CONFEDERATION OF OREGON SCHOOL ADMINISTRATORS, OREGON SCHOOL BOARDS ASSOCIATION & the UNIVERSITY OF OREGON



33RD ANNUAL OREGON SCHOOL LAW CONFERENCE

CONFEDERATION OF OREGON SCHOOL ADMINISTRATORS

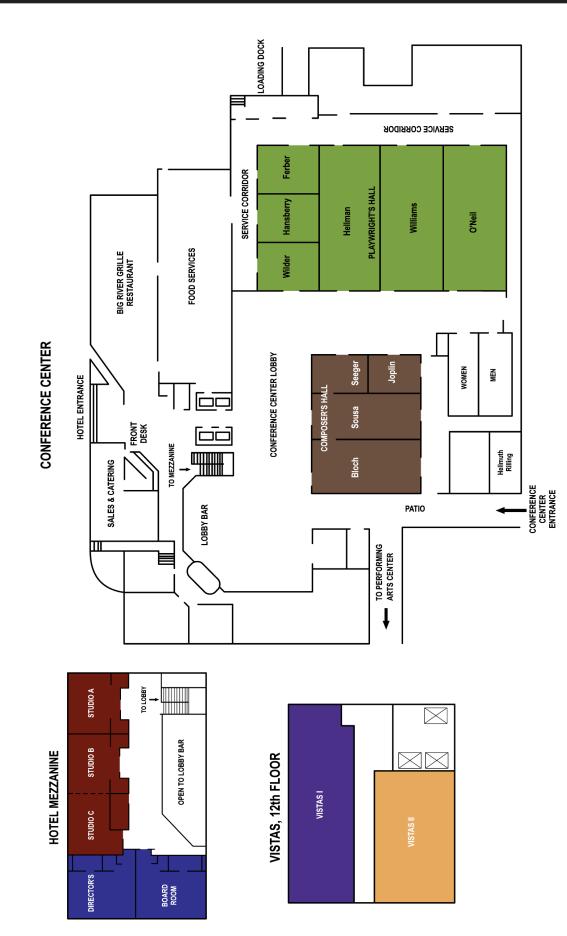
707 13th Street SE, Suite 100 • Salem, Oregon 97301 www.cosa.k12.or.us • (503) 581-3141

OREGON SCHOOL BOARDS ASSOCIATION

UNIVERSITY OF OREGON 1585 E. 13th Avenue • Eugene, Oregon 97403 www.uoregon.edu • (541) 346-1000

1201 Court Street NE, Suite 400 • Salem, Oregon 97301 www.osba.org • (503) 588-2800

DECEMBER 4-6, 2013 • HILTON CONFERENCE CENTER, EUGENE, OR



CONFEDERATION OF OREGON SCHOOL ADMINISTRATORS, OREGON SCHOOL BOARDS ASSOCIATION, & THE UNIVERSITY OF OREGON

The December 4-6, 2013, Oregon School Law Conference will mark the 33rd time that the three sponsoring organizations have collaborated on this important education event. The Confederation of Oregon School Administrators (COSA), Oregon School Boards Association (OSBA), and the University of Oregon welcome you to the Eugene Hilton & Conference Center for the 33rd Annual Oregon School Law Conference.

This year's Law Conference gathers Oregon educators and the best legal minds on the topic of School Law from throughout the state for a two-day seminar. The Wednesday afternoon pre-conference will include your choice of Employee Discipline, Special Education, Student Rights and Discipline, Human Relations for the School Administrator. Two general sessions, 15 interest sessions, and several small-group interactive discussions characterize this highly interactive and informative event. Breakout topics will include: Programs of Assistance, Student Discipline, Special Education, First Amendment Issues, Technology and Privacy to name a few.

