

*The 10th Annual
Texas Higher Education Law Conference
At the University of North Texas
In Denton, Texas
April 10-11, 2006*

- The Premier Higher Education Law Conference in Texas
- 25 General and Breakout Sessions
- Nationally and State Renowned Speakers
- CD of Speaker Materials
- 2006 Compendium of Higher Education Law
- Continuing Education Credit



Sponsored By

UNT College of Education
UNT Center for Education Law, Administration and Policy
UNT Department of Counseling, Development and Higher Education
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MONDAY – APRIL 10, 2006

- 8:00 Registration / Hot Breakfast Buffet
- 8:45 Welcome
- 9:00 The Texas Legislature at Work
- What to expect in special session
 - Outlook for higher education
 - Key issues for next legislative session
- Chris Griesel*
Texas House of Representatives
- 10:00 Tort Liability and Pro-active Risk Assessment on Campus
- An examination of recently decided tort liability cases on campus
 - Critical lessons to be learned from recent cases
 - How to use pro-active risk assessment to help protect your people and your institution
- William P. Hoye*
University of Notre Dame
- 11:00 Break
- 11:15 Breakout Sessions
- A. Hosting Events Involving Children on Campus
- Critical issues that may arise when dealing with minors on campus
 - Risk management measures to address issues of minors on campus
- Kimberly Novak*
Arizona State University
- B. New Department of Labor Requirements Affecting Higher Education
- Online applicants
 - Recent changes in employment requirements
 - DOL guidance
- Fred Azúa, Jr.*
U.S. Department of Labor
- C. Academic Freedom: Diminishing Faculty Rights & Control
- What is Academic Freedom
 - Can Academic Freedom be limited
 - What recent case law says about its future
- Leo L. Barnes*
The University of Texas System
- D. Leadership Beyond the Law...Ethics and Leadership in Times of Crisis
- What is the essence of real leadership
 - How do real leaders handle crises effectively
 - Post crisis analyses of decision making
 - Ethical concerns in times of crisis
- Timothy Owens*
University of North Texas
- 12:15 Lunch
- The Future of Higher Education
- Meeting the educational needs of the future
 - Accountability and changing demographics
 - Advice from the Commissioner
- Raymund A. Paredes*
Texas Higher Education Coordinating Board
- 1:30 Breakout Sessions
- A. The Law on Campus: Friend or Foe
- Change on campus as a result of legal mandates
 - Benefits of the laws we love to complain about
 - Making quality decisions based on educational values & still obeying the law
- Gage E. Paine*
Trinity University
- B. Coordinated Suicide Risk Assessment: A Clinician's Perspective
- Institutional Approaches to Coordinated Suicide Risk Assessment
 - Pragmatics of Risk Assessment
 - What happens if we don't coordinate
- John Hipple*
University of North Texas
- C. Criminal Activities On & Off Campus
- How to investigate
 - Interim action
 - Practical advice to avoid litigation
 - How to handle the backlash from inside and outside the university
- Victor Mellinger*
Texas Tech University System
- D. Defending Against Retaliation Claims
- Why retaliation claims are a legal nightmare
 - How to recognize a potential retaliation claim before it occurs
 - Strategies for defending against retaliation claims
- William L. Fly*
Texas State University-San Marcos
- 2:30 Break
- 2:45 12 Preventative Lessons on Disability Law Involving Students
- Procedures to have in place
 - Most common accessibility problems on campus
 - Future compliance challenges
- Paul Grossman*
Hasting College of Law, University of California
- 3:45 Recent Decisions Affecting Higher Education
- Summary of Federal Cases
 - Summary of State Cases
 - Administrative Rulings
- Mari M. McGowan*
Abernathy, Roeder, Boyd & Joplin, P.C.
- 5:00 Reception immediately following
Hosted by TACUSPA

