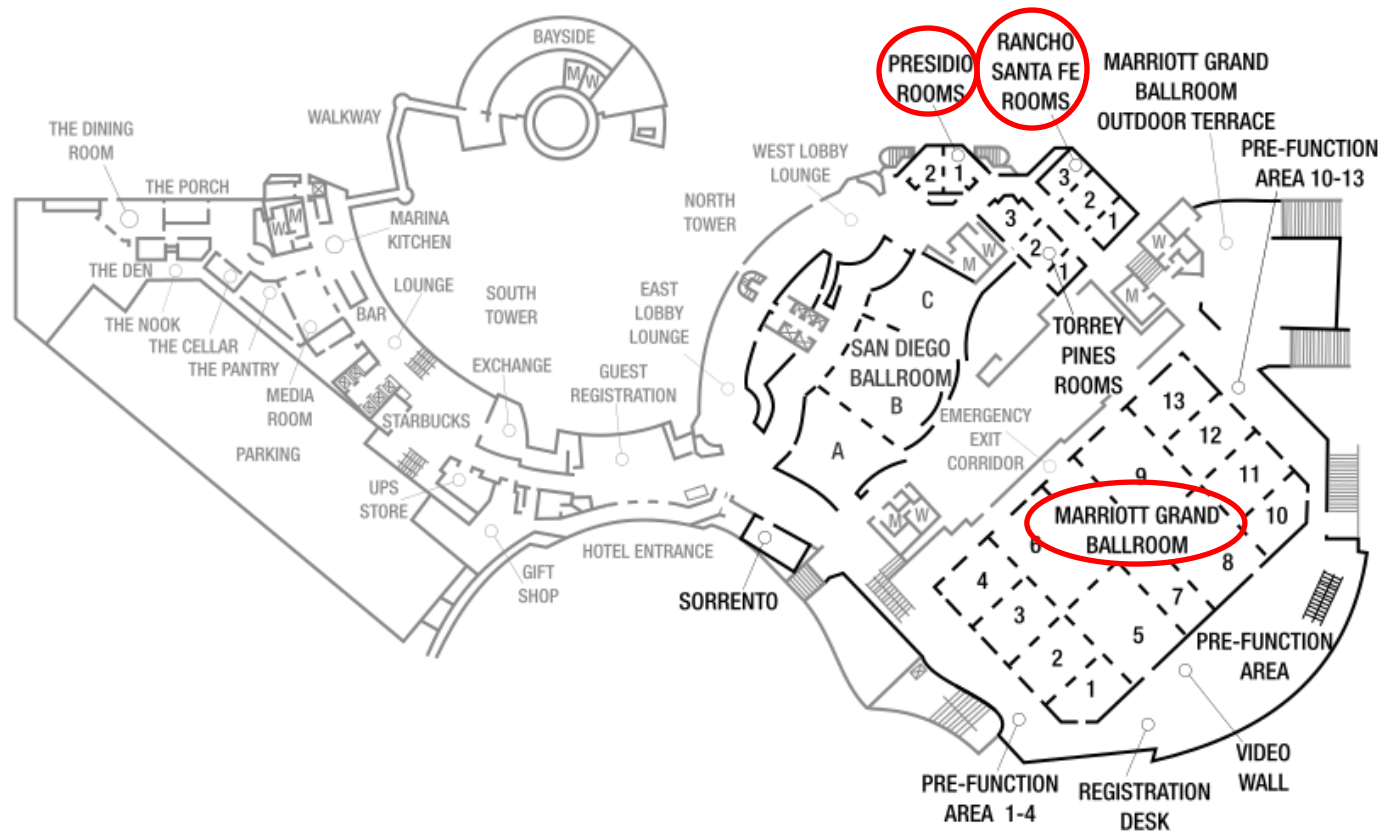
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8:00 – 8:30 am	Registration and Continental Breakfast
8:30 – 8:45 am (.25 MCLE)	Opening Remarks and Introduction Presenter: Loren Soukup , CCSA President and Sr. Assoc. General Counsel, School & College Legal Services of CA
8:45 – 10:00 am (1.25 MCLE)	Shall We Pray? Prayer and Other Religious Statements at Public School Board Meetings – After Town of Greece v. Galloway, 134 S. Ct. 1811 (2014), some school boards renewed their interest in invocations at school board meetings. Under current law, is Town of Greece an appropriate standard by any measure for local school boards? Are any invocations permissible for a school board without risking litigation? The presentation will highlight and discuss current state and federal constitutional law standards with respect to prayer at school board meetings and Board members' religious statements at public school board meetings. Presenters: Margaret Chidester , Attorney; Steven Chidester , Managing Partner; Law Offices of Margaret A. Chidester & Associates
10:15 – 11:30 am (1.25 MCLE)	CSBA Legislative Update – CSBA representatives will present a summary of pending and recently passed legislation that affects public education and public-school districts. This presentation is intended to provide school district and county office of education attorneys with an understanding of new laws and pending legislation and the resulting requirements. Presenters: Kathryn Meola , CSBA General Counsel, Director, Education Legal Alliance (ELA); Mike Ambrose , Associate General Counsel, CSBA/ELA; Carlos Machado , Legislative Advocate – Governmental Relations, CSBA; Eric Bakke , Legislative Advocate – Governmental Relations, CSBA
11:30 – 11:45 am (.25 MCLE)	CSBA Board Policy Development/Revision Services Presenter: Bob Tuerck , Assistant Executive Director – Policy & Governance Technology, CSBA
11:45 – 12:00 pm (.25 MCLE)	CSBA Education Legal Alliance (ELA) Update Presenter: Mike Ambrose , Associate General Counsel, CSBA/ELA
12:00 – 1:15 pm Grand Ballroom 8	Lunch 2020 CCSA Board of Directors Election Results Presenter: Loren Soukup , CCSA President and Sr. Assoc. General Counsel, School & College Legal Services of CA
1:15 – 2:15 pm (1.0 MCLE) Grand Ballroom 10-11 Presidio	Concurrent Sessions: Main Room: <ol style="list-style-type: none"> Relationship Between IDEA and Title IX and Impact of Office of Civil Rights Case Processing Manual on Special Education Cases – This presentation will explore the challenges of conducting an investigation and advising clients when both the IDEA and Title IX are implicated. We will dissect cases including where one or both students, who qualify as disabled, are involved in a sexual assault incident. What law prevails with respect to discipline? Change of placement? Offer of services? Does the analysis change when one or both students