COLIN CAMERON Deputy Director Confederation of Oregon School Administrators

LISA FREILEY

Legal, Labor, & Employment Services Director Oregon School Boards Association

Kuth

KEITH HOLLENBECK Director of Administrator Licensure Programs University of Oregon

CONFERENCE PLANNING COMMITTEE

Colin Cameron	Confederation of Oregon School Administrators
Paul Dakopolos	Garrett Hemann Robertson, PC
Lisa Freiley	Oregon School Boards Association
Keith Hollenbeck	University of Oregon
Andrea Hungerford	
Nancy Hungerford	
Bruce Zagar	Garrett Hemann Robertson, PC

SCHEDULE

WEDNESDAY, DECEMBER 4, 2013

8:30 to 4:30 Oregon School Law and Finance

1:00 to 4:00 Pre-Conference

4:00 Adjourn

THURSDAY, DECEMBER 5, 2013

7:30 to 8:00 Registration / Continental Breakfast

8:00 to 9:15 General Session I

9:15 to 9:30 Refreshment Break

9:30 to 10:30..... Breakout Sessions I - III

10:30 to 10:45 Refreshment Break

10:45 to 11:45 Breakout Sessions IV - VI

11:45 to 1:00..... Lunch

1:00 to 2:15 Breakout Sessions VII - IX

2:15 to 2:30 Refreshment Break

2:30 to 3:45 Interactive Sessions

4:00 to 5:00 Reception

FRIDAY, DECEMBER 6, 2013

7:30 to 8:00 Continental Breakfast
8:00 to 9:10 General Session II
9:10 to 9:20 Refreshment Break
9:20 to 10:30 Breakout Sessions X - XII
10:30 to 10:45 Refreshment Break
10:45 to 12:00 Breakout Sessions XIII - XV
12:00 Adjourn

WEDNESDAY, DECEMBER 4, 2013

	bool Law and Finance	
riesenters.	Lisa Freiley, Director of Legal, Labor & PACE Services/Staff Counsel, OSBA	
	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.	
1:00 to 4:00 PRE-CONFI	ERENCE SESSIONS:	
	s ics: Employee Discipline & Dismissal Bloch Room Bruce Zagar, Attorney, Garrett Hemann Robertson, PC Kelly Noor, Attorney, Garrett Hemann Robertson, PC	
	This presentation will focus on the 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.	
	ghts and Discipline	
	This session will cover key "nuts and bolts" of student rights and discipline, such as student's rights in the areas of speech and religion, attendance requirements, the range of discipline, a school's general authority to discipline, basic due process considerations, and specific discipline requirements such as discipline for weapons and discipline of disabled students.	
Nuts and Bolts: Special Education		
Presenters:	Andrea Hungerford, Attorney, The Hungerford Law Firm Richard Cohn-Lee, Attorney, The Hungerford Law Firm	
	Practical and useful information about the procedural and substantive requirements of the IDEA, this primer/ refresher course will be helpful for anyone working with education, from new Special Ed directors and building administrators who wish to be more proficient in this area, to veteran Special Ed administrators looking for the latest information and practice tips.	
4:00 Adjourn Pre	e-Conference	

4:00 Adjourn Pre-Conference

THURSDAY, DECEMBER 5, 2013

7:30 to 8:00	. Regis	stration / Con	tinental Breakfast	Lobby
8:00 to 9:15 GE		ERAL SESSIO	N I	Playwright's Hall
		You Don't Choose Tragedy, But You Can Choose Your Response Featured Speaker: John-Michael Keyes, Executive Director, I Love U Guys Foundation		
			Critical to safe schools is the classroom response to an i events, fires, accidents, intruders and other threats are scenarios that are planned and trained for by sc administration.	to student safety
			The I Love U Guys Foundation developed The Standard F (SRP) in conjunction with agencies and emergency ma is a common-language crisis response program which o school or community emergency situation. Like the In System, the SRP demands a specific vocabulary but flexibility. Available at no cost to public K-12 schools, the about two-thirds of Colorado schools and thousands mo	anagers. The SRP can be used in any ncident Command allows for great he SRP is in use in
			With a combination of both humor and heart, John-Mich includes powerful reminders of the importance of s recognition that no school is immune, and offers free re to districts, departments and agencies.	school safety, the
9:15 to 9:30	. Refre	eshment Brea	k	Lobby
9:30 to 10:30	. BRE/	AKOUT SESSI	ONS I - III	
	I.	Oregon's Graduation Requirements: Local Policy/Legal		
	Presenter:		ons Derek Brown, Manager, Assessment of Essential Skills, (-
			This session will discuss Oregon's graduation requirement the Essential Skills, credits, and personalized learning required will discuss a number of key policy issues associated wire quirements, including required documentation, lo assessments, students with disabilities and English langu data submission/reporting. Derek will also discuss reso local school districts associated with the graduation required	quirements. Derek ith the graduation ocal performance uage learners, and ources available to
	II.	-	and Off-Duty Misconduct	ams/O'Neil Room
			There are legal limits to a school district's authority to campus and off duty misconduct, and evaluating those of mobile devices and social media creates even greater of session, the presenters will use actual information four to explore with participants where those limits lie. Th be the same as previous sessions, but with a twist on conveying the information designed to help participant understanding of how courts, administrative agencies reach decisions addressing off campus and off duty m school.	limits in the days challenges. In this nd on the Internet hus, the topic will n the approach to nts have a better s, and arbitrators

