



# **schools and educational institutions**

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## **Schools & Educational Institutions**

Schools and other educational institutions must contend with diverse legal issues ranging from general school matters like policies, procedures, student issues, and labor, employment and immigration concerns to real estate and finance matters. That's why it is critical that they have an experienced legal partner with a broad experience and expertise.

Dickinson Wright has a longstanding tradition of providing superior legal service to municipalities, school districts, schools, universities, and colleges throughout Arizona and the Great Lakes region. Our team serves as general counsel to both public and private educational entities, including public school districts, private schools, colleges, universities and other governmental and quasi-public bodies.

### **Offering Comprehensive Service**

We offer a complete array of legal services to meet our clients' needs, including advising on labor and employment law, employee benefits, insurance, property and personal injury defense, real estate, zoning and development, arbitration and alternative dispute resolution, corporate law, and public finance issues, among others. We regularly advise on issues involving school districts, including resolving disputes and appearing before school districts on behalf of clients. Further, we litigate disputes involving schools and other educational institutions at all levels of court throughout the country.

### **Broad Experience**

Our Schools & Educational Institutions practice group has represented clients on virtually every issue they face.

### **General School Matters**

#### **Policies and Compliance**

- School Board policies including procedure, conflicts, budgets, employment, school calendar, curriculum and open enrollment assessment and testing, indemnification, fees and job descriptions
- School administrative policies, including adequate yearly progress, reporting discipline, evaluations, residency, bidding, documentation processes, school safety, ADA, and recordkeeping procedures
- Open Meetings Act
- No Child Left Behind Act/Elementary and Secondary Education Act (ESEA)
- Freedom of Information Act
- Family Educational Rights and Privacy Act

### **Dickinson Wright**

From automotive to telecommunications to a wide range of sectors in-between, Dickinson Wright provides our clients with specialized knowledge in more than 40 practice areas. Our lawyers are experts in their areas of specialty: many belong to industry organizations, have industry-specific certifications and write and speak on related topics. Because our team is experienced and knowledgeable in so many different areas, we can easily draw upon the resources of different practice areas to meet the specific needs of each client.

**DICKINSON WRIGHT PLLC**

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## **Student Matters**

- Codes of student conduct
- Residency
- Student discipline/expulsion, including due process hearings and mediation
- Special education issues, including IDEA, IEPs, mainstreaming, and Section 504 matters
- Student records access, including FERPA, parental right of review, and amendment and destruction of records
- Abuse and neglect
- First Amendment issues
- Financial aid and assistance issues
- Immigration
- Dual enrollment

## **Labor and Employment Matters**

### **Preventative Counseling**

- Personnel policies and handbooks
- Employment contracts
- Workforce reorganizations
- Sexual and racial harassment and discrimination
- Employee discipline
- Affirmative action
- Supervisory training
- Wage and hour compliance
- Disability and family leave issues
- Drug and alcohol issues
- Compliance audits

### **Employment Claims**

- Wrongful discharge and discrimination lawsuits
- Defamation and other workplace torts
- Injunction lawsuits
- Administrative claims
- Teacher tenure
- Appeals
- Alternative dispute resolution

### **Labor Relations**

- Collective bargaining
- Contract administration and arbitration
- Michigan Employment Relations Commission (MERC) matters
- Representation elections

### **Employee Benefits**

- Employee benefit and pension plans
- Flexible spending plans
- Section 125 cafeteria plans (allowing for pre-tax payment of health care premiums; health care and dependent care reimbursement accounts)

- Section 457 deferred compensation plans
- Section 403(b) annuity and pension plans
- HIPAA-related issues, including medical information privacy requirements
- ERISA-related matters

## **Immigration**

- International movement of personnel
- Nonimmigrant (temporary, e.g., B, E, H, L and O) business/work visas
- Green cards
- Labor certifications
- Employment eligibility (form I-9 and employer sanctions)

## **Finance and Real Estate**

### **School Finance**

- State school aid and property tax matters
- Bond counsel regarding voter-approved building and site bond issues
- Bonds qualified through the Michigan School Bond Loan Fund
- Non-voted bonds
- Energy conservation bonds and notes
- Qualified zone academy bonds
- Tax-exempt installment purchase contracts
- State aid notes
- Bond, sinking fund, and millage ballot proposition
- Special elections
- Legal advice in drafting and interpreting public finance legislation affecting school districts
- Representation before administrative agencies

### **Real Estate**

- Purchase, sale, and leasing of school property
- Zoning and land use
- Acquisition of property by adverse possession and condemnation
- Legal audit of property titles
- Reviewing, drafting, and negotiating architect and contractor construction agreements
- Bidding procedures
- Breach of contract claims and change orders
- Challenges to non-voter approved limited tax construction obligation bonds