

31st Annual

**Western New York Education
Law Conference
Wednesday, Aug. 5, 2009**

This year, it's about the money:

**Sustaining
Quality Education
Despite Dwindling Resources**

**The Millennium
2040 Walden Ave., Cheektowaga**

Presented by the
**Erie County
Association of School Boards**
and the
**WNY Educational
Service Council**



Hon. Brian Higgins

Understanding the law's affect on public schools will prepare you to participate at the highest level to improve student performance and achieve excellence in school governance.

- Francisco Negrón, Jr.,
General Counsel,
National School Boards
Association

■ How to negotiate smarter ...

■ Seniority, layoff & recall ... learn the steps you must take!

■ Innovative ways to use federal stimulus funds ...

■ Various (legal) ways to save money in the school setting ...

■ School reorganizations and various ways to get there ...

■ Audits, including fund balances and reserves & how to use them!

Keynote Speaker:
**Congressman
Brian Higgins on
*The Role
of Public Education
in Revitalizing WNY:
The Federal View***

**Also: FERPA Update &
Special Ed Update**

**and "Hot Topics" with
Jay Worona**

Sustaining Quality Education Despite Dwindling Resources

8:00-8:25

Registration and continental breakfast

8:25-8:30

Welcome from ECASB and WNYESC

8:30-9:00

Keynote address: Congressman Brian Higgins:

“The Role of Public Education in Revitalizing WNY: The Federal View”

Cleveland/Fillmore Room

Roosevelt Room

McKinley Room

9:10-10:10

Looking Up at the High Court: What the Roberts Court Means for Public Schools, Join *the National School Boards Association’s General Counsel Francisco Negrón, Jr.*, for a look at the Supreme Court under the leadership of Chief Justice John Roberts. Examine legal developments impacting school districts. Learn about the latest court cases involving placement for special education students, “class of one” Equal Protection Clause claims, age discrimination and retaliation claims, retirement plans & more.

The Legal and Practical Implications of Audits, & the Use of Fund Balances & Reserves, *Jeff Swiatek, Hodgson Russ.* State Comptroller Audits repeatedly highlight proper use of fund balance and reserve funds, as well as compensated absences and other expenditures. Learn about the implications and the practical approaches that can be used by your district.

What’s New in Safeguarding Student Information? *Colleen Sloan, Manager of Labor Relations/Associate School Attorney, Erie 1 BOCES; 2009 President NYS Association of School Attorneys.* Find out about important changes to the Family Educational Rights and Privacy Act (FERPA): there’s more flexibility in disclosing information in emergencies, but greater responsibility in safeguarding other info. Discover how FERPA may impact efforts to save \$ through using non-employees to perform district services or functions.

10:20-11:20

How to Negotiate Smarter, *Ronald J. Mendrick, Harter, Secrest & Emery, LLP.* Negotiations for teachers’ contracts usually end with a salary increase in the 4+% range regardless of economic data and increases in other areas, such as the private sector. “Hard ball” negotiations do not get better results. We need to strategize about what is effective in the political arena of school district negotiations and how to negotiate smarter to break the “4% standard” and better align benefits with other sectors.

Seniority, Layoff & Recall, *David Hoover, Erie 1 BOCES, and Thomas Ramming, WNY Educational Service Council.* Learn the steps you must follow to determine which teachers are the most senior, procedures for layoff, and order of recall. This session also will include guidance pertaining to administrative positions and will feature the latest changes to laws and regulations.

Various (Legal) Ways to Save \$ in the School Setting, *Andrew J. Freedman, Norton/Radin/Hoover/Freedman.* Yes, you can save \$! Count the ways - from pursuing tax assessment proceedings to understanding your true obligations in areas such as residency and homelessness, and being proactive with Response to Intervention planning.

11:30-12:30

Stimulus Funds: How ‘Flexible’ Are They?, *Tracie Lopardi, Partner, and Douglas Gearhardt, Partner, Harris Beach.* Federal stimulus funds are flowing. How may they be used? Are layoffs permissible? What happens in two years? What are the limits? Participants will get a solid understanding of rules related to the use of this money, as well as innovative methods for using them.

Special Ed Update: Consent, Consent and ..., *David Oakes, Partner, and Kate Hill, Associate, Harris Beach.* New federal regulations allow parents to withdraw a student from special education at any time. This and other “consent” issues may drive special education administrators into a catch-22. What can you do?

School Reorganization: The What, How, Why and Why Not ... *David Farmelo, Hodgson Russ, and Bren Price, WNY Educational Service Council.* Join this session for a review of district reorganization options and the potential benefits - as well as reasons why reorganization is difficult to achieve, and the formal legal steps and timelines involved.

12:30-1:30

Lunch in the Atrium

1:35 – 2:45

HOT Topics with Jay Worona, Cleveland/Fillmore Room

2:45-3:00

Wrap Up and Closure

WNY Education Law Conference: Aug. 5, 2009

Registration & Info: 645-2932

Update your legal knowledge!