III	Negotiating	in Difficult Times	Hollmon /Wildon Doom
111	0 0	in Difficult Times Brian Hungerford, Attorney, The Hungerford Peggy Stock, Legal, Labor & PACE Services C Shawn Swisher, Attorney, High Desert ESD	d Law Firm, LLP
		Over the last few years Districts have for perpetual bargaining due to uncertain funct Districts will face additional challenges in n requirements for teacher evaluation, PERS is care reforms. Districts will need to be prep bargaining table. This workshop will pro- dealing with these topics. The focus will be of bargaining, language issues, legislative the financial reality. We will also discuss cu trends being seen around the state and take	ling and shortfalls. This year egotiations as a result of new increases, and looming health bared before returning to the ovide practical strategies for e on examining the mechanics impacts, and communicating urrent economic and language
		egree Career Planning I Brown: COSA Licensure and Degree Special	
	Contin Docto minut	offers an online Administrative Licensure nuing Licensing CAL. Additionally, COSA o rate in Ed Leadership with their university tes during the Law Conference to talk with Ch and how this Relevant, Rigorous, and Relatio	offers a Masters Degree and partners. Drop by for a few eryl Brown about your career
10:30 to 10:45 Re	freshment Brea	k	Lobby
10:45 to 11:45 BR	REAKOUT SESS	IONS IV - VI	
IV.	Reunificatio Presenter:	o n Strategies John-Michael Keyes, Executive Director, I Lo	,
		Crisis recovery starts with the crisis, not af custody for every student after an unforese of the school and district. This presentation planning, practicing and achieving a success	een event is the responsibility a contains proven methods for
V.		se of Technology in Education Rebekah Jacobson, Attorney, Garrett Heman	-

Detective Micah Smith, Linn County Sheriff's Office

From sexting, tweets and blogs, to cyberbullying and sexual grooming, technology issues are presenting challenges to schools on a daily basis. This session will address the liability stemming from employee and student use/misuse of technology, including services like Facebook, Twitter, cell phones and web cams. Attendees are sure to enjoy this walkthrough style presentation, using actual cases and incidents to identify legal issues and how to best handle them. The presenters will address scenarios Oregon schools are facing every day and will provide a checklist for how administrators should respond, when to involve law enforcement partners, and how to avoid legal hotspots.

In this session, the panelists will address the "Top 10" legal issues about 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. This session will be combined with our traditional Ask the Attorney session in which Morgan and Mike will take questions and address issues from our audience.

11:45 to 1:00..... Lunch

11:45 to 1:00 Portland	State University Student Luncheon	Hellman/Wilder Room
Speakers:	Susan Carlisle, Administrator in Residence	
	Amy Petti, Associate Professor Ed Leadership	& Policy, Portland State University
11:45 to 2:15 Superinte	ndents Leadership Institute	Vistas I Room
Facilitator	Jerome Colonna, Retired Superintendent	

Speakers: Nancy Hungerford, Attorney, The Hungerford Law Firm, LLP Darin Drill, Superintendent, Cascade SD Erin Prince, Superintendent, Corvallis SD Rob Hess, Superintendent, Lebanon Community SD

1:00 to 2:15 BREAKOUT SESSIONS VII - IX

VII. Programs of Assistance...... Williams/O'Neil Room

Presenters: Greg Colvin, Attorney, High Desert ESD Jay Mathisen, Assistant Superintendent, Bend-La Pine SD

Lora Nordquist, Assistant Superintendent, Bend-La Pine SD

This session focuses on Programs of Assistance for Improvement for licensed and classified staff. It will address the following topics: differentiated supervision for staff, pitfalls of new evaluation systems, best practices in designing and implementing a strong PAI, contract and legal minefields in employee supervision, and possible impacts of SB 290.

