

Educational Institutions

We partner with schools to not only get results, but to help clients understand the process in how we get there.

No matter the type of school, whether public, private, charter, elementary, or university, our team can help you. We take a cross-disciplinary approach to advising school officials and administrators on issues such as bond issuance, compliance, discipline, employment, financing, intellectual property, litigation, and real estate.

Our team has a deep history of advising educational institutions and understands how laws at the local and federal level can impact a school's operations. We help schools minimize those disruptions and provide cost-effective representation to serve the needs of the school for years into the future.

Our areas of focus include:

Contracting +

- Drafted standard "Terms and Conditions" to be appended to client contracts.

- Negotiated and drafted dozens of contracts between charter school clients and various third parties, including agreements relating to:
 - Food supplies/services
 - Janitorial services
 - Educational materials
 - After-school care
 - Trainings and professional development
 - Technology rentals/purchases
 - Marketing/public relations services
 - Lottery software
 - Back-office services
 - Architectural, engineering, and construction services
 - Rentals of portable classrooms
 - Landscaping
 - Temporary staff
 - Crossing guards
 - Sports coaching
 - Sports leagues

Enrollment and Lotteries +

- Defended a school in an action filed with the state public charter school authority alleging enrollment- and lottery-law violations.
- Drafted:
 - School fees & voluntary contributions policies
 - Tuition reimbursement policies
 - Foster care policies
 - Homeless child policies
 - Advised a school on how to achieve priority classification for elite high school athletes.

Financial +

- Advised schools in complying with state budgeting deadlines.
- Advised schools in asserting real property tax exemptions, including appeals to the Nevada Tax Equalization Board.
- Acted as borrower's counsel and special school counsel in various charter schools' tax-exempt bond financings.

Governance +

- Incorporated schools as non-profit corporations and filed for federal 501(c)(3) recognition.
- Negotiated a school's charter contract renewal.
- Drafted bylaws and bylaw amendments.
- Advised on the nomination and election of board members (including compliance with the Charter School Act).
- Conducted multiple board training sessions regarding good governance and best practices, including trainings aligned to the SPCSA's new governance standards.
- Drafted:
 - Conflict of interest policies
 - Ethics policies
 - Nepotism policies
 - Legal dispute policies
- Advised a board during a tense, intractable split among its directors (avoiding litigation).
- Advised a board in forging an amicable split with its educational management organization (avoiding litigation).
- Advised a board in its determination of appropriate, competitive executive director salaries.

Labor and Employment +

- Conducted an "in-service" training to all teachers/staff on sexual harassment, First Amendment, corporal punishment, and other specialized legal matters.
- Staff employment contract templates
- Teacher employment contract templates
- Teacher/staff handbooks
- Mileage reimbursement policies
- Advised on multiple discharges of teachers, under both at-will and for-cause agreements, on charges ranging from alcohol/drug use, violence, criminal arrests, and insubordination.
- Advised schools in performing internal investigations in response to discrimination claims, ADA/disability claims, etc.
- Advised schools in PERS issues and the applicability of ERISA.
- Advised schools in obtaining immigration visas for overseas employees.
- Drafted:
 - Staff employment contract templates
 - Teacher employment contract templates
 - Teacher/staff handbooks
 - Mileage reimbursement policies

Litigation +

- Prosecuted motions for temporary restraining orders against (i) a parent and (ii) a staff member.
- Defended a school in various lawsuits alleging tort claims.
- Defended a school in a construction lawsuit involving alleged negligence.
- Defended a school in countering discrimination, retaliation, and related labor law actions.
- Defended a school in a small-claims matter involving an alleged breach of contract.
- Advised a school in considering the prosecution of a defamation lawsuit.
- Advised schools in dealing with subpoenas in third-party litigation.
- Advised schools in handling wage garnishment orders.

Real Estate +

- Advised a school in its \$8.4 million acquisition of a northwestern Las Vegas campus.
- Advised a school in its \$3 million acquisition of a Henderson campus.
- Advised schools in multiple long-term leases of campuses for terms ranging 20 to 43 years, with complex negotiations of rents (including abatements), tenant improvement allowances, renewal options, purchase options, and more.
- Represented a school in its (hotly-contested) procurement of a conditional use permit.
- Advised a school in its construction and development of a new 800+ student campus on an active air force base in Las Vegas, Nevada.
- Advised a school in its construction and development of a new, stand-alone gymnasium.
- Advised a school on prevailing-wage obligations in its construction projects.
- Advised a school in negotiating a CC&R Amendment with its neighboring community.
- Advised on the short-term rental of a campus for a political campaign event.
- Advised on the short-term rental of a campus as a feature film shooting location.

Regulatory Compliance +

- Represented applicants and schools in presentations to, and direct one-on-one dealings with, various authorizers (i.e., the State Public Charter School Authority and a County School District), including responding to recent site visitation reports.

- Defended a school from complaints filed with the Nevada Attorney General alleging Open Meeting Law violations.
- Conducted multiple training sessions regarding compliance with the Open Meeting Law (NRS Cha. 241).
- Advised schools in complying with the Public Records Act (NRS Cha. 239).
- Advised schools in complying with local government procurement laws (e.g., NRS Cha. 332.039 *et. seq.*), including the drafting and revising of requests for proposal (RFPs) to conform to Nevada statutes.
- Drafted a public records act policy, with a related submission form.

Student and Student Discipline +

- Student handbooks (primary and secondary levels)
- Restorative justice policies
- English-language learner policies
- State testing opt-out policies
- Prosecuted multiple long-term suspension and expulsion hearings, both contested and non-contested.
- Defended schools in multiple due process and related special education law complaints, including Department of Education investigations.
- Drafted:
 - Student handbooks (primary and secondary levels)
 - Restorative justice policies
 - English-language learner policies