TUESDAY - APRIL 11, 2006

- 8:00 Registration / Hot Breakfast Buffet
- 8:45 A Washington Update
- Pending legislation relating to higher education
 - Political dynamics relating to issues affecting higher education
- Reed C. O'Connor
Washington, D.C.*
- 9:45 Challenges in the Changing and Litigious Environment of Higher Education
- Overview of the changing legal environment in Higher Education
 - Principles of risk management for use in a campus culture
- Kimberly Novak
Arizona State University*
- 10:45 Break
- 11:00 Breakout Sessions
- A. Hot Topics for Community Colleges
- Teachers', students' & colleges' rights and the related pitfalls
 - Update on Employee Issues
 - Conflicts of Interest
- Tim Brightman
Abernathy, Roeder, Boyd & Joplin, P.C.*
- B. FERPA: Beyond the Basics
- Latest changes
 - Court cases
 - Questions and answers
- LeRoy Rooker
U.S. Department of Education*
- C. 4th Amendment: Search & Seizure on the Higher Education Campus
- To whom does the 4th Amendment apply and why
 - Dorm searches and other hazards
 - Sniffer dogs
 - Random drug testing of athletes and others
- William C. Bednar
Law Office of William C. Bednar*
- D. Camps and Conferences—Liability or Asset
- Maximize your campus resources to screen conferences & camps
 - What is your liability quotient
 - Where are the danger zones
 - Top 10 risk factors
- Jill Laster
Texas Christian University*
- E. Key Legal Issues Impacting Housing & Residence Life
- Crisis intervention and emergency protocol
 - Staff hiring and background screening
 - Staff accountability and compliance
- Cindy F. Stride, Patrick Ramos and Sarah Mathis
University of North Texas*
- 12:00 Lunch
- Spring Election Results and Future Trends
- Who won, who lost, why
 - Who will be the winners in the fall general elections
- Allan Saxe
University of Texas-Arlington.*
- 1:15 Campus Safety and the 1st Amendment
- What is permitted under the 1st Amendment
 - Court cases addressing campus safety and institution/employee rights
 - Responsibility of the school to protect students
 - Practical implications for campus administrators
- Jim Walsh
Walsh, Anderson, Brown, Schulze & Aldridge, P.C.*
- 2:15 Break
- 2:30 Employee and Student Misconduct Issues Related to Technology
- Copycat Websites, Blogs and Cyberbullying
 - Copyright, Misrepresentation, Plagiarism and Hacking
 - Privacy and Harassment Issues
- Lynn Rossi Scott
Bracewell & Giuliani, LLP*
- 3:30 Pornography on Campus
- How accessible is it (e.g., computer, wireless internet, cell/camera phones, iPods, etc)
 - What are the civil and criminal law implications
 - What are the rights and responsibilities of the university and the student and/or employee
- José M. Rangel
University of Houston System*
- 4:30 Collegial Discussions on Educational Law
- Opportunity to ask questions
 - Discuss concerns related to your institution
- Richard Rafes and Chong Choe
University of North Texas*
- 5:00 Adjourn



Welcome to the TENTH ANNUAL TEXAS HIGHER EDUCATION LAW CONFERENCE – the premier law conference for Texas higher educational professionals in the public and private sector and attorneys practicing in the area of education law. We hope you enjoy the conference as much as we enjoy having you on our beautiful and growing campus.

Richard Rafes, J.D., Ph.D.
Conference Director

CONFERENCE FACULTY

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Regional Director
U.S. Department of Labor, OFCCP
Dallas, Texas

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University Attorney
Texas State University-San Marcos
San Marcos, Texas

Chris Griesel, J.D.

Deputy Parliamentarian
Texas House of Representatives
Austin, Texas

Paul Grossman, J.D. *

Chief Regional Attorney
U.S. Department of Education,
Office of Civil Rights
Adjunct Professor, Disability Law
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Assistant Director, Student Affairs Risk
Management
Arizona State University
Tempe, Arizona

Reed C. O'Connor, J.D.

Chief Counsel to Senator John Cornyn
United States Senate
Washington, D.C.

Timothy Owens, M.S.

University Training Manager
Human Resources Department
University of North Texas
Denton, Texas

Gage E. Paine, J.D., Ph.D.