VIII. Sex Offenders in Schools: Their Grooming Strategies and What To Do

About It...... Hellman/Wilder Room Presenters: Paul Dakopolos, Attorney, Garrett Hemann Robertson, PC

This presentation features attorney Paul A. Dakopolos and Cory Jewell Jensen, M.S., the Co-Director of the Center for Behavioral Intervention is Beaverton, Oregon. Learn about the most current research about how sexual offenders target and groom school children. We will discuss the legal challenges in dealing with grooming behavior, both from an employment perspective and a risk management perspective. How can you protect your district and children in your schools from that sub-group of offenders who are employed in youth serving organizations like schools. Cory Jewell Jensen will share first-hand interview accounts of how professionals in youth serving organizations like schools have groomed their victims.

IX. Technology In Schools: Do we know what we are doing?...... Composer's Hall Presenter: Charles Leitch, Attorney, Patterson Buchanan Fobes & Leitch, Inc., PC

> This presentation will provide an overview of technology deployment issues that school districts are facing in the present day. Topics that will be covered include technology and privacy, system security, social media and

bring your own device (BYOD) deployments, and effective development that fosters positive use while maintaining supervision. Growing technology security expectations for schools will be addressed, including staff development, vendor management, cloud computing issues, and data breach. Legal and practical limits of authority and supervision over student use and realistic strategies will be highlighted, including policies, education, and instructional supervision.

1:00 to 4:00 Licensure and Degree Career Planning Studio A (mezzanine level) Presenter: Cheryl Brown: COSA Licensure and Degree Specialist

> COSA offers an online Administrative Licensure program for Initial IAL and Continuing Licensing CAL. Additionally, COSA offers a Masters Degree and Doctorate in Ed Leadership with their university partners. Drop by for a few minutes during the Law Conference to talk with Cheryl Brown about your career plans and how this Relevant, Rigorous, and Relational program might fit for you.

2:15 to 2:30 Refreshment Break..... Lobby

2:30 to 3:45 BREAKOUT SESSIONS

> Transparent Secrecy: How to be upfront about what you can and can't say to the media, parents and community related to legal/discipline matters. Students and staff may get arrested. Sometimes there are investigations without an arrest. Districts get sued all the time. What usually works and what almost never works. Jay Remy of Salem-Keizer shares his experiences communicating sensitive personnel and student issues in Oregon's second-largest school district.

II. Avoiding Legal Issues Before, During and After a School Crisis Sousa Room Presenters: Cathy Paine, Assistant Director Administrator Licensure Program, U of O Kim Hoyt, Attorney, Garrett Hemann Robertson, PC

Avoiding lawsuits following school crises depends on the school's continued positive and open relationship with parents, the community and the media. Actions can either gain or destroy trust with parents, and negative media coverage can undermine best efforts. Blending transparency, compassion, decisive action and ownership of appropriate responsibility are key. What to do and not do will be illustrated through real incidents.

 III.
 TSPC Proposed Changes in Licensure
 Wilder Room

 Presenter:
 Victoria Chamberlain, Executive Director, TSPC

The session will discuss the proposed TEACHER licensure changes that will be implemented, how current license holders will be transitioned to the new licenses, and new teacher leader and beginning teacher features that currently do not exist. If time permits, other TSPC issues will be addressed, including a robust question and answer period.

Classified staff are the backbone of our organizations. They serve a valuable role in the day to day operations of every school district. In this session we will explore what makes management of classified staff unique and ways to stay ahead of the curve in handling these challenges. This session will cover such issues as attendance, theft, turnover, and more.

