Higher Education

When it comes to serving the legal needs of higher education institutions, our attorneys are at the head of the class.

From the hallowed halls of Old Main to online learning using new technology, there are more opportunities than ever for higher education institutions to reach students and expand academic scholarship.

At the same time, increasing financial and regulatory pressures - including new Title IX federal requirements - also mean new challenges are on the horizon for today's institutions of higher learning.

Whether helping a college establish an innovative joint venture with a business or nonprofit organization, crafting a voluntary early-retirement program for faculty members, guiding the board of trustees through a presidential search, or identifying new funding sources, post-secondary institutions turn to Lathrop GPM's experienced higher education team for *all* facets of their legal needs.

Our multidisciplinary team of attorneys has deep experience in their particular fields of practice, from employment and real estate law to technology and corporate governance. But what sets us apart is our deep knowledge of the higher education sector and our decades of experience guiding colleges, universities, and professional schools through their most challenging business and regulatory issues.

We work collaboratively to serve the unique business needs of:

- Traditional nonprofit colleges and universities
- Large state universities
- Medical and professional schools
- Technical and trade schools
- For-profit colleges and universities
- Online colleges and universities

Higher education institutions benefit from our firm's tenure in the industry.

Our higher education attorneys routinely help colleges, universities, and medical and professional schools address the business issues unique to the industry, including:

- Institutional governance and finance
- Employment, including through our unique trainED™ employment compliance program
- Accreditation
- Intellectual property
- Development, charitable giving and donor relations, including representing large academic foundations
- Real estate
- Student affairs

From advising higher learning organizations through the day-to-day operations to helping a client through a high-profile Senate investigation and resolving a complex accreditation dispute, Lathrop GPM's Higher Education practice offers a depth of experience virtually unmatched by our peers.

Experience

Student Affairs

Today's student-centered learning environment means an increased focus on the needs and interests of students. We help higher education institutions through all facets of student affairs issues, including:

- Affirmative action in admissions, scholarships and financial aid
- Anti-discrimination policies and practices
- Campus SaVE Act and Title IX Compliance
- Compliance with the Crime Awareness and Campus Security Act
- Codes of conduct and disciplinary cases
- Disability status and accommodations (ADA/Rehabilitation Act)
- Disclosure and release of student records

- Drug testing programs
- Matters related to student organizations, including fraternities and sororities
- Search and seizure issues
- Student and alumni foreign travel and study abroad programs
- Student Financial Aid and Title IV
- Student Privacy and the Family Educational Rights and Privacy Act (FERPA)
- Harassment complaints
- Sexual harassment, assault prevention and response
- Student athletics
- Campus violence prevention and response
- Interim Title IX Coordinator services

Development, Charitable Giving and Donor Relations

Funding is paramount to the success of any higher education institution. Our attorneys offer extensive experience advising nonprofit and charitable giving programs. Our work includes:

- Administration of charitable trusts and other planned gifts
- Endowment funds and restricted gifts and scholarships
- Planning and drafting agreements for outright gifts, gift annuities, endowment funds and various types of charitable trusts
- Interaction with the Internal Revenue Service and state agencies
- Resolution of disputes with donors and beneficiaries regarding trusts and gifts

Institutional Governance and Finance

We provide legal advice to help academic institutions manage all facets of their business operations and governance, such as:

- Academic affairs and development
- Review of academic policies
- Accreditation
- Bond financing

- Campus construction, leasing and green development
- Compliance with federal and state regulations
- Endowment funds
- Fundraising
- Governance
- Online education
- Operation of student health centers and application of HIPAA
- Unrelated Business Taxable Income (UBTI)
- IRS audits
- Program and purchase agreements
- Real estate secured financing
- Revisions of articles of incorporation and bylaws
- Termination or consolidation of academic programs

Employment

Our attorneys routinely counsel higher education institutions through a full range of employment matters, such as:

- Promotion and tenure matters
- Harassment complaints
- Terminations and non-renewals of tenured and tenure-track faculty
- Faculty handbooks
- Immigration law compliance and obtaining work authorization for faculty and staff
- Labor/collective bargaining
- Employee benefits and executive compensation
- Employment agreements for faculty and executives
- Severance and early retirement programs
- Disability accommodation and accessibility

Intellectual Property

We help higher education institutions manage the complexities of, and protect interests in, intellectual property and ownership rights, including:

- Faculty ownership of syllabi, research, inventions and other intellectual property
- Copyright registration and fair use analysis
- Web site policies, domain name disputes and online services
- Peer-to-peer file sharing regulations
- Software licensing agreements
- Trademark registration