

EDUCATION

Shutts & Bowen's multidisciplinary team of education attorneys bring a comprehensive understanding of primary, secondary, charter, and specialized education systems from legal, regulatory, and business perspectives. Our attorneys are well positioned to support education clients across a full range of needs, including compliance, institutional risk management, intellectual property, operations, real estate and construction, procurement, labor and employment, and dispute resolution, enabling clients to remain focused on their core educational mission.

We represent a diverse array of clients across the education sector, including public and private K-12 schools, charter schools, private service providers, and related organizations. Our higher education clients include state universities, academic medical centers, athletes, faith-based institutions, and private colleges.

The law firm's education group includes attorneys with decades of experience resolving the most complex challenges confronting small institutions to large universities. We provide solutions that enable our clients to seize new opportunities and successfully meet the challenges of the constantly changing business, regulatory and technological landscape facing the education industry.

Through comprehensive legal and advisory services, our team combines deep knowledge of academic governance and regulatory frameworks with practical insight into the current system. From proactive compliance and policy development to high-stakes disputes and crisis response, we help clients address challenges efficiently and effectively.

Shutts advises public and private institutions across a broad range of areas, including governance and board relations, regulatory compliance, civil rights obligations, student affairs, labor and employment, and complex litigation. We regularly assist with internal investigations, Title IX and other federal compliance matters, campus safety and First Amendment issues, and the development of policies and procedures designed to mitigate institutional risk.

In addition, we counsel institutions on business and operational matters critical to long-term success, including government funding and contracts, real estate and construction, intellectual property and research commercialization, as well as public-private partnerships. Our team also provides strategic guidance to presidents, boards, and senior administrators on sensitive and high-impact decisions affecting institutional direction, reputation, and student affairs.

Our attorneys offer industry-leading counsel to individuals and institutions on name, image, and likeness (NIL) policies and frameworks, NCAA compliance programs, athletics department governance, and conference bylaws and membership issues. Our experience also includes advising on complex commercial transactions unique to higher education and intercollegiate athletics, including conference realignment, media and content rights, sponsorships, and licensing. Shutts is prepared to structure and negotiate naming rights agreements, facility use and scheduling

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agreements, premium seating and hospitality arrangements, and multi-venue operating agreements, aligning revenue strategy with institutional policy, donor relations, and Title IX considerations.

With a deep respect for the mission of education institutions, businesses, and individuals, and commitment to practical solutions, Shutts serves as a trusted partner to clients navigating today's most pressing legal and operational challenges.

Representative services include:

1. **Governance and Compliance:** Institutional bylaws and policies; board and committee governance; NCAA and conference rules; NIL policy design and compliance; Title IX, Clery, FERPA, ADA, and related regulatory frameworks.
2. **Transactions and Commercial Arrangements:** Sponsorships, licensing, media and content agreements; naming rights; facility use and operations; complex vendor and technology contracts; research collaborations and IP management.
3. **Capital Projects and Real Estate:** Site control, entitlements, development agreements, design and construction contracting, procurement strategies, P3 structuring, financing interface, operations and maintenance.
4. **Risk and Operations:** Enterprise risk assessments, crisis planning and response, internal audits, investigations, student and faculty matters, employment and labor issues, data privacy and cybersecurity, and dispute resolution.
5. **Litigation:** Effectively and aggressively defend clients against federal and state court and administrative challenges, spanning from the start of an investigation through its resolution.
6. **Intellectual Property:** Copyright design and protection, naming rights, patent procurement and enforcement, portfolio management and analysis, technology transactions and licensing, trade secrets counseling, trademark protection and enforcement
7. **Government Contracting:** Federal, state, and local procurement strategy and compliance, bid protests and contract disputes, grant and cooperative agreement structuring and administration, supply chain compliance, as well as ethics, reporting, and internal controls for public funding.

Shutts attorneys have handled a wide range of cases on behalf of a variety of clients in Florida, including the Governor, Chief Financial Officer, Commissioner of Agriculture, Florida House of Representatives and Florida Senate, Florida Department of Environmental Protection, Florida Department of State, Florida Department of Health, Florida Department of Corrections, Statewide Office of the Guardian ad Litem, Florida Agency for Healthcare Administration, Florida Department of Business & Professional Regulation, Florida Department of Children & Families, Florida Department of Management Services, Florida Lottery, and Florida Department of Commerce. Our attorneys litigate in all Florida state and federal trial courts and federal courts nationwide. They appear regularly in each of Florida's six District Courts of Appeal and the Florida Supreme Court, and

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handle federal appeals in the United States Courts of Appeals and the United States Supreme Court.

Our education attorneys are supported by their deep connections in various branches of state and local government, as well as high-level contacts and relationships with civic, business, philanthropic, educational and social institutions. Additionally, our Tallahassee attorneys maintain key relationships with lawmakers and agencies, securing a critical position to advocate to the fullest for clients.

Shutts attorneys have a demonstrated track record of support toward Florida's educational system. Tallahassee Managing Partner Ben Gibson served as a member of Florida's State Board of Education from 2017-2025, overseeing VPK-12th grade public education and Florida's State College System. He served as the Board's Chairman and Vice Chairman from 2021-2025. Additionally, as Deputy General Counsel for the Governor, Ben oversaw all legal issues involving the Florida Department of Education. Appellate Chair Daniel Nordby was a former Assistant General Counsel of Florida's Department of Education.

Professionals

Benjamin J. Gibson

Jordan P. Clark

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Related Practices

Government Law

Intellectual Property