There is a change in the District Improvement Planning process – the eCIP has been replaced. Oregon is using the Indistar® Tool to eliminate redundancies, provide mandate relief and streamline planning efforts for districts in a user-friendly tool. How can a district use Indistar® school level plans to build a district plan? What does it look like when a district addresses the Five Key Areas of Effectiveness? How does a district pull together key stakeholders for the process of continuous improvement planning?

VI. The 3 R's of Highly Qualified Teachers......Joplin/Seeger Room Presenter: Janet Bubl, Education Specialist, Title I-A & Title VI B, ODE

This workshop examines requirements, responsibilities and reports surrounding the Highly Qualified (HQ) provisions of ESEA. This workshop is recommended for federal program staff, HR directors, and district level staff responsible for annual HQ reporting.

 VII.
 Putting SB 290 Into Practice
 O'Neil Room

 Presenter:
 Nancy Hungerford, Attorney, The Hungerford Law Firm, LLC

Nancy Hungerford will review the challenges of implementing SB 290, particularly the student growth goal-setting process, and identifying modifications that might be needed in your new evaluation procedures, looking ahead to 2014-15 when those goals are to have "significant" impact on the final evaluation rating for each teacher.

4:00 to 5:00 Reception...... Lobby

FRIDAY, DECEMBER 6, 2013

7:30 to 8:00	. Continental Breakf	ast	Lobby
8:00 to 9:10	GENERAL SESSIO	N II	Playwright's Hall
		f Oregon's Bully Prevention Law J Richard Knapp, CEO, Stop-Bullies.com	
		Richard will lead participants through an Prevention Law as it relates to school distr and procedures in relationship to the law, practices.	icts. This will include policy
9:10 to 9:20	. Refreshment Break	۲	Lobby

9:20 to 10:30..... BREAKOUT SESSIONS X - XII

X. Beyond the Collective Bargaining Agreement: Legal Issues Composer's Hall Presenter: Nancy Hungerford, Attorney, The Hungerford Law Firm, LLP

This session will cover State and Federal law including wage and hour law, whistle blowing, retaliation and discrimination claims.

> This session will cover what building administrators need to know about the ADA to avoid pitfalls in hiring, addressing employee medical issues and absenteeism, and handing student and parent demands for accommodation. What conditions does the ADA cover, and how do you know when someone qualifies as disabled? What steps must a building administrator take to consider – and decide on - accommodations? How can an administrator ensure that an employee fulfills their job responsibilities, while still complying with the ADA? This presentation will provide practical, hands-on information for building and central office administrators in dealing with the ADA.

XII. Guns in SchoolsHellman/Wilder RoomPresenter:Morgan Smith, Legal, Labor & PACE Services Attorney, OSBA

This is a topic schools districts across the country are struggling to address. The questions are difficult and unique to each local district but the common element in every case is what policy fits the local school districts needs, what process should you use in making these decisions and what legal parameters are applicable in decisions involving: students, staff, volunteers, parents and community members.

10:30 to 10:45 Refreshment Break..... Lobby

10:45 to 12:00 BREAKOUT SESSIONS XIII - XV

This workshop will provide practical information that building administrators need to ensure their building's compliance with IDEA and Section 504, and to assist them in supporting and supervising their general and special education staff. Topics to be covered will include attendance at and conduct of IEP meetings, handling parent requests for 5045 and special services or programs, discipline of identified students, supervision of staff's compliance with IDEA and Section 504, and updates on recent legal decisions.

Camellia Osterink, Legal Counsel, Beaverton SD

This session will examine the constitution ramifications of searching students on school property to avoid potential issues for your school. Starting with the basics of what constitutes a reasonable search in the school environment, and how the searches must be conducted to remain legal, and discussing new changes in the law in this regard. Lastly, a discussion of law enforcement interrogations of students in school and how they must comport with the law to avoid issues with both law enforcement and student's civil rights.

XV. Open Enrollment, Transfers...... Composers Hall

Presenters: Morgan Allen, Legislative Services Specialist, OSBA Peggy Holstedt, Director of Board Development and Policy Services, OSBA Cindy Hunt, Government and Legal Affairs Manager, ODE

HB 2747 made several significant changes to statutes that govern the admission of nonresident students. A brief summary of the key changes to "open enrollment", inter district transfers and tuitioned students will be presented with a question and answer session.

