



Education Industry Group





**WE CAN
HELP YOU**

“ We are not just reactive lawyers; we are your partners who look for proactive ways to add to your institution’s success. ”

Challenged with a changing marketplace, institutions of education are evolving and embracing innovative ways to be valued community partners, economic development resources and catalysts and front-runners in the advancement of technology. With these changes come new, unique legal and regulatory challenges that demand a partner who knows how to help.

We are not just reactive lawyers; we are your partners who look for proactive ways to add to your institution’s success. We are proud that we have helped over 30 institutions realize their goals – attracting and serving a growing and diverse student body, retaining top faculty and administrative talent, offering state-of-the-art teaching technology, funding and capitalizing on bioscience research and data analytics programs and nurturing strategic economic partnerships.

Our team provides experienced, cutting-edge legal advice for institutions at all levels of education.

Known by many for our high profile litigation work defending colleges, our clients also include public and private universities, primary and secondary independent schools, public school districts, vocational institutions, church-related schools, fraternities and sororities and affiliated foundations.

From being a business partner focused on your growth, to representing you during disputes, to helping finance and grow your school’s physical footprint, here is a sample of the services we provide to help you grow.



structured financing arrangements in the field of tax-exempt finance. We help you comply with recently enacted tax legislation and identify new opportunities developing out of changes in tax law. We also assist with the formation, qualification and operation of tax-exempt entities and advise tax-exempt clients regarding IRS rules.

REAL ESTATE FINANCING AND DEVELOPMENT

FINANCIAL DEVELOPMENT AND MANAGEMENT

We can assist you with conventional bank financing, both secured and unsecured, tax exempt financing including the newly expanded bank qualified transactions, public issues, college building authority loans and local authority loans.

Endowments and alumni donations, federal grants, bond and capital markets, tax credits – educational institutions must grapple with an array of funding sources, each of which has its own considerations. Our attorneys help clients navigate these complex options for fundraising and managing a school's finances. For campuses that wish to expand, we have access to a full economic development team that can help with managing public-private partnerships, find financing sources and help your school grow.

ENDOWMENT AND TAX EXEMPT STATUS

We advise endowed institutions on a variety of topics including gifts, deferred giving plans, annuities, charitable lead and remainder trusts and other development tools and strategies. We assist institutions in achieving and protecting tax exempt status for endowments, campus property and real estate; and provide representation relating to assessments of real and personal property by state and local taxing authorities.

TAX

Williams Mullen's Tax Team is prepared to advise you on all state, federal and international tax laws, bringing an in-depth understanding of the complex

Williams Mullen attorneys have assisted educational institutions with matters related to their campuses, including real estate development and leasing, land use, construction, utilities and infrastructure. We can foresee and assist with common issues that arise when managing a school campus, including environmental regulatory considerations, negotiations and acquisition of real property, negotiation and preparation of master leases for student housing and more.

CONSTRUCTION

Williams Mullen's Construction Team is a National First Tier legal practice according to U.S. News & World Report and Best Lawyers' "Best Law Firms." We have provided legal counsel to the education industry since the 1970s.

MIXED AND PUBLIC FINANCED DEVELOPMENTS

Williams Mullen's Public Finance Group is a National FirstTier legal practice according to U.S. News & World Report and Best Lawyers' "Best Law Firms." We can help you with governmental and tax-exempt financings for new and renovated education institutions. We serve as issuer's counsel, bond counsel, underwriter's counsel, counsel to credit enhancers, borrower's counsel and corporate trustee counsel in transactions throughout the U.S.

NEW MARKET TAX CREDIT DEVELOPMENTS AND HISTORIC TAX CREDIT DEVELOPMENTS

We are proud to assist development partnerships

relating to education institutions with all forms of tax credit transactions including those involving historic rehabilitation tax credits, new market tax credits, enterprise zones, conservation easements and other state and local incentives. Our attorneys have represented numerous clients using historic tax credits in connection with the rehabilitation of historic buildings for dormitory, office and other institutional uses. For new market tax credits, we represent you in both straight loan transactions and leveraged loan transactions that increase the benefit of the new market tax credits.

PUBLIC-PRIVATE PARTNERSHIPS

Williams Mullen's P3 Team members have served as primary counsel for institutions in the development of power facilities, water systems, wastewater systems, transportation, solid waste management facilities, parking garages and athletic complexes. We can support you with all contractual arrangements involving joint ventures as well as design-build, construction management and design-bid-build approaches, combined with operations/maintenance and a wide variety of creative financing mechanisms, grants, credit enhancements and tax incentives.

