

Education

Overview

The representation of education institutions is a core competency of Carlton Fields. We regularly represent educational institutions of all types and sizes, including private and public colleges and universities, independent primary and secondary schools, charter schools, nonprofit and proprietary institutions, school districts, and businesses that service the education sector.

We offer a holistic approach, leveraging the collective skills of a team of attorneys across a wide range of disciplines to address the unique and diverse issues facing educational institutions. We routinely counsel institutions on issues involving employment and labor, employee benefits, banking and finance, government contracts, advocacy, intellectual property and technology, cyber defense and breach response, and regulatory compliance. Our lawyers are widely recognized as possessing a practical, business-oriented approach.

We have deep experience in the complexities representing institutions involved in litigation and investigations. We seek innovative solutions to complex problems, always mindful that a “win” can come in a variety of forms. We regularly represent colleges and universities in Title IX investigations and litigation, including so-called reverse Title IX cases, brought by male students accused of sexual misconduct. Recently, we represented a private university through an OCR investigation of the gender equity of its Division I athletics program.

Our representation spans a wide array of matters, including:

- Board governance
- Employment and labor issues
- Student discipline
- Sexual misconduct investigations
- Disability and accommodation issues
- Faculty matters
- Risk management
- Litigation
- Gender equity in athletics under Title IX

- Training and compliance under Title IX
- Sexual harassment and assault investigations
- Whistleblower investigations
- Government relations and advocacy
- Cybersecurity defense and data breach response
- IP protection and technology transfer
- Regulatory compliance

Experience

- Advised independent schools on investigations of historical sexual misconduct.
- Conducted investigations of historical sexual misconduct at independent schools.
- Conducted trial of breach of contract claim against university over alleged promises for athletic scholarship money.
- Advised independent school about accommodations requested by faculty member.
- Represented independent school in incident of sexual assault by faculty member against student.
- Regularly advises independent schools on day-to-day issues such as personnel matters and student and parent issues.
- Conducted extensive internal investigation of allegations of wrongdoing by the president of a private university.
- Appointed to college's Sexual Misconduct Task Force.
- Advised university on investigation of fraternity hazing and Title IX violations.
- Defended universities in Title IX lawsuits.
- Advised college on proper procedures required for hearing over complaint of student on student sexual assault.
- Represented university in Title IX compliance review by the OCR addressing issues of equity in athletics opportunities, scholarships, and facilities.

- Obtained dismissal of OCR gender discrimination complaint regarding university student athlete denied admission.
- Redrafted bylaws of independent secondary schools to improve institutional governance and best practices.
- Provided training to various schools, colleges, and universities on sexual misconduct policies, investigations, and compliance with state and federal laws.
- Provided sexual harassment training for colleges and universities.
- Defended, through trial, a lawsuit brought against a university challenging the university's response to hazing at a sorority. The case resulted in a verdict in favor of the university.
- Defended college in lawsuit brought by student injured at fraternity event.
- Defended university in lawsuit by faculty member denied tenure.
- Drafted contracts for heads of independent schools.

Insights

03.11.2024

Digital Collusion or Warp-Speed Competition Evaluating the Agreement Element in the Algorithmic Pricing Antitrust Cases

07.06.2023

Top 10 First Amendment Cases of the 2022-2023 Supreme Court Term

04.08.2023

Biden Administration Seeks to Prohibit Blanket Ban on Transgender Student Athletes

08.02.2022

New Cases Apply Title IX to Independent Schools: Tips for Schools and Next Steps

06.30.2022

Top 10 First Amendment Cases of the Supreme Court Term

07.27.2021

OCR Issues New Title IX Guidance

07.24.2021

Federal Court Upholds University's Vaccine Mandate

04.01.2021

Gov. DeSantis Signs COVID-19 Business Liability Protection Bill Into Law

03.12.2021

Title IX Changes May Be on the Horizon ... Again

11.03.2020

Follow Clear Process When Disciplining Students Who Violate COVID-19 Protocols

05.05.2020

Class Actions Against Colleges and Universities Demanding Reimbursement of Tuition and Fees:
What Schools Need to Know to Be Prepared and Are Independent Schools Next?

04.03.2020

Privacy and Security Tips for Educators

03.30.2020

Compliance Tips for Distance Learning at Independent and Public Schools

03.25.2020

DHS Guidance on Remote Learning and SEVIS Reporting Requirements for Foreign Students

03.15.2019

Cybersecurity Obligations and Best Practices for Independent Schools

03.07.2019

Florida Governor Ron DeSantis Proposes Expansion of Schools of Hope Charter Schools into
Opportunity Zones

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Related Capabilities

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- Banking, Commercial, and Consumer Finance
- Construction
- Health Care
- Real Estate
- Cybersecurity and Privacy
- Development
- Discrimination
- Employee Benefits, Compensation & ERISA

Industries

- Banking, Commercial, and Consumer Finance
- Construction
- Health Care
- Real Estate
- Technology

- Government Affairs and Lobbying
- Government Law & Consulting
- Immigration Planning and Compliance
- Intellectual Property
- Labor & Employment
- Litigation and Trials
- Nonprofit Organizations
- Public-Private Partnerships
- False Claims Act, Qui Tam, and Whistleblower Defense
- Tax
- Technology
- Trade Secrets / Noncompete Litigation and Consulting
- Wage and Hour
- White Collar Crime & Government Investigations
- Internal Investigations
- Class Actions