12:00 Adjourn

COSA Professional Learning Calendar

DECEMBER 2013

4-6 33rd Annual Oregon School Law Conference	Hilton, Eugene
JANUARY 2014 30-Feb. 1 OACOA/OASE Winter Conference	Salishan, Gleneden Beach
FEBRUARY 2014 1	Western Oregon University, Monmouth
MARCH 20146-713-14State English Learners Alliance Conference17-18Breakthrough Coach	Hilton, Eugene
APRIL 2014 TBA Common Core State Standards - Spring Regional Workshops . 25 OACOA Seminar Series	
JUNE 2014 18 40th Annual COSA Pre-Conference 19-20 40th Annual COSA Conference	Convention Center, Seaside Convention Center, Seaside
AUGUST 2014 7-8 Oregon Summer Assessment Institute	Hilton, Eugene
OCTOBER 2014 2-3 Fall Conference for Special Education Administrators	

NATIONAL CONFERENCES

NASSP February 6-8, 2014	Dallas, Texas
AASA February 13-14, 2014	Nashville, Tennessee
ASCD March 15-17, 2014	Los Angeles, California



Join us for a professional learning experience devoted to helping principals and assistant principals meet the unique challenges of middle level and high school leadership.

Topic areas will include:

- Common Core State Standards
- College and career readiness
- Teacher recruitment and development
- Enhancing culture and climate.

Share innovative ideas and relevant solutions with peer practitioners and other leaders in education.

Register Now for Ignite '14

www.nasspconference.org







PSU Graduate credit for COSA events!

Attend the **2013 COSA Oregon School Law Conference** in Eugene, Oregon on December 4th thru the 6thth to earn one graduate credit through the Continuing Education at Portland State University's Graduate School of Education.

Choose from the following options:

 Attend the conference on Dec 4th thru the 6th, and complete one written assignment, and earn one graduate credit through the Educational Leadership and Policy Department (ELP 506)

Tuition: \$75 per credit

1 credit

Registration

Look for the PSU booth at the conference. A representative will be available to assist with credit registration.

Requirements

Assignment instructions will be available at the PSU booth. All papers must be submitted by **January 31st, 2013**.

Grades, receipts, and transcripts

The course above will be graded **Winter term 2014**. Grades will be available on the PSU website on **Wednesday March 26, 2014**. For instructions on accessing your grade, obtaining a receipt, or getting transcripts, visit http://www.pdx.edu/ceed/cooperative-credit-program-information-for-students

For more information

To request a copy of the assignment instructions or to get information about partnering with PSU to offer credit for your school or district's professional development activities, contact Julie Wolleck at jwolleck@pdx.edu.

Continuing Education

Julie Wolleck Program Manager, Cooperative Credit jwolleck@pdx.edu | 503-725-8234



COSA LICENSURE AND DEGREE PROGRAMS



Our stated mission at COSA is to develop and support school leaders. We see our licensure programs as an excellent example of striving to meet our service mission. COSA offers an online Administrative Licensure program for Initial License and Continuing License along with a Doctoral Program in partnership with the nationally recognized Concordia University of Chicago.

Our COSA/CUC Program Offers:

- IAL Initial Administrative License (Join Fall 2013 Cohort register by August 10, 2013)
- IAL with Master's Degree in Educational Leadership
- CAL Continuing Administrator License
- Doctorate in Educational Leadership (with CAL credit applying to Doctorate)
- The Leadership Programs are TSPC approved and nationally accredited.
- Fully on-line content courses in an asynchronous format.
- Relevant high quality internships are completed face to face.
- Job-embedded, career focused internships and coursework requirements will allow candidates to create relevant and productive experiences that directly work to improve their schools.
- The costs of the programs are at or below the average cost of existing licensure programs.

For additional information you can also review our website: www.cosa.k12.or.us/licensure/admin.licensure.html or contact Trina Hmura at the COSA office: trina@cosa.k12.or.us.

