

K-12 Education

Miller Canfield's Education Law team is known throughout Michigan, Illinois and the Midwestern United States for its broad expertise in representing public schools. Our lawyers have the experience, knowledge and reputations schools need.

Finance and Operations

Our Education and Finance teams have assisted public schools with legal aspects of their finance and operations matters which include:

- Capital improvement financings (School bonds, energy conservation bonds, IPAs and finance leases)
- School Bond Qualification and Loan Program ("SBQLP")
- Operating cash-flow borrowings, deficit funding and restructuring
- Building and site sinking funds
- Operating millages under Proposal A
- School elections including compliance with the Michigan Campaign Finance Act
- State aid, the School Aid Act and pupil accounting
- Construction-related contracts
- Competitive bidding
- Service contracts
- Permitted investments
- Shared services agreements
- Arbitrage rebate analysis under federal tax law and IRS audits
- Technology, including acquisition, installation, software licensing

Real Estate

Our representation of public schools on real estate matters includes:

- Acquisition and disposition of property
- New construction.
- Leasing
- Zoning, land use, title and environmental review, including deed restrictions
- Condemnation
- Property tax exemptions
- Disposition of surplus property

Continued

Freedom of Information Act ("FOIA") and Open Meetings Act

Our attorneys regularly advise our public-school clients on matters relating to the Open Meetings Act ("OMA") and Freedom of Information Act ("FOIA"). We strive to help our clients comply with OMA and FOIA so that they can minimize litigation risk, expense and public controversy.

Student Issues

Our education lawyers also advise our public-school clients on student-specific issues, including:

- Special education
- Student codes of conduct
- Discipline
- Expulsion
- Residency and guardianship
- Homeless students

Employment and Labor

Our Employment and Labor group is nationally respected for its service to all clients, including educational institutions and school districts. Knowledge of education environment is essential when assisting with:

- Employment and employee benefits
- State and federal labor law, including collective bargaining agreements and union grievance resolution
- Employment disputes, including harassment claims, employee theft and safety threats
- Accommodation counseling and litigation, including FMLA and ADA
- Federal law compliance, including FERPA
- Evaluation protocols
- Outsourcing agreements
- Teacher tenure and evaluation

Litigation and Dispute Resolution

Miller Canfield has been a trusted counselor and partner to hundreds of school districts, as well as universities, colleges and educational institutions in addressing and solving complex issues as well as providing day-to-day assistance, including:

- Litigation in federal and state courts and regulatory tribunals
- Special counseling to administration, boards and general counsel

Continued

- Investigations
- State and federal regulatory matters
- Criminal activity and investigations
- Compliance and risk counseling
- Athletics
- Construction
- Procurement and contracting

Representative Matters

- Assisted school districts in creating cost-saving student-teacher ratios in labor agreements
- Resolved special education disputes
- Represented a private nonprofit that provides k-12 education to students with moderate to severe cognitive disabilities and severe behavioral disorders in negotiating their first-ever union contract and subsequent labor agreements
- Represented the Macomb ISD on the recent voter approval of the Macomb County enhancement millage and Wayne RESA on the recent voter renewal of the Wayne County enhancement millage
- Negotiated intergovernmental agreements for financial and data management services for Wayne County RESA
- Worked with numerous public-school clients on voter approval of bonds, sinking funds and operating millages
- Supported the efforts of intermediate school districts to help local school districts in transition due to enrollment changes, financial stress or struggling student populations
- Assisted in the development of protocols and legislation to clarify the special education responsibilities of cyber schools and assure compliance with state and federal laws
- Assisted school districts in understanding and complying with private-use restrictions applicable to bond-financed property
- Advised school districts in developing strategies and plans for managing Headlee rollbacks and millage elections
- Helped school districts interpret state and federal law or proposed legislation, including prerequisites or conditions attached to state or federal funds