

Legislative Update Including Student Discipline

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Brian Schwartz has practiced school law for 20 years. He is the author of three books: “*Illinois Law in the School Office*,” “*The Law of Homeschooling*” and “*Finding Middle Ground in K-12 Education*.” Brian is the past chair of the Illinois State Bar Association’s Education Law Section Council and has served on the national Board of Directors of the Education Law Association.

Brian Schwartz is an active member of the Illinois Council of School Attorneys.

Areas Of Practice:

Education Law

Employment Law

Bar Admissions:

Illinois Supreme Court, 1994

7th Federal Circuit Court of Appeals (Central District), 1995

Education:

Creighton University College of Law, Omaha, Nebraska, 1994

Western Illinois University, Macomb, Illinois, 1990

Professional Associations and Memberships:

Illinois State Bar Association

Education Law Association

Illinois Council of School Attorneys

National Council of School Attorneys

National School Law Trends and COSA Online Resources Tour

Sonja H. Trainor

Director, Council of School Attorneys

Senior Staff Attorney

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Sonja H. Trainor is the Director of NSBA's Council of School Attorneys. A former school attorney and COSA member, Ms. Trainor is very pleased to provide executive leadership inside and outside of NSBA for improvement of the profession of school law and the dissemination of superior legal information.

Ms. Trainor supports the work of the 22-member COSA Board of Directors and its committees and working groups; oversees legal programming for the Council, including seminars, webinars, publications, and online content; and supervises the production of membership materials and tools.

Ms. Trainor participates as a member of the Office of General Counsel legal team, which includes active participation in amicus case analysis and brief writing. She serves as a resource for members of the Council of School Attorneys and other NSBA constituencies.

Ms. Trainor graduated with honors from Washington University in St. Louis with a B.A. in English Literature and Educational Studies. She received her law degree in 1996 from the University of Illinois College of Law in Champaign-Urbana, where she also served as a research assistant for the chair of the College of Education's Department of Educational Organization and Leadership.

Ms. Trainor lives in the Washington, DC area with her husband and their three children, all of whom attend public schools.

Student Data Privacy

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Jackie represents educational institutions, including public school districts, private schools and institutions of higher education, in a variety of general education law matters. Jackie assists clients with policy and governance issues, business matters (including Freedom of Information Act and Open Meetings Act issues), and technology issues. Jackie also represents clients in a wide range of labor and employment matters, including those relating to collective bargaining, disability rights and responsibilities, and discipline and dismissal. With respect to students, Jackie supports clients on topics ranging from disability rights and responsibilities, residency and homelessness, and student constitutional rights and discipline. Jackie regularly represents clients in both state and federal court, in administrative hearings on teacher and student matters, and before the Department of Education's Office for Civil Rights, the Illinois State Board of Education, the Illinois Department of Human Rights, and the Equal Employment Opportunity Commission.

Jackie helps clients stay on top of education law matters by serving as an author of the firm's Education Law Insights blog, and by "tweeting" for the firm on Twitter at @EdLawInsights.

Jackie attended the University of Virginia School of Law on a Dillard Scholarship, where she was a member of the editorial board for the Virginia Law Review. She is a summa cum laude graduate of the honors program at the University of Arkansas at Little Rock, the Donaghey Scholars Program.

Jackie is recognized by Illinois Super Lawyers as a Rising Star in Schools & Education (2012-2015). She was the co-chair of the Chicago Bar Associations' Young Lawyer's Section Education Committee from 2009 through 2014, and is serving as a vice-chair for 2015.

Jackie is an active volunteer in the community. She is a member of the Civic Leadership Council of the Constitutional Rights Foundation Chicago, which operates the popular Lawyers in the Classroom program and other constitutionally focused legal programming in local public schools. Jackie is also an active volunteer with the Food For Friends program at Church of Our Saviour Episcopal in Chicago.

Jackie enjoys cooking, traveling and spending time with her husband, son, and daughter.

Jackie is an active member of the Illinois Council of School Attorneys.

