



An Update from Clark Hill's School Law Professionals

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Hello,

School Law Matters

*- From The Attorneys of the Education and Municipal Practice Group
Clark Hill PLC
Editors: Neil H. Goodman and Marshall W. Grate*

School Law

**Bush Signs New Legislation Expanding Family and Medical Leave
and The Department of Labor Has Issued Its Proposed Rules**

by Jennifer M. Buckley

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Educational Networks May Need To Comply With Federal CALEA Law

by Leland R. Rosier

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Cost Saving Alternatives to Traditional State Aid Note Borrowing

by James M. Crowley

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U.S. Secretary of Education Warns School Districts Not to Disregard No Child Left Behind

by Joseph B. Urban

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**Use of Video Surveillance Equipment in Middle School Locker Rooms
Violates Students' Privacy Rights**

by Neil H. Goodman

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Public Elementary School Can Restrict Religious Expression in Curricular Activity

by Marshall W. Grate

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School Resource Officer's Interrogation of Student Questioned

by Joseph B. Urban

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Legislation

Legislative Update

by Jeremy S. Motz

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Case Update

In the Fall 2007 edition of School Law Matters, we reported on the decision of the Michigan Court of Appeals in the case of *Owczarek v State of Michigan*, in which the Court rejected a Headlee Amendment challenge to Public Acts 129 and 130 of 2005 (which require school boards to request criminal history checks on employees) alleging that these laws mandate unfunded "activities" or "services."

In an Order entered on February 6, 2008, the Michigan Supreme Court denied the plaintiffs' application for leave to appeal "because we are not persuaded that the questions presented should be reviewed by this Court." Accordingly, the Court of Appeals' decision in *Owczarek* stands, and represents controlling authority on the constitutionality of these Public Acts under the Headlee Amendment.

Upcoming Presentations

Barbara Ruga will be speaking at MASB's Urban Conference on Reform and Restructuring Initiatives in Under-Resourced Schools and Communities on April 17, 2008 at the Okemos Comfort Inn. Her topic will be "Restructuring Under NCLB." For more information, visit the MASB website at www.masb.org.

Several members of Clark Hill's Education and Municipal Law Group will be presenting at the firm's annual Employment Law Conference on May 8, 2008 at the Ford Conference Center in Dearborn. For more information, please contact Shayna John at (313) 965-8366 or visit our website at www.clarkhill.com/resources/seminars.

Finally, several members of the firm's Education and Municipal Law Group will be presenting at the MSBO Annual Conference being held April 29 through May 1, 2008 at the Amway Grand Plaza in Grand Rapids. For more information, visit the MSBO website at www.msbo.org/conferences/index.shtml.

Contact Listing

Robert A. Lusk (248) 988-5847
Education Practice Group Leader

Scott G. Smith (616) 608-1109
Municipal Practice Group Leader

CLARK HILL
PLC
ATTORNEYS AT LAW

800.949.3124 | WWW.CLARKHILL.COM

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