The WNY Education Law Conference is planned by a committee of school leaders and school attorneys in a collaboration organized by the Erie County Association of School Boards and the Western New York Educational Service Council. Its purpose is to ensure that local school leaders, policymakers and other interested educators have the most current legal information available.

2009 Planning Committee: Jane Burzynski, APR, ECASB; Robert Christmann, E-NSSA, Superintendent, Grand Island; David A. Farmelo, Esq., NYSASA; Andrew J. Freedman, Esq., NYSASA; David A. Hoover, Esq., NYSASA; Tracie Lopardi, Esq., NYSASA; Bren Price, WNYESC; Dr. Thomas Ramming, WNYESC

In cooperation with the Erie-Niagara School Superintendents Association (E-NSSA), NYS Association of School Attorneys (NYSASA), and U.B. Law School

Assisted by Shirley Nowak, Debbie Bridon, Sue Summers, and Bonnie Domogala

Who will benefit? School Board Members * Superintendents * District Office Administrators * Principals * Teachers * School Attorneys * School Communications Staff

Congressman Brian Higgins:

The Role of Public Education in Revitalizing WNY

Brian Higgins is a third term member of the United States House of Representatives. He serves on the House Committee on Ways and Means.

Congressman Higgins was an instructor in the History and Economics departments at Buffalo State College. He completed his undergraduate and graduate studies at Buffalo State College in political science and history, respectively. He also has an advanced degree in public policy and administration from Harvard University.

Congressman Higgins has been a champion of waterfront development in Buffalo and led the fight for a \$279 million settlement from the New York Power Authority that is now financing a major transformation of Buffalo's long neglected Inner and Outer Harbors. Formerly a member of the Oversight and Government Reform subcommittee for National Security, Emerging Threats, and International Relations, Congressman Higgins has traveled extensively through some of the most volatile regions in the world and has met with world leaders to promote peace in Northern Ireland, the Middle East, South Asia and Africa, including Darfur, Afghanistan and Iraq.

Are you eligible for the member rate?

Yes, if you are a staff member or board of education member in one of the following member districts of the Erie County Association of School Boards and/or Western New York Educational Service Council:

Akron, Alden, Allegany-Limestone, Amherst, Attica, Brocton, Byron-Bergen, Buffalo, Cattaraugus-Allegany-Erie-Wyoming BOCES, Cattaraugus-Little Valley, Chautauqua Lake, Cheektowaga, Cheektowaga Sloan, Clarence, Cleveland Hill, Depew, Diocese of Buffalo, Dunkirk, East Aurora, Eden, Elba, Ellicottville, Erie 1 BOCES, Erie 2 Chautauqua Cattaraugus BOCES, Forestville, Franklinville, Frontier, Genesee Valley BOCES, Gowanda, Grand Island, Hamburg, Holland, Holley, Hopevale, Iroquois, Jamestown, Kenton, Lackawanna, Lake Shore, Lancaster, Leroy, Lewiston-Porter, Lockport, Lyndonville, Maryvale, Medina, Newfane, Niagara Wheatfield, North Collins, North Tonawanda City, Oakfield Alabama, Olean, Orchard Park, Pembroke, Perry, Randolph Academy, Ripley, Royalton-Hartland, Silver Creek, Southwestern, Springville-Griffith Institute, Starpoint, Sweet Home, Tonawanda City, Warsaw, Westfield Academy and Central School, West Seneca, West Valley, Williamsville, Wilson, Yorkshire Pioneer.

Attorneys may apply for (CLE) credits

The University at Buffalo School of Law has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of Continuing Legal Education in the State of New York for the period March 11, 2008-March 10, 2011. The University at Buffalo School of Law has a financial hardship policy. For further information, please contact Lisa Mueller, CLE Coordinator, at 645-3176 or the WNYESC at 645-2932.

Western New York Education Law Conference

(No Price Increase from Last Year!)

To get the reduced TEAM rate, register at least FIVE from your district

Member Rate (see member list inside): \$139/person

Team Rate (for FIVE or more from the SAME organization): \$125/person

Standard Rate (if you are NOT a member and NOT registering with a team): \$199/person

School District or Firm _____ Contact Person _____

Address _____ Town _____ Zip: _____

Phone _____ e-mail _____

Names & Titles of Registrants (REDUCED RATE for teams of FIVE or more)

Check here if this

Name

Title

person is an Attorney

_____	_____	___
_____	_____	___
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_____	_____	___
_____	_____	___

This program qualifies for 5.0 non-transitional CLE credits in the area of professional practice.

Please make check payable to: WNYESC (ECASB or WNYESC members - \$139 per person;
of FIVE or more - \$125 per person; non-members - \$199).

Mail to: WNYESC, 222 Baldy Hall, State University of New York at Buffalo, Buffalo, NY 14260
or FAX to WNYESC at 716-645-3840.

IMPORTANT - Register by July 22; Sorry, NO refunds after this date.

Registration & Information: 645-2932

Erie County Association of School Boards
355 Harlem Road, West Seneca, NY 14224

WEDNESDAY, Aug. 5, 2009

**Western New York
Education Law
Conference**