

BOND

SCHOOL LAW

Bond, Schoeneck & King has a long history of representing school districts. Our School Law practice encompasses an array of services necessary to meet the diverse needs of our school district clients. Our School Law practice draws on the expertise of attorneys from all departments within the firm in order to provide effective, timely and efficient service to our school district clients. Because we serve a large number of school districts, we believe it is our responsibility both to stay current with the evolving requirements of the law and to assist in achieving sound, practical results.

General Education Law Matters

In addition to the specific subject areas outlined below, we provide our school district clients with the full range of general education law services including preparation of Board policies, Board resolutions and legal notices; assistance with, and attendance at, regular and special Board meetings; review of Board meeting agendas; assistance with Board elections, budget votes, propositions and contingency budgets; implementation of voter registration and absentee ballot systems; handling of Freedom of Information Law ("FOIL") and Open Meetings Law issues; counsel and assistance with the No Child Left Behind Act; counsel and assistance with school-based health centers and other health-related issues; representation in administrative proceedings before the Commissioner of Education, U.S. Department of Education Office for Civil Rights, Office of Professional Discipline, as well as state and federal court proceedings; counsel and assistance with agency audits, implementation and administration of school supportive health service programs receiving federal Medicaid reimbursement; and provision of general advice, counsel and legal opinions regarding all aspects of school district operations.

Bonding and Financing

We assist clients by acting as bond counsel and special counsel to school districts in public finance transactions. Our representation includes rendering opinions regarding school district obligations (including tax anticipation notes, revenue anticipation notes, bond anticipation notes and serial bonds), that such obligations have been properly authorized, issued and are valid obligations of the school district, and that interest on such obligations is excludable from the gross income of the holders for federal, state and local tax purposes; assisting school districts in structuring financing; and providing advice regarding the requirements and restrictions of the Internal Revenue Code, the local Finance Law and the Education Law applicable to school district borrowings.

Construction and Renovation

Our construction law practice includes negotiation, drafting and review of contracts for improvements to real property, including owner/architect agreements, owner/contractor agreements, and contractor/ subcontractor agreements; enforcement or defense of construction claims through alternative dispute resolution; and negotiation and review of energy performance contracts.

Environmental

Our firm has represented clients on environmental issues since the late 1940's. Our practice addresses all aspects of environmental law, environmental review of school district construction projects under the New York State Environmental Quality Review Act ("SEQRA"); permit applications and enforcement proceedings; regulatory compliance; environmental considerations involved in leasing, sale and purchase of real property; and regulation of asbestos projects, indoor air pollution, storage tanks, disposal of laboratory and other hazardous wastes and compliance with the SEQRA as it relates to educational projects.

About Bond, Schoeneck & King

Bond, Schoeneck & King PLLC serves individuals, companies and public-sector entities in a broad range of areas.

With 250 lawyers and 13 offices, we represent clients in manufacturing; agribusiness; commercial lending and real estate and construction; energy; health care and long term care as well as municipalities, school districts, higher education and other exempt and nonprofit organizations. We maintain nine offices across New York; and one each in Boston; Kansas City; Naples, Florida and Red Bank, New Jersey.

Bond is committed to understanding our clients' needs and providing comprehensive, practical, high-quality and responsive solutions. We strive to maintain the highest professional and ethical standards, and to provide leadership in community activities, pro-bono work and service to the Bar.

For more information, visit bsk.com.

In-Service Training

We provide training to school boards, administrators and staff on many aspects of school law including school safety issues (student discipline, search and seizure, use of force, dress codes, gun-free schools); mandated reporting and child abuse and neglect; confidentiality of student records under the Family Educational Rights and Privacy Act; compliance with the IDEA and other disability laws; as well as labor and employment law topics such as sexual harassment, disability discrimination, teacher evaluation and discipline, excessing and seniority rights, and proper investigatory methods. We train on any school law issues and will tailor the presentations to address the specific needs and concerns of your district.

Labor and Employment Law

We provide the full spectrum of labor and employment law services to school districts including: labor negotiations for instructional and non-instructional bargaining units; PERB impasse procedures, improper practice litigation and representation at hearings; grievance arbitration; Section 3020-a proceedings, Section 75 proceedings and related proceedings before the Commissioner and the Courts; drafting and reviewing employment agreements; defense of employment discrimination claims before the State Division of Human Rights, Equal Employment Opportunity Commission and in state and federal courts; assistance in the preparation and/or review of employment-related school board policies and administrative regulations; counseling on day-to-day employee relation matters and on a full range of equal employment opportunity issues; counseling human resource administrators on individual employee situations (e.g., tenure, certification, transfer, disability, etc.); conducting training for administrators and other school personnel on issues such as sexual harassment, disability discrimination, effective supervision and discipline and the Family Medical Leave Act; assistance with harassment and employment discrimination investigations and reporting; state and federal wage/hour matters; OSHA regulations and enforcement; and unemployment insurance matters.

Purchasing and Bidding

We assist our clients in all phases of the competitive bidding process, including legal notices and advertising for bids, dealing with irregularities in bids received, determining the lowest responsible bidder and negotiating and drafting agreements. We similarly assist our clients in all phases of the procurement of services and deliverables not subject to competitive bidding, including the development of requests for proposals, and in all aspects of property leasing, lease-purchase agreements, installment purchase contracts, disposal of surplus property, and telecommunication and computer systems contract negotiation.

Special Education

We offer a full range of legal services on matters involving the education of students with disabilities including: compliance issues arising under the IDEA, Section 504 of the Rehabilitation Act, the ADA and state laws and regulations impacting on students with disabilities; attendance at CSE meetings; and representation at impartial hearings, appeals to the State Review Officer, civil lawsuits and administrative proceedings.

Student Matters

We have vast experience in all areas of student-related matters such as student discipline, including Superintendent's Hearings, Project SAVE and Appeals to the Commissioner of Education; search and seizure issues; student rights and responsibilities; release of student records ("FERPA"); student group and equal access issues; residency determinations; child abuse in the educational setting; pupil attendance policies and reporting; home schooling; and transportation issues.

Tax Certiorari

We assist our clients in real property taxation and assessment review matters; and in obtaining charitable, educational, religious, business investment and environmental exemptions.

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