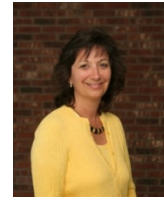


INAUGURAL PROGRAM

A SOARING SUCCESS

By: Nicola J. Melby, Esq.



Born of the collaborative efforts of NCBA's Education Law Council and the NCBA Foundation's Law Related Education Advisory Committee LIFT proved to be a soaring success among participants. Open to the first 100 registrants for a registration fee of \$25.00 that included 1 dinner, 2 continental breakfasts and 2 lunches, the program swelled to capacity quickly. Thanks to the generosity of the North Carolina Association of Educators, the first 60 registrants even received a refund of their \$25.00 registration fee and contributions from the North Carolina Council of School Attorneys provided accommodations for several teachers!

The two day event began Monday August 11 at the Cary Bar Center and concluded the following afternoon. The first morning kicked off with a rousing welcome from Chairs Heather Culp and Rachel Esposito. Dayton Cole, author of *The Legal Education Handbook for North Carolina Teachers*, led off the morning session with a discussion of the legal foundations of Education Law. Taking a brief survey of the audience participants, it became readily apparent that the vast majority of LIFT's capacity crowd included tenured teachers and administrators with significant experience. The energy, enthusiasm and dedication of this crowd was almost palpable and it boded well for the interactive format that was to follow.

Bob Joyce of the University of North Carolina School of Government, Chapel Hill, led the crowd in an interactive hypothetical discussion of Due Process, Discrimination, Personal Records and Contractual Rights. Even for the few non-educators present, this lecture proved eminently entertaining while making salient points about contractual rights in general and those applicable to the public school temporary, permanent, and tenured employee in particular.

Breaking for an outstanding lunch provided by the NCBAF Law-Related Educator Advisory Committee, the participants filed back into the lecture hall for two lectures on Employee First Amendment Rights and Free Speech Rights and Liability for Educators. Unlike a typical highly condensed 40 minute lecture format, John Gresham and Brian Shaw (1st Amendment and Free Speech) and Donna Rascoe and Kathleen Turner (Liability for Educators) each had an hour and a half to explore their topics and to take questions from the capacity crowd. Despite high interest from all, these presenters kept everyone on task and each session ended and began in timely fashion. Having been on both sides of the podium in more than my share of Continuing

Legal Education programs, I found this particularly impressive especially given the enthusiasm of the crowd.

Dinner was provided for all by NCBAF Law-Related Education Advisory Committee at the historic Matthew's House in Cary. The evening was entirely a social affair with no substantive lectures and each attendee had the opportunity to briefly introduce themselves and describe a funny fact about themselves, their area of expertise, and the region from which they came. All areas of the state were represented with most from the central and coastal areas though a smattering of participants came from the mountain region. Even more amazing was the breadth of educational experience present. Many of those present had years in excess of 20 teaching and/or administering. One woman, if I heard correctly, had been teaching for 49 years!

The final day of presentations included lectures from Tom Stern and Deborah Stagner about violence in the schools. Karl Dean Shatley spoke about Technology in Social Networking and Christopher Campbell spoke about Student issues. Chris highlighted the need to be particularly vigilant for signs that a colleague might be beginning the path to a serious conflict of interest or inappropriate relationship. Chris noted that almost invariably in his experience there is the proverbial "red flag". Recounting a sad tale ending in the death of a teacher, Chris urged that by recognizing these signs and perhaps intervening one might quite literally save the life of a colleague and friend.

In all, there was little doubt that the participants truly enjoyed themselves and garnered a heightened awareness of the legal minefield that occupies their daily life. Most if not all participants that I spoke with encouraged attendance by their experienced colleagues and expressed gratification for the program and a wish that a program like LIFT had been offered earlier in their educational career. However, in the same breadth, these educators invariably believed the program was most applicable to tenured or seasoned teachers who are able to digest meaningfully the information provided and to participate in the discussion format with relevant and experiential questions. Without question, this program was a huge success and our educators, our state, and inevitably our children, will benefit from turning this program into an annual event.