Practice Areas

- Education Law
- Higher Education
- K-12 Education

Education

- J.D., The University of Virginia School of Law, 2007
- B.A., *summa cum laude*, University of Arkansas at Little Rock, 2004 (English, history and French)

Bar & Court Admissions

- Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. Court of Appeals for the Seventh Circuit

Working on Behalf of and Against Charter Schools – Current Issues

Nicki B. Bazer

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Nicki focuses her legal practice on special education, teacher misconduct issues, educator licensure compliance, student assessment, English Language learners, and general public school compliance, as well as charter schools. As former general counsel at the Illinois State Board of Education (ISBE), she provides valuable insight and counsel to school districts on the regulations and reform initiatives endorsed by ISBE. While at ISBE, she provided legal advice and support to districts under direct state oversight. She facilitated state-wide working groups on data security as it relates to student privacy, as well as the state school funding formula. Nicki has extensive litigation experience and has worked on matters related to internal agency issues, including contracts and data share agreements, procurement, agency policies and procedures, FOIA, and risk assessment on agency initiatives.

As ISBE's General Counsel, Nicki oversaw the legislative agenda of the agency, including drafting legislation, working with education stakeholders and testifying before the Illinois General Assembly. She also served as bureau chief for the Disability Rights Bureau at the Illinois Attorney General. She also completed a federal judicial clerkship with Chief Judge Janet Hall in the U.S. District Court of Connecticut.

Nicki is an active member of the Illinois Council of School Attorneys.

Practice Areas

- K-12 Education
- Student Issues

Education

- J.D., *cum laude*, New York University Law School, 2001
- B.A., *cum laude*, Northwestern University, 1997 (history)

Bar & Court Admissions

- Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Northern District of Ohio

Working on Behalf of and Against Charter Schools – Current Issues

Respicio F. Vazquez

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Res focuses his practice on the representation of higher education institutions, school districts and other educational institutions throughout Illinois. His practice encompasses a broad range of areas, including governance, business operations, contracts and procurement of goods and services, construction, mechanics liens and real estate; personnel and employment issues, special education and reviewing and drafting of education-related legislation. Regarding his litigation experience, Res has appeared before the federal and state courts, as well as before administrative agencies.

Res joined the firm in July 2004 after serving as General Counsel of the Illinois State Board of Education for four years. During his tenure with the Illinois State Board of Education, Res also served as the State Superintendent of Education in 2002. He was responsible for serving approximately 900 public school districts in Illinois, fulfilling the State Board's mission of providing leadership, advocacy and support for the work of Illinois school districts, of policymakers and of Illinois citizens. After analyzing the present and future aims, needs and requirements of education in Illinois, he presented his recommendations and worked with the State Board of Education, the Illinois General Assembly, and the Governor's Office for the passage of legislation affecting education.

During his tenure with the City Colleges of Chicago for eight years, Res served as its General Counsel and First Assistant General Counsel. Additionally, he served as an Assistant Attorney in the Chicago Board of Education for three years.

Res has served as a Special Assistant Attorney General for the Office of the Illinois Attorney General, where he previously served as an Assistant Attorney General for two years. He is also a member of the Illinois State Bar Association.

Res serves as a board member of the North Town Village Condominium Association and as the president of the Ritchie Court Condominium Association.

Res is an active member of the Illinois Council of School Attorneys.

Practice Areas

- Higher Education
- K-12 Education

Education

- J.D., DePaul University College of Law (1985)
- B.S., DePaul University (1982)

Bar & Court Admissions

- Illinois
- Illinois Supreme Court
- United States Supreme Court
- United States Court of Appeals for the Seventh Circuit
- United States District Court for the Northern District of Illinois - Member, Trial Bar

Welcoming Remarks from the ICSA Chair *and* Working on Behalf of and Against Charter Schools – Current Issues

Patricia J. Whitten

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Patti has devoted her legal career to the practice of education law. Her practice involves all aspects of education law, including litigation at all levels of state and federal courts and administrative agencies. She has an in-depth background in constitutional and civil rights, including educational equity and desegregation issues, labor and employment, vendor contracts, tax and finance, board policy and administrative matters, and legislative drafting and interpretation. Her practice in recent years has had a particular focus on special education law and educational equity issues and related litigation. Patti has participated in several precedent-setting cases in the federal courts, including authoring friend-of-the-court briefs on behalf of school districts and education-related organizations.

Prior to joining the firm in 1994, she was with Seyfarth Shaw (1990–1994). Patti served as general counsel for the Chicago Board of Education for more than 11 years, and prior to that she spent most of her legal career in the Chicago Board's Law Department. She was the Chicago Board's first female and youngest general counsel. During law school, she was a member of the Law Review.

