KRIEG DEVAULT

Higher Education

When working with universities, colleges and other post-secondary institutions, our attorneys apply their industry knowledge in the areas of the business of education, “town and gown” initiatives, campus expansion and improvement, tax exempt governance, student privacy, contract review, risk management relating to policies, programs and service providers, employment law and labor relations, Title IX investigations and compliance, student and faculty discipline, internal investigations, litigation, education financing, corporate structuring, tax-exempt financing, property tax exemptions, and governmental relations to help our clients identify solutions to the myriad challenges facing higher education institutions today. Our firm has a unique blend of skills and experience that we use to effectively guide our clients through the numerous issues they must address, while helping them balance the needs and concerns of administrators, faculty and staff, the student body and other community influencers and constituencies.

Our higher education clients include universities and colleges that recruit at the national, regional and state levels, post-secondary technical and vocational schools, distance and on-line education providers, education foundations, student lending and guarantor sources, and internet-based support resources. We have represented our higher education clients before state and federal departments of education, the U.S. Congress and other administrative and legislative entities.

Many of our attorneys have served or currently serve on the boards of various educational institutions, which service allows us to apply first-hand knowledge and experience in designing solutions to the challenges confronting many public and private academic institutions.

Title IX Compliance and Training

Title IX investigations and compliance procedures are at the forefront for every college and university today. Institutions are facing increased pressure to understand the ever-changing landscape of compliance guidelines, operations, and litigation issues. Many higher education institutions are not equipped to master and monitor the voluminous and rapidly evolving regulations and policies promulgated by the Department of Education and its Office for Civil Rights to ensure that all Title IX requirements are proactively satisfied. Our firm is well qualified to lead higher education institutions through the Title IX compliance process, including in-depth review and analysis, training, and reporting. We understand that implementing the proper compliance strategy is critical to successfully preventing potential violations and providing an institution the comfort of knowing that if a problem arises, officials will be fully prepared to resolve it appropriately.

Compliance Strategy and Student Initiatives

Partnering with our clients to develop a thorough compliance strategy allows our attorneys to fully understand the needs of each institution, and ultimately provide the institution with the proper guidance on how to handle potential violations of law and policy. Through our in-depth review and analysis , we develop a customized roadmap so that our clients satisfy the necessary compliance requirements, limit liability, and effectively identify and resolve future issues should they arise. We also offer guidance on Clery Act requirements, as well as analyzing the potential for vulnerabilities pertaining to misconduct, sexual harassment, student dismissal, discipline, and reporting. We advise on faculty disciplinary issues, including the provision of assistance to our

clients in developing policies specific to faculty interaction with students.

Research-Related Issues

Our attorneys are well-versed in the complexities facing academic medical centers and research facilities. We have assisted clients in compliance with human research protections and the Institutional Review Board (IRB) process. Our attorneys have also dealt with the rapidly changing area of reimbursement for resident training academic time. We have advised campus health clinics, including mental health providers on release of information and other compliance matters.

Focus Areas

Employment and Labor Matters

Contract Review and Negotiation

Education Finance

- Student Loans and Public Tuition Grants
- Guarantee and Collection Services
- Loan Servicing
- Tax Exempt Financing Alternatives
- USDA Rural Development Programs

Campus Management and Expansion

Construction Matters

Real Estate Matters

Student Discipline

Faculty Issues

Title IX Investigations, Compliance Audits, Policy Programs, and Training

Whistleblower and False Claims

Exempt Organizations

Litigation

Tax Services

Government Relations

- State Level Executive and Legislative Branch Matters
- Indiana Commission on Higher Education Matters
- Federal Congressional and Agency Relations
- US Department of Education Matters

Government Enforcement Defense

Joint Ventures

Distance and On-Line Learning

Accreditation Issues

Academic Medical Centers

Campus Health Clinics

Academic Research

- Technology Transfers
- “Mind to Market” Programs
- Human Research Protections and Institution Review Boards
- Clinical Research Organizations

Graduate Medical Education - Reimbursement for Resident Academic Time

Artificial Intelligence (AI)