

Educator Misconduct (Sessions 2B, 3B)

We tend to think of misconduct as an event – a line that gets crossed. In reality, it's a process so gradual that people don't always notice, and that is why well-intentioned laws and policies intended to stop educator misconduct can only do so much. Ironically, the most compassionate and successful educators are often most at risk for missteps. This presentation will focus on the premise that all educators are susceptible to decision-making that may lead to incremental boundary violations. Case studies, research, and models of understanding will be utilized to examine the slippery slope that defines the "process."

Presenters: Troy Hutchings, Ed.D. - Educational Testing Service
Dr. Scott McCartney, Superintendent of Schools, Moorestown, NJ
Scott C. Tennant – Arthur J. Gallagher Risk Management Services

Hot Topics in Education Labor Law (Sessions 1F, 2F)

In the ever-evolving world of labor and employment, this session will discuss recent developments and hot topics concerning labor negotiations, employee discipline, and PERC issues affecting school districts.

Presenter: Cherie L. Adams, Esq. – Adams Gutierrez & Lattiboudere, L.L.C

HIB Update 2018 (Sessions 1D, 3C)

In December 2017, the State Board of Education revised administrative code related to the Anti-Bullying Bill of Rights effective July 1, 2018. This session will provide an overview of the revisions to Policy Guide 5512 based on the updated administrative code. A discussion of the revisions will include the option of a Principal making a preliminary determination; the circumstances of an incident taken into account when contacting parents; the consideration of power imbalance; students with disabilities and HIB; and the relationship of APSSDs and sending districts regarding HIB.

Presenter: Cindy Herrick - M.A.Ed. - Strauss Esmay Associates, LLP

Interplay Between Schools and Law Enforcement (Sessions 1A, 2A)

Following the school shooting in Parkland, FL, there has been a significant uptick in the number of threats directed at schools throughout the country. This presentation will analyze the role of school districts and law enforcement when facing such threats. Issues to be addressed include the Memorandum of Agreement between education and law enforcement officials and the sharing of information; under what circumstances should schools not conduct internal investigations and defer to law enforcement; when should school officials notify the community about potential threats; how schools should preserve evidence of potential criminal activity; the right of parents to be present when law enforcement and/or the administration wishes to question student(s); student searches; and handling the public relations aspects of school safety and security issues.

Presenter: Marc H. Zitomer, Esquire - Schenck, Price, Smith, & King, LLP

A New Look at Tenure and Seniority (Sessions 2D, 3D)

TEACHNJ and AchieveNJ have modified New Jersey's tenure rules in significant ways. This presentation will center on the key requirements of the new tenure law; looking at how leaves of absence, AchieveNJ regulations, and recent Commissioner decisions are impacting tenure accrual. If time allows, we will also look at some of the significant elements of seniority and conducting a reduction-in-force.

Presenter: Randall Kanter - Califon Consultants

Can a Student be Required to Undergo a Psychiatric Examination? (Sessions 2E, 3E)

Today's climate warrants a careful balancing act between maintaining a safe educational environment and not violating student rights. This presentation will present an overview of the relevant policies and legalities surrounding the psychiatric clearance of students as it relates to Emergency and Crisis Situations, Student Suicide Prevention, Suspension, Student Discipline, and Special Education.

Presenter: Isabel Machado, Esquire - Machado Law Group

Medical Marijuana in the School Setting (Sessions 1C, 2C)

There is serious consideration to be given to a more relaxed approach in the use of medical marijuana, including joining several other states in the possible legalization of recreation use of marijuana. New Jersey's statutes recognize the administration of medical marijuana for students in school, but how does the allowance of medical marijuana impact teachers, cafeteria workers, and bus drivers, particularly when Federal law continues to treat marijuana as an illegal substance? The impact of medical marijuana on the school environment will be explored, including student rights, employee testing and discipline, ADA implications, and the authority of the Federal government to deny Federal funds if your workplace is not drug free.

Presenter: Joseph F. Betley, Esquire - Capehart Scatchard - Attorneys At Law

TEACHNJ and Tenure Arbitration Cases (Sessions 1B, 3A)

Strauss Esmay's *New Jersey School Digest* reported more than 160 Arbitrator decisions from November 2012 - March 2018. This presentation will present cases comparing and contrasting arbitrators and their decisions in areas such as inefficiency, evaluation procedures, staff attendance, and unbecoming conduct.

Presenters: Philip W. Nicastro, Esquire – Strauss Esmay Associates, LLP
Peter R. Salerno, Esquire – Strauss Esmay Associates, LLP

New Jersey and Federal Family Leave (Sessions 1E, 3F)

The requirements and implementation of the New Jersey and the Federal Family Leave Acts are very difficult causing reasonable confusion in New Jersey. This presentation will provide an overview of the requirements of each law and will review and discuss implementation in the school setting.

Presenter: Beth Godett, Ed.D., J.D.



STRAUSS ESMAY ASSOCIATES INVITES YOU TO THE 33rd ANNUAL
Educational Policy & School Law Seminar
Friday, June 1, 2018

- Two District Members are Invited to Attend Free of Charge
- Additional Representatives of the District are Welcome at a Charge of \$50.00 Per Person
- A Separate Registration Form is Required for Each Participant
- Seminar Time: 8:30 AM Registration Workshops: 9:00 AM – 2:00 PM

REGISTER BY FRIDAY, May 25, 2018

School District: _____

Address: _____

City, State, Zip: _____

District Representative: _____ Title: _____

Phone: _____ Email: _____

Breakout Session 1 - Attendee MUST Select and Check One of the Following Six Seminars for Session 1

- 1A Interplay Between Schools and Law Enforcement
- 1B TEACHNJ and Tenure Arbitration Cases
- 1C Medical Marijuana in the School Setting
- 1D HIB Update 2018
- 1E New Jersey and Federal Family Leave
- 1F Hot Topics in Education Labor Law

Breakout Session 2 - Attendee MUST Select and Check One of the Following Six Seminars for Session 2

- 2A Interplay Between Schools and Law Enforcement
- 2B Educator Misconduct
- 2C Medical Marijuana in the School Setting
- 2D A New Look at Tenure and Seniority
- 2E Can a Student be Required to Undergo a Psychiatric Examination?
- 2F Hot Topics in Education Labor Law

Breakout Session 3 - Attendee MUST Select and Check One of the Following Six Seminars for Session 3

- 3A TEACHNJ and Tenure Arbitration Cases
- 3B Educator Misconduct
- 3C HIB Update 2018
- 3D A New Look at Tenure and Seniority
- 3E Can a Student be Required to Undergo a Psychiatric Examination?
- 3F New Jersey and Federal Family Leave

Please Email, Fax, or Mail this Registration Form by **Friday, May 25, 2018** to:

Strauss Esmay Associates, LLP
1886 Hinds Road – Suite 1, Toms River, New Jersey 08753
732-255-1500 Fax: 732-255-1502 dflohs@straussesmay.com

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