LAND USE & DEVELOPMENT

Our Real Estate Team advises you on matters regarding development and zoning of campus property and investment real estate, student housing, fraternity and sorority housing issues, transportation and infrastructure matters.

UTILITY USE AND REGULATION

We know that educational institutions have unique and growing utility and infrastructure needs. That's why we negotiate rates with utility providers for water, sewer, electricity, heating fuels, telecommunication

and other services, as well as deal with privately owned and operated utility systems.

REGULATORY COMPLIANCE AND GOVERNANCE

From the classroom to sports programs to student affairs, higher education institutions must follow a growing number of state and federal regulations surrounding students and faculty. Our Education team can help avoid costly legal battles by providing counsel to help keep schools in compliance. Our attorneys are experienced in Title IX and Clery Act compliance, Title IV financial aid programs, athletics (including NCAA compliance), student affairs (including disciplinary boards and the Greek system) and more. When it comes to faculty and staff, our team includes attorneys with extensive experience in

board governance, labor and employment, ERISA and other benefits programs and more.

LABOR AND EMPLOYMENT

Williams Mullen's Chambers USA-ranked Labor and Employment Team advises you on matters concerning tenure, faculty and administration employment contracts, unions, curriculum disputes, wage and hour matters, immigration work, Title IX issues, medical leave (FMLA) and EEOC and ADA matters. With a strong

history in labor law, we understand the challenges you face when dealing with organized workforces. We develop strategies to maintain union-free workplaces, provide advice in the course of initial organizing and decertification election campaigns, defend companies charged with committing unfair labor practices, negotiate collective bargaining agreements and arbitrate grievances arising under those agreements.

STUDENT AFFAIRS

Our team advises you on matters regarding the full spectrum of fraternities and sororities, including



hazing, alcohol and drug abuse. We serve as counsel for disciplinary and honor trials and appeals, grade disputes, performance issues, transcript content and disclosure and health, safety and confidentiality matters, as well as accommodations for special need students.

COMMERCIAL AND ECONOMIC DEVELOPMENT

Colleges and universities are now one of the top sources for the latest technology, innovation and research, and our team helps protect your school's investment and ensure the best use of these developments. We know how to protect your intellectual property, advise on regulations, provide export control counsel in case you are sending technology or information overseas and advise on the use of contractors during these critical research developments.

INTELLECTUAL PROPERTY

Our technology transfer practice represents colleges, universities and affiliated foundations. We help bring technological innovations from the laboratory to the public, through patents, commercial licenses and startup companies. This includes: patent application drafting and prosecution, both domestic and international, in numerous technical disciplines; dispute resolution (inventorship); research sponsorship agreements; licensing agreements; validity opinions; general portfolio analysis and counseling; trademark prosecution and dispute resolution, and copyright prosecution and advice.

ECONOMIC DEVELOPMENT

Williams Mullen prides itself on being at the forefront of industry-driven partnerships among U.S.-based and international companies, the government and educational institutions to create economic and commercial growth for our region. These partnerships leverage your research capabilities and resources by fostering collaboration among industry sectors and accelerating the transition of research innovation from the laboratory to commercial use. Some of the world's top corporations and universities have called on

us to organize these cutting-edge alliances that are transforming the way universities and businesses work together.

EXPORT CONTROLS AND COMPLIANCE

Williams Mullen advises top institutions across the U.S. on export controls and classified research, including under the Export Administration Regulations, the International Traffic in Arms Regulations (ITAR), the U.S. sanctions programs administered by the Office of Foreign Assets Control and the regulation of classified research under the National Industrial Security Program. Our attorneys work with institutions that handle both classified and unclassified research. We provide assistance in obtaining export licenses and Technical Assistance Agreements for classified research, coordinating with U.S. government agencies, self-certifying the use of ITAR exemptions and drafting and implementing Technology Control Plans.

GOVERNMENT AFFAIRS

As a full-service law firm, Williams Mullen is committed to helping find a solution at the state capital, if necessary. Our lobbying team routinely assists educational institutions and can serve as advocates for your interests within state government and monitor pertinent legislation to ensure that your voice is heard and recognized.



Contact Us

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