

Labor, Employment, and Education Lawyers

Fisher & Phillips LLP represents numerous private schools throughout the United States. We work primarily with independent and private PK-12 schools (of varying sizes), both religious and nonreligious. We understand your industry, problems, goals, and vision. We also understand that even a small change in the school's policies or procedures could produce unanticipated consequences throughout the community. We work with our clients to try to guide them through necessary changes to ensure that the school is providing the safest environment for the students in its care, while maintaining appropriate employment and fiscal policies. We are a corporate NAIS member and work with many of the accrediting and school associations to provide advice and training. The following is a listing of the most common, competitively-priced services we regularly provide for schools.

Phone Advice Retainer: Our phone advice retainer program is designed to help ensure that our clients comply with the various employment laws and regulations that affect their operations. The retainer includes telephone advice concerning general labor and employment or educational matters which may arise from time to time. The purpose of the retainer is to assist you and your administration in establishing and maintaining proper hiring and firing procedures as well as effectively handling day-to-day personnel and student-related questions. We have experience in addressing employee issues from application to termination and student/parent issues from admission to expulsion. Typical questions involve wage-hour issues, questions about employee hiring processes, inquiries about how to address an internal complaint of harassment or discrimination, employee coaching/counseling issues, drug testing concerns, termination processes, handling requests for accommodations, handling unruly parents, questions about child custody concerns, criminal background matters, etc. By encouraging clients to call us regularly when problems arise, we try to guide them through early preventive action before serious problems develop. The retainer is priced based on the number of students and employees at the school.

Wage Hour Audits: We provide a comprehensive on-site wage hour audit for your institution to determine whether the school has properly classified its employees as exempt v. non-exempt, whether its employees are being properly paid, and whether appropriate records are being maintained. We understand the issues that are common in schools, including combination positions, different pay structures, boarding issues, stipends, and other practices unique to the education industry. We provide you with a written report that outlines each area problem area and guide you through what will hopefully be a non-noisy correction process. You can choose either to have us do a full audit at your school (which will involve either a half or full-day assessment), or to have only certain positions audited (such as some of the questionable executive or administrative exempt positions). If you choose the full on-site audit, we price it based on the number of employees at the school. As an example, a full audit for a school with 100 employees would be \$5,500, including a comprehensive report. If you choose the select position audit, we charge \$252 per position, for up to 15 positions. We will do this assessment by phone and send you a full report. If you have more than 15 positions to audit, the price per position will be slightly less, depending on the total number of positions to be audited. Depending on the number of positions, we may also suggest that we come to the School for the assessment.

Training: We have many comprehensive training programs for independent schools, including training for administrators and managers that educate the school's leaders on their (and the school's) obligations regarding employees, students, parents, and the government. Popular training programs focus on hiring, interviewing, background investigations, reference checks, wage-hour compliance, harassment, discrimination, family leave laws, disability issues, documentation, coaching, counseling, disciplining, and terminating (or not renewing contracts of) employees. Programs involving students and parents focus on admissions guidelines, student disabilities, child abuse, discipline and dismissal, contracts, emerging internet

issues, boundary issues between students and teachers, and handbooks. We also provide teacher training on student discipline, student-parent conferences, confidentiality, privacy concerns, and boundary issues. Finally, we provide student sensitivity training (focusing on bullying and harassment). Training programs range from 1 to 8 hours; pricing depends on length. A complete listing of training programs is available by emailing Suzanne Bogdan at sbogdan@laborlawyers.com.

Model Products: We have several model products for independent schools, including model employee/faculty handbooks (\$750), model student handbooks (\$500), model enrollment contracts (\$500), and model employment contracts (\$500). We also have kits for easy compliance with the Fair Credit Reporting Act (\$250) and the Family Medical Leave Act (including the new Amendments) (\$400).

Contract Review: Many of our school clients have their own contracts and handbooks that they would like to continue using. Parents and employees are familiar with the format and basic language. In that case, the school often asks us to review the documents and suggest changes to ensure that the documents have the best possible wording. For enrollment contracts, you want to ensure that the document is enforceable and will not be considered to have ambiguous terms (which will cause the court not to enforce it). Also, you want to ensure that the enrollment contract is consistent with the school's other policies/procedures. As to employment contracts, because these documents typically favor only the employee, you want to ensure that the document covers the issues you need covered and gives the school flexibility to make changes (terminate, transfer, etc.) when necessary. We are happy to review what you have and give you an estimate of the cost to revise your existing documents.

Full Range of Legal Services: In addition the specific products and services geared toward providing schools with legal advice at reasonable rates, we also provide the full range of legal and litigation services in responding to charges of discrimination, handling litigation, managing internal investigations, reviewing policies and manuals, handling governmental investigations, benefits review, benefits compliance services, immigration, executive compensation services, drafting of executive and other forms of contracts, and board governance training and consulting.

Discounts for School Office Services Members: If a School Office Services member school contacts us for services, we are happy to offer a 5% discount off our standard pricing for retainers, wage-hour audits, model products, contract review, and training programs.

Prices are current as of 5/1/09

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