have severe cognitive impairment? Is there a difference in the legal analysis when conducting an investigation? We will cover the outcome of various cases. We will also discuss the revised OCR case processing manual and its impact on special education matters. Finally, we will examine how OCR is delving into the issue of seclusion and restraint, including data collection requests and the initiation of compliance reviews. Presenters: Lenore Silverman, Partner, Fagen Friedman & Fulfro; Elizabeth Estes, Of Counsel, Atkinson Andelson Loyd Ruud & Romo; Joanna Powell, Associate, Fagen Friedman & Fulfro Breakout Room: <ol style="list-style-type: none"> Out-of-District Charter Schools: Past, Present, and...Future? – Subject to limited exceptions and considerable debate, the Charter Schools Act of 1992 requires charter schools to locate within the boundaries of their authorizing local educational agency ("LEA"). But even in the wake of Anderson Union High School Dist. v. Shasta Secondary Home School, numerous charter schools continue to operate outside the boundaries of their authorizing LEA. During this session, attendees will explore the post-Anderson state of play for out-of-district charter schools and discuss recent legislation in this area. Presenter: Keith Yeomans, Special Counsel, Dannis Woliver Kelley
2:20 – 3:35 pm (1.25 Elimination of Bias MCLE)	Implicit Bias in the Legal Profession: Awareness & Interruption – This presentation defines and explores Implicit Biases that people carry within them, and how that affects the practice of law. Discussion includes attorneys' external relationships with clients, judges, witnesses, and opposing counsel, as well as internal relationships in a law firm or as in-house counsel. What is the impact on the legal profession of our unconscious assumptions and associations about race, gender, sexuality, religion, age, and other identities? Authorities relied upon in the presentation include controlled studies and scholarly writing by the American Bar Association and professors and other experts from the fields of law, sociology, and education. Focus is added to address how attorneys representing public education entities and stakeholders are especially benefitted and burdened by our client base in dealing with implicit bias. Special emphasis is on interrupting bias, so as better to ensure non-discriminatory and fair treatment of both external contacts and an attorney's own peers and colleagues. Presenter: Douglas Freifeld , Partner, Fagen Friedman & Fulfro

(5.5 MCLE)

2019 CCSA Annual Workshop
Marriott Marquis San Diego Marina Floor Plan

LOBBY LEVEL



Thursday, December 5

General Sessions: Grand Ballroom 10-11

Lunch: Pacific Ballroom 23-24

Breakout Session: Rancho Santa Fe

Friday, December 6

General Sessions: Grand Ballroom 10-11

Lunch: Grand Ballroom 8

Breakout Session: Presidio

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