



Duane Morris LLP education attorneys understand that the only constant is change, and that leading and adapting to change in the structure and contours of the education sector are essential to providing the highest levels of value and service to our clients. The Pre-K-12 Team is part of Duane Morris' Education Industry Group, a nationally recognized industry group focused on the complex and ever-shifting legal, regulatory, business and policy needs of educational institutions and educational services providers (public, private and charter schools serving pre-K-12, career education, lifelong learning and corporate training). The group has the added distinction of having the support and resources of a full-service, international law firm to meet the diverse needs of our education industry clients.

Our clients include individual private, virtual and charter schools and networks, charter and education management organizations, academic enrichment and education service providers, education reform organizations and education investors. The team is particularly adept at handling matters that implicate the heart of an institution or organization's mission. The attorneys on the Pre-K-12 Team, many of whom have first-hand experience as general counsel, board members and executives within government agencies, commissions and schools, bring their unique, inside perspective to every client matter.

AREAS OF CONCENTRATION

- ▶ **Operations and Governance**
- ▶ **New School Development, Replication and Expansion**
- ▶ **Teacher Evaluation, Credentialing and Certification**
- ▶ **Public/Private Ventures**
- ▶ **Competency-Based and Personalized Learning and Tutoring**
- ▶ **Charter and Education Management Organization and Individual School Finance and M&A**
- ▶ **Parent and Student Civil Rights**

DUANE MORRIS DIFFERENTIATORS

- ▶ Depth of knowledge and experience in education law, regulation and policy (federal, state, authorizer and accreditor) that impact the education sector in the United States.
- ▶ Strong record on behalf of education clients before courts, federal and state regulatory agencies, accreditors, Congress and in board rooms.
- ▶ An entrepreneurial and highly adaptive approach based on firsthand business experience.
- ▶ Seasoned advice regarding policy, legal and regulatory trends that help clients address business risk proactively.
- ▶ A multidisciplinary team that allows for sophisticated and multifaceted solutions.
- ▶ A national footprint that serves clients across the country.
- ▶ Extensive network of contacts deeply involved in education law, regulation and policy, and in school leadership across the country.

EXAMPLES OF OUR WORK

Regulatory Advice

- ▶ Prepared legal opinions on behalf of charter school investor for a series of multimillion-dollar finance transactions.
- ▶ Analyzed government funding opportunities for national private school network.
- ▶ Assisted home school cooperative with all aspects of transition to accredited, national private school network.
- ▶ Prepared guidance for private school network on opening of virtual school model.
- ▶ Served as regulatory counsel on acquisitions of charter school and private school portfolios.
- ▶ Performed multi-state statutory and regulatory review for national education reform organization and revised standard performance agreement templates for use with school districts across the United States.
- ▶ Revised student and family handbooks and employee handbooks for charter school network.

Litigation

- ▶ Represented New Jersey Charter School Association in challenge to the school system based on alleged unconstitutional segregation in public schools throughout the state, including public charter schools.
- ▶ Defended the Chapin School in a \$34 million action for wrongful termination of its contract brought by Ibex Construction. The school discovered Ibex was misappropriating funds, and the action concluded with all claims against the school being dismissed on default.
- ▶ Counsel to government contractor in dispute regarding enforceability of liquidated damages provision.
- ▶ Obtained land use approvals for HighMark Schools to develop a \$20 million charter school in the former *Trenton Times* building in Trenton, New Jersey, and a \$14 million charter school in Pleasantville, New Jersey.
- ▶ Represented charter school network in Freedom of Information Act litigation.
- ▶ Counseled government contractors in contract disputes against local school district.
- ▶ Conducted internal investigations for education service provider regarding allegations of Title IX violations, teacher and student misconduct.
- ▶ Litigation counsel for a national leading private sector provider of public school transport.
- ▶ Drafted an amicus brief involving constitutional law and federal statutes in court for leading national public charter school organizations.

Corporate Transactions

- ▶ Represented American Infrastructure Funds MLP, in partnership with Charter School Capital, a provider of working capital financing to charter schools, in connection with the formation of American Education Properties LLC, and with its \$75 million acquisition of 10 school properties located in six states.
- ▶ Represented American Education Properties, LLC in the \$214 million sale of 13 facilities leased to charter schools in Arizona, California, Florida and North Carolina.
- ▶ Served as regulatory counsel for M&A transactions of pre-K-12, for-profit schools involving more than 230 locations with total combined enterprise value of more than \$1.3 billion.
- ▶ Represented International Education and Community Initiatives, dba One Bright Ray, Inc., and Community Academy of Philadelphia, a Pennsylvania charter school, as borrower's counsel, in connection with obtaining \$41 million in tax-exempt and taxable revenue bonds.
- ▶ Served as borrower's counsel for public charter school in \$38 million bond revenue transaction.

- ▶ Represented Community First Fund of Lancaster in the first deployment of its \$15 million award of New Markets Tax Credit Authority by the Treasury for the development of a charter school in York, Pennsylvania.
- ▶ Represented a school in drafting and negotiating design and construction agreements for its school expansion project, which includes a two-story addition to an existing structure, with construction costs in excess of \$120 million.

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- > Also satellite offices, including Bangor and Portland, Maine; and Seattle, Washington
- > Alliances in Mexico
- > Leadership position with international network of independent law firms

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