

SNIFFEN & SPELLMAN, P.A.

EDUCATION LAW ALERT August 2017

New Veterans' Education Bill Signed into Law

On August 16, President Trump signed into law the largest expansion of educational benefits to GI Bill in nearly ten years. The Harry W. Colmery Veterans Educational Assistance Act (Act) eliminates the provision of the GI Bill that gave veterans a 15-year window from their last active duty discharge date to use their educational assistance benefits. The Act also gives full GI Bill benefits to Purple Heart recipients and eliminates a loophole for reservists who were deployed for disasters.

The Act passed both chambers of Congress unanimously.

Read more [here](#).

Two Legislative Bills Would Affect Florida School Boards

Senator Dennis Baxley has proposed SB 192, which would establish that two or more members of a school board or other elected body may meet privately, without public notice, if no official acts or public business are to occur.

Senator Greg Steub has proposed SJR 194, which would set term limits on elected school board members.

Neither bill currently has a House companion version.

Read more [here](#).

Ruling: Connecticut Supreme Court Holds Schools Have “Duty to Warn” of Tick Bites

The Connecticut Supreme Court ruled that schools have a “duty to warn parents and students of potential hazards,” such as dangerous insect bites, associated with field trips. The Court allowed a \$41.7 million verdict awarded to a student who became disabled after a school trip to China, where he was bitten by a tick that inflicted encephalitis.

Read more [here](#).

University of Miami Announces it Won't Make Agreement with Cuban Universities

The University of Miami announced that it will not establish any agreements with any Cuban universities or the Cuban Government. The announcement came after a meeting between the University of Miami and members of the Cuban exile community. Members of the Cuban exile community have voiced opposition to any agreements between the University and the Cuban government.

Read more [here](#).

A New Study Provides Insight into Legacy Admissions Process

On the heels of the U.S. Justice Department's ongoing investigation into allegations of illegal discrimination programs in certain elite colleges related to advantages given to children of alumni, a recent study supports the suggestion that legacy applicants receive preferential treatment in the admissions process.

The Naviance database assessed 15,402 legacy applications from high school classes of 2014-17 and 64 colleges with 100 or more legacy applications. The study shows much higher admit rates for legacy applicants. Indeed, the average acceptance rate across the analyzed institutions was 31% higher for legacy applications. The data may not demonstrate bias, but certainly suggests correlation.

Read more [here](#).

ABA Launches Legal Education Commission

The American Bar Association instituted a 10-member task force to address the challenging job market for new lawyers. Dean of University of Miami School of Law, Patricia White, will chair the task force. The task force will focus on issues in legal education, which has recently been a priority of the Department of Education. The Department has placed pressure on higher education accreditors, like the ABA, to seek accountability from its member institutions.

Read more [here](#).

From the lighter side: Coachella Sues Filmchella over "chella"

Organizers of the music and arts festival, "Coachella," filed a lawsuit for trademark infringement against the organizers of the more recent film festival, "Filmchella." Coachella is reportedly upset over social media fans indicating they are at either "#chella." Filmchella is advertised as a film festival held "under the stars" at Joshua Tree at the end of September. No word on whether these "stellas" will be brought into the litigation.

Read more about the fellas involved [here](#) and [here](#).

Firm News

Robert J. Sniffen and **Michael P. Spellman** have again been selected by their peers for inclusion in the 2018 edition of The Best Lawyers in America® in the practice areas of Employment Law – Management, Labor Law – Management, and Litigation – Labor and Employment. Mr. Sniffen has also been named by Best Lawyers® as the 2018 Tallahassee Labor Law – Management “Lawyer of the Year”.

Jeff Slanker wrote an article titled “Wagner v. Lee County: The Eleventh Circuit Affirms Dismissal of First Amendment Retaliation Claim but Revives Florida Public Whistle-blower Suit” in the Labor and Employment Law Section’s *Checkoff*.

Kevin Kostelnik wrote an article titled “Employers Beware: Hidden Risks Associated with Necessary Reductions in Force” in the July/August 2017 edition of the Florida Society of Association Executive’s *Source* Magazine.

Past Issues of the Education Law Alert Available on Website

You may view past issues of the Education Law Alert on the Firm’s website: www.sniffenlaw.com. After entering the Firm’s website, click on the “Publications” page. Our Firm also highlights various articles of interest on our official Twitter feed, @Sniffenlaw.