REBECCA S. BAILEY

PARTNER • HOUSTON

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713-554-6762

The daughter and granddaughter of career educators, Rebecca began her professional career in a Houston classroom. After admission to the bar, her decision to practice school law has provided her the opportunity to apply her life-long passion for competitive sports with her love of learning in this ever-evolving and challenging area of practice.

Rebecca represents and counsels public school districts, junior and community colleges, universities and other governmental entities concerning all areas of education and government law including labor and employment matters, special education law, student discipline concerns, employee grievances and terminations, contracts and service agreements, governmental immunity, civil rights matters, and state and federal litigation. She advocates for her clients before the Texas Education Agency, the EEOC, the Office for Civil Rights, and other administrative and regulatory agencies. Rebecca also handles employment discrimination and civil rights cases, including claims brought under the First and Fourteenth Amendments, Title VII, Title IX, the Americans with Disabilities Act (ADA), and the Age Discrimination in Employment Act (ADEA).

Prior to joining Thompson & Horton, Rebecca litigated complex matters on behalf of corporations, individuals, and governmental entities, practicing in both state and federal court. Her former supervisor is Filemon B. Vela, Jr., U.S. Congressman for the 34th District of Texas. Before becoming an attorney, she taught fifth grade in Houston, Texas.

SELECTED CLIENT REPRESENTATIONS

Successfully represented district in a Chapter 21 termination hearing and subsequent appeal to the Commissioner of Education involving use of profanity and other teacher misconduct

Conducted oral argument before the Fifth Circuit asserting qualified immunity as a defense against claims of unconstitutional student searches

Counsels districts on many aspects of education law, including employment matters, special education, student discipline, public records law, FERPA, and complaints of discrimination and retaliation by students and staff

Obtained summary judgment on Title IX claim against school district which was affirmed by the Fifth Circuit Court of Appeals

Successfully represented districts in multiple complaints filed with the Special Education Department of the Texas Education Agency involving claims of Child Find and procedural violations under the IDEA

Handled a major reduction in force for a school district from start to finish

Assisted district in conducting sensitive investigation of sexual harassment alleged by multiple female students

Conducted investigation into allegations of irregularities on district-wide cycle test and successfully represented the district in the related Chapter 21 nonrenewal hearing. Following a successful nonrenewal hearing, successfully represented the district in responding to an EEOC complaint regarding allegations that the nonrenewal constituted race discrimination

Represents districts in special education due process hearings

Assisted multiple districts in responding to OCR complaints involving website accessibility issues

PRACTICE AREAS

Constitutional Law
Employment Law
General Counsel
Litigation
Special Education & Disability Law
Special Investigations
Student Issues
Training & Compliance
Title IX & Sexual Harassment

EDUCATION

J.D., with honors, The University of Cincinnati College of Law, 2007

Bachelor's Degree in Elementary Education and Bachelor's Degree in French, magna cum laude, Georgetown College, 2003

LICENSING & COURT ADMISSIONS

Licensed in the state of Texas

U.S. District Court for the Southern, Western, and Eastern Districts of Texas

U.S. Court of Appeals for the Fifth Circuit

MEMBERSHIPS & RECOGNITIONS

State Bar of Texas, School Law Section

Texas Association of School Boards — Council of School Attorneys

Houston Bar Association

Education Law Association

Thompson & Horton LLP

ATTORNEYS | COUNSELORS

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SELECTED CLIENT REPRESENTATIONS (CONTINUED)

Conducted major investigation of workplace harassment alleged by female employee against her supervisor

Successfully defended school districts against charges filed in a variety of federal and state administrative agencies

Frequently assists districts in making annual updates to the Student Code of Conduct and Employee Handbooks and other Board Policies

REPRESENTATIVE PRESENTATIONS, TRAININGS, & SPEECHES

Collaboration for the Win! Title IX and Special Education, Thompson & Horton Webinar

The Essential Title IX Action Plan for 2023, Thompson & Horton Webinar

Top 10 Ways to Ensure Your School District Gets Sued for Violating Student Civil Rights, COSA School Law Seminar

Dyslexia: Using Multiple Data Sources for Identification, Designing Interventions, and Measuring Progress, TCASE Great Ideas

Defending the DNQ: Eligibility is Not a Guarantee, TCASE Great Ideas

Transportation for Special Populations – No Magic School Bus Required, TCASE Great Ideas

Title IX and Special Education: Consultation for the Win, TCASE Great Ideas

Reassignment: Basic Law and the Latest Court Challenge, Texas Association of School Administrators/Texas Association of School Boards, Annual Convention

How to Handle Bullying, Discipline and Other Student Issues in the World of Social Media, Region 4 Educational Service Center Seminar

Update on Student First Amendment Issues, Region 4 Educational Service Center Seminar

Employment Law Update, TPIA: Overview Best Practices, AG Opinions and TEC 21.009: Pre-Employment Affidavits, Title IX and LGBT Students – Transgender Student Litigation, Can you discipline for online, off-campus speech? and Charter Withdrawal and Expulsion, Aristoi Classical Academy

Teachers Say the Darndest Things!, Selected Client Trainings

Dispute Resolution: Win-Win Outcomes, Annual School Law Section Retreat

What Principals Need to Know About Searching Students… and Their Devices, Selected Client Trainings

Student Searches and Fourth Amendment, Region 4 Back to School Legal Seminar