



COLLEGES AND UNIVERSITIES

Building The Future

The 50-plus lawyers in our interdisciplinary, firmwide Higher Education Practice Group regularly counsel scores of traditional, nonprofit colleges, universities and research institutions as their leaders work within an increasingly complex legal environment under rigorous cost constraints. Our attorneys include current and former trustees and general counsel, so we understand what it takes to navigate the demands of the myriad constituencies that make up a modern higher education community. We understand the enormous scrutiny under which our clients must operate as they deal with matters that can become highly publicized, with potentially devastating effects upon public and private supporters.

We have served as trusted advisors to countless presidents, senior administrators and general counsel regarding:

- Governance (by-laws, policies, etc.)
- Intellectual property, especially securing and commercializing patents and trademarks
- Transactions with vendors and suppliers
- Risk management and litigation, including insurance coverage
- Faculty and staff employment and workplace issues
- Student affairs (FERPA, Title IX, etc.)
- Construction and financing of major projects, including joint efforts with the local community
- Public affairs and government relations
- Financial aid and grants

The attorneys in our Higher Education Practice Group - several of whom are active in the National Association of College and University Attorneys

Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

(NACUA) - provide counsel and litigation support on such matters as:

- Faculty promotion and tenure
- First Amendment/free expression issues
- Staff hiring and transition
- Executive searches, employment agreements, separations
- Student services and discipline, privacy (FERPA) and misconduct (Title IX)
- Study abroad relationships and related issues
- Conduct of fraternities and sororities
- Athletics department matters, including Title IX compliance
- Tax-exempt status compliance
- Patent prosecution and commercialization
- Trademark protection and commercialization
- Copyright law issues
- Development/fundraising
- Ethics and conflict of interest policies
- Financing of capital projects, including tax-exempt bonds and pursuing economic development incentives
- Negotiating and documenting all types of relationships with external entities, such as suppliers, vendors and local communities
- Regulatory challenges, such as export controls and environmental regulations
- Public access (meetings, records, etc.) compliance and challenges
- Relations with government at all levels, including lobbying of state and federal legislative and executive bodies
- Assistance with public affairs and communications strategies
- Student loan documentation and compliance
- Tax qualified retirement plans, 457(b) plans, 403(b) plans and other deferred compensation arrangements
- Health and welfare plans, including compliance with the Affordable Care Act
- Design, drafting and implementation of faculty and staff early retirement programs
- Federal financial aid and related regulation and enforcement (including Title IV)
- Accreditation
- Grant and fundraising compliance

While higher education institutions have similar, fundamental characteristics, each has a unique culture. We invest our own time to become knowledgeable about our client's history and traditions. We deliver sophisticated legal services to our higher education clients in a cost-effective manner, drawing on our experience with building budgets and living within them.

Practice Leaders



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