



# The “New” Normal and the “Next” Normal: Education Law in the Wake of the Pandemic

2021 Education Law Section Program

---

Wednesday–Thursday, May 5–6, 2021  
Live Webcast

**North Carolina: 6.00 MCLE Hours**

**Includes:**

**1.00 Ethics/Professional Responsibility**

**Planned by the NCBA Education Law Section**

Over the past year, the practice of education law has faced new challenges as educators and students have had to adapt to changes brought forth by health implications of the COVID-19 pandemic. Even so, many of the legal issues that we address day to day — such as Title IX, student services and personnel matters — remain at the forefront of the work of education lawyers. We have learned, in recent months, how the constants of our practice interact with new questions generated by unprecedented times.

During this program, attendees explore how the practice of education law has evolved into a “new” normal and consider predictions for how the pandemic will shape our “next” normal, while still staying abreast of changes to law unrelated to COVID-19 that impact our practice.

# The “New” Normal and the “Next” Normal: Education Law in the Wake of the Pandemic

Wednesday–Thursday  
May 5–6, 2021

Wednesday, May 5, 2021 | 1:00–4:25 PM

**1:00 Welcome and Introductions**

**1:05 So, We’re Online Now: COVID-19 and Technology in the Education Space**

**Blakemore, Cho and Scheef**

After the onset of COVID-19, technology played an integral role in providing education and services, as well as employment in the school setting. The virtual space was ground zero for the intersection of several legal issues: privacy, data security, free speech and expression, and even activism. Speakers talk through some of the thorny issues that arose in both the student and employee spaces and how they were addressed when it came to the delivery of instruction, provision of services to students and teleworking.

**2:05 Break**

**2:15 Serving the Whole Child in the Midst of a Pandemic: The Role of Student Services and Other Educators**

**Robinson, Ross-Alexander and Saint**

The COVID-19 pandemic has highlighted the importance of student support professionals and meeting the needs of the whole student at both the K-12 and higher education levels. Hear insights from attorneys and practitioners regarding how the COVID-19 pandemic has impacted student service providers and students — including legal issues associated with telehealth and access during periods of distance learning, changes to legislation that impacts student mental health services, student engagement, English-language learners, and the role of educational professionals to address the impact of stressors on student performance and outcomes.

**3:15 Break**

**3:25 Personnel and the Pandemic: The Future of Work**  
**Jones and Kuhn**

COVID-19 has uprooted virtually every aspect of the pre-pandemic workforce, and the employment outlook for the education sector has not been spared. How much of the “new normal” — teleworking, physical distancing, health screenings, vaccine requirements — will impact the future of work? Education law practitioners who specialize in employment and human resources discuss common issues with workplace accommodations during the pandemic, best practices for navigating difficult scenarios, and insights on how future employment trends may impact educational institutions.

**4:25 Adjourn**

**4:30 Sections Virtual Social**

Thursday, May 6, 2021 | 9:00 AM–12:25 PM

**9:00 Welcome and Introductions**

**9:05 The Dreaded D’s: Death, Disability, Disbarment and Disappearance\***

**Phipps**

What happens if you suddenly can’t work? Who will take care of your clients and how? Does anyone have your password or access to your case management system? Can anyone get in your office and find a client contact list and court calendar? Learn about planning for the “what-ifs,” which is both essential and ethical.

**10:05 Break**

**10:15 Title IX Updates: Implementation and Enforcement Trends**

**Edwards, Kallem and Noland**

The past year has brought about significant changes for K-12 and higher education institutions navigating the requirements of Title IX of the Education Amendments of 1972. Panelists discuss the changes and legal implications faced in the K-12 and higher education spaces for hearings and investigations, innovative ways to work within the new legal frameworks imposed by courts and the U.S. Department of Education, and what may be up ahead.

**11:15 Break**

**11:25 Case Law Update**

**Shaw**

Last but certainly not least, our program ends with this popular update on case law and legislation relevant to education law practitioners. Hear updates on legal challenges that emerged during COVID-19 and continue to impact the work of education law practitioners.

**12:25 Adjourn**

\* Indicates portion providing Ethics/Professional Responsibility credit

**Speakers**

- Jerry D. Blakemore, University of North Carolina at Greensboro, Greensboro
- Tara N. Cho, Womble Bond Dickinson (U.S.) LLP, Raleigh
- Sarah O. Edwards, University of North Carolina at Charlotte, Charlotte
- Beth Tyner Jones, Womble Bond Dickinson (U.S.) LLP, Raleigh
- Howard I. Kallem, Rebecca Leitman Veidlinger PLLC, Chapel Hill
- April Kuhn, Pfeiffer University, Misenheimer
- David Noland, Tharrington Smith LLP, Raleigh
- Stacey A. Phipps, North Carolina Attorney General's Office, Raleigh
- Patricia R. Robinson, Tharrington Smith LLP, Raleigh
- Mari Ross-Alexander, North Carolina Central University, Durham
- Sarah M. Saint, Brooks Pierce McLendon Humphrey & Leonard LLP, Greensboro
- Christine T. Scheef, North Carolina School Boards Association, Raleigh
- Brian C. Shaw, Schwartz & Shaw PLLC, Raleigh

**Planners**

- Amy L. Clay, Schwartz & Shaw PLLC, Raleigh
- Benita N. Jones, Womble Bond Dickinson (U.S.) LLP, Durham
- Keir D. Morton-Manley, North Carolina Central University, Durham