

Gallagher LLP

Education

Our education law practice began in the 1960s, and now includes representing almost 100 elementary and secondary schools, colleges, and universities. Most of Gallagher's education clients have retained the firm to serve as their outside general counsel, relying on our lawyers to advise them on nearly every facet of their operations.

Child Protection, School Safety, and Crisis Management

A recent Gallagher client commented that the wellbeing and safety of students is an educator's "first priority." We agree. For decades, we have advised schools on implementing best practices for student safety. We have drafted comprehensive policies on appropriate teacher-student boundaries, mandatory reporting obligations, overnight trips involving minors, and school threat assessments and security protocols. We have also counseled clients in real-time as they responded to urgent safety concerns. Other law firms and lawyers frequently refer their clients to Gallagher in recognition of our broad experience in this area.

Core Business Functions

We regularly assist clients with bond refinancing, charitable giving programs, construction projects, data privacy, intellectual property concerns, real estate and land use matters, requirements for tax-exempt entities, overall risk management, and vendor contracts. We are familiar with the intricacies of school governance, and have worked with countless clients to draft and revise key corporate and internal governance documents.

Compliance Training

Our education lawyers, several of whom are members of the National Association of College and University Attorneys, keep apprised of the latest legal developments impacting K-12 and higher education institutions. We are regularly invited on campus to present to school

administrators and faculty about matters such as data privacy, the Family Educational Rights and Privacy Act (FERPA), reasonable accommodations for students and employees, and Title IX compliance.

Dispute Resolution/Litigation

Gallagher frequently defends educational institutions in state and federal courts at both the trial and appellate level. Gallagher's education lawyers also have experience representing schools in matters pending before regulatory agencies, including the U.S. Department of Education's Office for Civil Rights (OCR), the Office of Federal Student Aid, the Maryland Higher Education Commission (MHEC), and the Maryland State Department of Education (MSDE), including the Maryland Office of Child Care (OCC).

Faculty and Employee Relations

Gallagher's education and **employment** lawyers understand the unique relationship that schools have with their faculty and non-faculty employees. In addition to counseling and representing educational institutions in day-to-day employment matters, we also regularly advise schools on faculty handbook revisions. Our higher education clients have also relied on Gallagher to help them navigate difficult promotion and tenure decisions.

Student Affairs

Gallagher's education lawyers advise clients on the broad array of student-related issues that arise on school campuses. We routinely help clients comply with the Americans with Disabilities Act (ADA), the Clery Act, the Family Educational Rights and Privacy Act (FERPA), National Collegiate Athletics Association (NCAA) regulations, and Title IX. We also advise clients on the design and implementation of student disciplinary processes, including complying with applicable fair hearing requirements. Additionally, Gallagher's **health lawyers** work alongside our education team to advise higher education institutions on operating legally-compliant student health centers and complying with the Health Insurance Portability and Accountability Act (HIPAA).

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