Vice President for Student Affairs
Trinity University
San Antonio, Texas

Raymund A. Paredes, Ph.D.

Commissioner of Higher Education
Texas Higher Education Coordinating
Board
Austin, Texas

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LeRoy Rooker, Director

Family Policy Compliance Office
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Austin, Texas

* Mr. Grossman is participating in his private capacity. The views expressed in his presentation will be the result of his independent research and do not necessarily represent the views of the U.S. Department of Education or the United States.

Registration Form

Name/Title: _____

Institution: _____

Mailing Address: _____

City/State/Zip: _____

Telephone: Day: () _____ Evening: () _____

Fax: () _____ E-mail: _____

Registration Fees

Refund deadline is **March 24, 2006**. Refunds will be made for registrations cancelled on or before the deadline less a \$25.00 processing fee. No refunds will be made after the deadline. Registration Fee includes full breakfast and lunch buffets on both days, Monday evening reception, conference CD, and CD of the 2006 Compendium of Higher Education Law.

Early Registration (Ends March 24)

One Day Only April 10 or 11 - \$ 175

Two Day - \$ 250

Regular Registration

One Day Only April 10 or 11 - \$ 225

Two Day - \$ 295

On-Site Registration

One Day Only April 10 or 11 - \$ 250

Two Day - \$ 325

Method of Payment: Check _____ Money Order _____ IDO (UNT) _____ Purchase Order # _____

Master Card, Visa, Discover or American Express # _____ Exp. Date _____

Signature of Cardholder: _____

Continuing Education Credit. Please specify: CPE LPC

You may request a disability accommodation through the ADA liaison: (940) 565-2656 TDD (800) 735-2989. AA/EOE/ADA

Mail completed registration form and payment (made payable to UNT) to:

**Law Conference, University of North Texas, CCECM,
P.O. Box 310560, Denton, TX 76203-0560**

**Credit card, IDO and purchase order payments may be faxed with the Registration Form
to (940) 565-3801 twenty-four hours a day.**

**Register on-line at http://www.unt.edu/administration/conference_2006.htm
with credit card or purchase order.**

For further information please call (940) 565-2103

HOTEL ACCOMMODATIONS

Limited accommodations are available at the Radisson and Hampton Inn Hotels. For hotel discounted rates, mention that you will be attending the Tenth Annual Texas Higher Education Law Conference. A discounted rate of \$80 at the Radisson, per single or per double room, is available through March 24th. A discounted rate of \$85 at the Hampton Inn, per single or per double room, is available through March 26th. Reservations may be obtained by calling the Radisson at (940) 565-8499 or the Hampton Inn at (940) 891-4900. Information on other local hotels is available upon request. Please contact Amanda Barksdale at (940) 565-3484 or abarksdale@unt.edu for more information.

LOCATION

The conference will be held in the Gateway Center at 801 North Texas Blvd. on the campus of the University of North Texas in Denton, Texas. The University is conveniently accessible from Dallas/Fort Worth International Airport and Dallas Love Field. Directions can be found at http://www.unt.edu/pais/map/M_directions.htm.

PARKING

Free parking is available in the Fouts Field parking lot adjacent to the Gateway Center. A UNT campus map is available at <http://www.unt.edu/pais/map/custommap.htm?bd=37&bd=35&pk=V>.

The University of North Texas is a thriving university with a legacy of excellence in a broad range of academic areas. UNT is a student-centered research university and is the flagship of the UNT System. The university stands as the most comprehensive in the Dallas-Fort Worth region, offering 93 bachelor's, 111 master's and 50 doctoral degree programs, many nationally recognized.

UNT is also one of the largest universities in Texas, enrolling more than 32,000 students. Founded in 1890, UNT takes pride in its outstanding faculty, high academic standards and diverse student body.

Offering a traditional college experience at an affordable cost, UNT boasts an 18:1 student-faculty ratio and Division 1-A athletics. The university provides abundant opportunities for its constituents to discover the power of ideas.

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University of North Texas, CCECM
PO Box 310560
Denton, TX 76203-0560**