Patti is a member of numerous bar associations (American Bar Association, Illinois State Bar Association, Chicago Bar Association and Women's Bar Association of Illinois). She is currently serving on the Board of Directors for the National School Boards Association's Council of School Attorneys (COSA). She has been a member of the Illinois State Bar Association's Education Law Section Council and the Committee on Law Related Education for the Public, which she chaired. She is also a founding member of the Illinois Council of School Attorneys (ICSA) and currently serves as chair of its executive board. She is a member of the Education Law Association (ELA), the Illinois Association of School Administrators (IASA) and the Illinois Association of Administrators of Special Education.

In 2011, Patti received the Professional Achievement Award from the Chicago-Kent College of Law Alumni Board of Directors. In 2013, she was honored as one of Chicago-Kent's Alumni of Distinction. Since 2007, Patti has been selected annually as one of the Illinois Super Lawyers in the area of Schools and Education Law. She has written numerous articles on school law and is a frequent speaker on the topic at the state and national levels, including at NSBA annual conferences, the Council of Administrators of Special Education (CASE), and the IASB/IASA/IASBO Joint Annual Conferences.

Practice Areas

- Education Law
- K-12 Education

Education

- J.D., with honors, Chicago-Kent College of Law, 1974
- B.A., Louisiana State University, 1971

Bar & Court Admissions

- Illinois
- Indiana (temporary admission)
- U.S. Supreme Court
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- Indiana Supreme Court
- Indiana Court of Appeals

Outsourcing of Third Party Non-Instructional Services

Steven M. Richart

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Steve Richart represents school districts, charter schools, municipalities, park districts and other entities in all areas of the law, with a focus on board governance, finance, taxation, contracts and litigation. Mr. Richart lectures on the Freedom of Information Act and Open Meetings Act and regularly assists public bodies in responding to FOIA requests, handling property tax levies, tax anticipation warrants, interfund transfers, contracts, construction issues and student and labor/employment matters.

He is a member of the National and Illinois Council of School Attorneys, the National Association of Bond Lawyers, the Appellate Lawyers' Association, and is a LEED Accredited Professional.

Mr. Richart received his bachelor's degree from the University of Illinois at Chicago and graduated in 2005 with high honors from Chicago-Kent College of Law, where he was a member of the Chicago-Kent Law Review. During law school, Mr. Richart worked for the City of Chicago Department of Law and completed an externship under the Honorable Arlander Keys, U.S. District Court Magistrate Judge of the Northern District of Illinois.

Education

- B.S. – University of Illinois at Chicago
- J.D. – Chicago-Kent College of Law

Accolades and Associations

- Member, National and Illinois Council of School Attorneys
- Member, National Association of Bond Lawyers
- Member, Appellate Lawyers' Association
- LEED Accredited Professional

Outsourcing of Third Party Non-Instructional Services

Therese L. Hodges

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Terry Hodges concentrates her practice in school and public sector labor law. Her primary interests include board governance and policy, public employee personnel issues (including evaluation, supervision and dismissal), collective bargaining and contract implementation, and student rights.

Ms. Hodges is a frequent lecturer throughout Illinois on personnel and labor issues and speaks nationally at conventions for school administrators and attorneys. She co-authored a publication for the Illinois Association of School Boards entitled, Superintendents' Multiyear Performance Contracts: A "How To" Guide and for the National School Board Association entitled, Understanding and Limiting School Board Member Liability. She also served as the President of the Illinois Council of School Attorneys, on a subcommittee of the Governor's Commission on Recodification of the School Code, and on the DuPage Regional Office of Education School Safety Task Force.

Ms. Hodges regularly teaches school law courses for the graduate school of education at North Central College and has also taught for Loyola University and DePaul University. Ms. Hodges recently concluded two terms as an elected member of the Board of Education of Gower School District No. 62, DuPage County, serving as its board president for five and a half years and then as the board secretary.

Ms. Hodges graduated magna cum laude from MacMurray College and received her law degree from the University of Illinois, where she served as an editor of the Law Forum. She received a Master of Arts in Education degree from Lewis University.

Ms. Hodges is an active member of the Illinois Council of School Attorneys.

Education

- B.S. – MacMurray College
- M.A. – Lewis University
- J.D. – University of Illinois

Accolades and Associations

- Past President, Illinois Council of School Attorneys
- Member, Subcommittee of the Governor's Commission on Recodification of the *School Code*
- Member, DuPage Regional Office of Education School Safety Task Force.

