



## SCHOOL LAW: OVERVIEW

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Attorneys at Ruder Ware practicing school law understand the legal complexities facing both public and private educational institutions. We are familiar with public and private K-12 schools as well as technical colleges. We understand the purpose of these institutions is not only to provide education to their students but also to act as an employer managing employees, the benefits of their employees, and the needs of their pupils, keeping in mind the legal ramifications of each.

Ruder Ware has had extensive opportunities to work with educational institutions and currently represents numerous school districts throughout central, west central, north central, and northern Wisconsin. Collectively the attorneys practicing school law and all issues pertaining to it represent nearly ten decades of knowledge and experience. We've gained insight into factors affecting schools and have learned the importance of fiscal restraints imposed on public employers and the advantages gained by proactive planning.

With professional sensitivity, we work with clients on issues such as pupil discipline, transportation, discrimination, student records, and attendance as well as school district reorganization and open enrollment. We provide cost-efficient, sound legal advice in the following areas pertaining to school districts:

- **School Law.** We advise school districts, technical colleges, and Cooperative Educational Service Agencies (CESAs) in all aspects of school law, including:
  - Teacher and administrator contracts and nonrenewal procedures
  - Student expulsions
  - Student rights
  - Student discipline
  - All aspects of special education matters
  - Employee personnel records
  - Employee disciplinary matters
  - Board member liability
  - School board authority
  - Employee licensing requirements
  - Employee and student discrimination matters
  - School board meeting and election issues
  - School attendance and enforcement
  - Release of public records
  - Board member conflicts of interest under Wisconsin's Local Official Ethics Law
  - Construction of new facilities
- **Collective bargaining.** We act as chief spokesperson or as counsel for boards handling their own bargaining. We regularly negotiate the terms and conditions of labor agreements as part of the collective bargaining process

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under the Municipal Employment Relations Act. We work alongside our clients at every stage of the bargaining process. We review and provide analysis of the in-place collective bargaining agreements, policies, and/or work rules. Prior to the commencement of bargaining, we work with our clients to draft and submit proposals to employee organizations. Three of our attorneys have contributed to a book published by the State Bar of Wisconsin entitled Public Sector Labor Relations in Wisconsin. This book is currently the only comprehensive treatise covering all aspects of public sector labor relations in Wisconsin.

- **Bargaining Support Data Development.** Utilizing our in-house research center, we prepare comparative and economic data to support an employer's position in collective bargaining, mediation, and interest arbitration. As part of the process, we prepare and verify costs associated with bargaining unit proposals and settlements.
- **Impasse Resolution Procedures.** We represent public sector employers in utilizing the impasse (i.e., mediation and arbitration) procedures set forth under Section 111.70 and 111.77 of the Wisconsin Statutes.
- **Grievance and Contract Interpretation.** We prepare and draft initial legal opinions on grievance matters and represent school districts in arbitration proceedings. We submit briefs and arguments to an arbitrator in support of the client's position after grievance arbitration hearings.
- **Representation Before Wisconsin Employment Relations Commission and State and Federal Courts.** We represent clients before the Wisconsin Employment Relations Commission as well as in state and federal courts in matters such as bargaining unit determination, declaratory rulings, and prohibited practice complaints.
- **Open Meeting and Public Record Compliance.** We render advice to our clients regarding compliance with Wisconsin's Open Meetings and Public Records Laws and represent districts in disputes challenging their compliance.
- **Family Medical Leave Compliance/Unemployment Compensation/Workers' Compensation.** We review policies and procedures to ensure compliance with state and federal Family and Medical Leave Acts and counsel employers on compliance. In addition, our attorneys represent districts involved in litigation with the Department of Workforce Development, Department of Labor, and state and federal courts with respect to compliance with the state Family and Medical Leave Act, unemployment compensation, and workers' compensation matters.
- **Employment Discrimination Litigation.** We provide counsel to local government employers for compliance with state and federal equal opportunity laws, including how to protect against claims of discrimination and harassment. We represent local government employers in defense of complaints of discrimination in all courts and administrative agencies.
- **Construction Contract Litigation.** We represent our school clients in negotiation of construction contracts and arbitration of construction contract disputes regarding interpretation of contract language and payments required under such contracts.
- **Real Estate.** We provide counsel in all aspects of real estate transactions, including purchases, sales, and preparation of lease agreements. We also represent school districts in litigation involving real estate, such as zoning and ownership disputes.
- **Special Education.** We represent school districts in a wide range of special education issues, including Individualized Education Plan (IEP) meetings and processes, due process hearings, Individuals with Disabilities Education Act (IDEA) complaints, Office of Civil Rights (OCR) complaints, and treatment of students with disabilities.
- **Employee Benefits Services.** We provide consultation to school clients on employee benefit and compensation matters that school districts regularly face. We advise districts regarding administrator and employee compensation and retirement programs. We provide districts and school boards with information concerning current trends and developments on employee benefits.

As an added service our firm offers no cost electronic legal updates to all interested business professionals.

As part of a full-service law firm, our attorneys provide clients with a one-stop approach to their legal needs. Ruder Ware, the largest Wisconsin law firm headquartered north of Madison, also provides legal counsel in Business Transactions, Litigation & Dispute Resolution, and Trusts & Estates. 📍

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