Collective Bargaining: Strategies to Deal with Teacher Evaluation, RIF/Recall, Salary, and Contract Reopeners

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Phil Gerner counsels and represents school districts and community colleges in collective bargaining negotiations, union representation petitions and IELRB proceedings, teacher evaluations, remediations and dismissals, employee discipline and discharge issues, labor contract administration and grievance arbitration, and other labor and employment issues. Phil has represented school districts and community colleges in numerous labor arbitrations, unfair labor practice hearings, tenured teacher dismissals, and IDHR and EEOC proceedings. Phil has successfully handled a number of appellate court appeals on issues of significance for educational employers, including short-term employee bargaining unit exclusion standards, teacher evaluation plan bargaining obligations, and RIF/seniority rights of tenured teachers.

Phil is a frequent presenter for IASB, IASA, IASBO, ICCTA and other educational employer associations on a full range of labor and employment issues, including collective bargaining negotiations, teacher evaluation and remediation, school administrator employment contracts, employee discipline and discharge, and public employee speech and concerted activity issues.

Phil joined Robbins Schwartz in 1983, and has been a partner in the Firm's labor and employment practice group since 1989.

Phil is an active member of the Illinois Council of School Attorneys.

Education

- J.D., Washington University School of Law, 1980
- B.A., *cum laude*, St. Lawrence University, 1977

Admitted to Practice

- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Northern District of Illinois
- Supreme Court of Illinois

Awards

- Illinois Leading Lawyer, Employment and School Law, 2004-2010

Ethical Issues Throughout Your Career

Nancy F. Krent

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Nancy Krent has concentrated her practice in school law for more than 20 years, with special emphasis on litigation, special education, employment discrimination and other personnel matters.

She is a former officer and chairman of the National School Boards Association Council of School Attorneys. As chairman, she served as an ex officio member of the NSBA Board of Directors. She also has chaired the Council's publications committee and Urban Law Forum.

Ms. Krent has taught public school law, and is a frequent lecturer for the Council of School Attorneys. She is co-author of NSBA monographs on the *Americans with Disabilities Act*, selecting a school attorney, and sexual harassment.

Ms. Krent is also trained as a mediator. Prior to joining the firm, she practiced for 11 years in Washington, D.C. and Charlottesville, Virginia, in the areas of private and public sector employment law and school law. She was admitted to practice in Washington, D.C. in 1983, and admitted to practice in Illinois in 1994. Ms. Krent graduated with honors from the University of Michigan, where she also received her law degree, graduating summa cum laude. She served as Note Editor of the *Michigan Law Review*.

Ms. Krent is an active member of the Illinois Council of School Attorneys.

Education

- B.S. – University of Michigan
- J.D. – University of Michigan

Accolades and Associations

- Recipient, National Council of School Attorneys Distinguished Service Award for lifetime achievement
- Former Officer and Chair, NSBA Council of School Attorneys, and ex officio member of the NSBA Board of Directors
- Former Chair, NSBA COSA's publications committee and Urban Law Forum

Special Education Update

Cynthia M. Baasten

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Ms. Baasten practices in all areas of school law. Ms. Baasten received her undergraduate degree from University of Notre Dame and her Juris Doctor degree from Loyola University of Chicago. She also earned a Certificate in Child and Family Law from Loyola Law School's Civitas Program.

Prior to attending law school, Ms. Baasten worked as a Certified Public Accountant for a public accounting firm in Chicago. After law school, Ms. Baasten completed a judicial clerkship with the Honorable Sophia H. Hall in the Chancery Division, Circuit Court of Cook County before entering private practice.

She lectures frequently on special education requirements, student matters, and employment issues for clients, training programs, and Illinois conferences.

She is a member of the National Council of School Attorneys and the Illinois Council of School Attorneys and was recognized by *Chicago Magazine* as a "Rising Star" in the area of school and education law for several years.

PRACTICE

- 2008, Admitted to the Bar of the U.S. Supreme Court
- 2006, Admitted to the Bar of the U.S. District Court, Northern District of Illinois
- 2004, Admitted to the Bar of the State of Illinois
- 2000, Certification: Certified Public Accountant, State of Illinois

MEMBERSHIPS

- Illinois State Bar Association
- Illinois Council of School Attorneys
- National Council of School Attorneys