

## School & Education

### PRACTICE GROUP LEADER

**Peter C. Felmly**

207.253.0573 Direct

pfelmly@dwmlaw.com

### RELATED PROFESSIONALS

Demetrio F. Aspiras

S. Campbell Badger

Michael L. Buescher

Ann S. Chapman

Jerrold A. Crouter

Kimberly A. Pacelli

Agnieszka A. (Pinette) Dixon

Isabel B. Ekman

Bruce W. Smith

Erin R. Feltes

Meghan S. Glynn

Eric R. Herlan

Melissa A. Hewey

Greg Im

David M. Kallin

James T. Kilbreth

Jeanne M. Kincaid

Hannah E. King

Allen L. Kropp

Laurel A. (Van Buskirk) McClead

Jeana M. McCormick

Elek A. Miller

James A. OShaughnessy

Michael J. Opuda

Connor P. Schratz

Kathleen E. Landis

Harry R. Pringle

Daniel J. Rose

Richard A. Spencer

Christopher G. Stevenson

E. William Stockmeyer

Amy K. Tchau

Drummond Woodsum represents both public and private schools throughout Maine and New Hampshire. Our education attorneys and consultants provide advice and representation to schools and school boards in all areas of the law including student rights, policy analysis, collective bargaining, computer and technology, employment, employee benefits, freedom of access issues, special education and litigation. The group utilizes a team approach in representing its clients to ensure that someone with appropriate expertise is always available to respond to phone calls and to attend meetings and hearings whenever and wherever necessary.

### School Employment

Drummond Woodsum attorneys represent school districts in both Maine and New Hampshire on all aspects of employment law. We advise schools on complex issues related to such federal laws as the Family Medical Leave Act, the Fair Labor Standards Act, the Equal Pay Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Civil Rights Act of 1964, and their state counterparts. We help our school clients avoid liability through sound advice, the analysis and development of effective school policies, and seminars for school boards and administrators. We routinely assist clients with difficult employee termination and discrimination issues, and when matters cannot otherwise be resolved we represent schools in mediation, arbitration, court litigation, and administrative hearings before state and local agencies.

### Employee Benefits

Drummond Woodsum provides a full range of services related to employee benefits for school employees. Our attorneys advise school clients with respect to deferred compensation plans, such as 403(b) plans, 457 plans, the Maine State Retirement System, and Section 218 Agreements. Our attorneys also have extensive experience advising clients with regard to Social Security and Medicare, health insurance, cafeteria plans, COBRA, HIPAA and disability plans.

### Collective Bargaining

Drummond Woodsum represents school districts in both Maine and New Hampshire in all aspects of collective bargaining with unionized staff. Our attorneys and consultants act as chief negotiators at the bargaining table for clients or provide advice for clients when representation at the bargaining table is not necessary. We also represent our school clients in all statutory

dispute resolution procedures, state labor relations board proceedings, and grievance arbitrations, in addition to providing advice on effective strategies to counter union organizational campaigns.

### **Special Education**

Special education law is a tapestry of federal and state laws and regulations that were enacted to prohibit discrimination against children with special needs and to ensure that all children receive a free and appropriate public education. Drummond Woodsum attorneys and consultants have vast experience in navigating federal and state special education laws, advising schools on legal issues relating to the delivery of special education services to public school students, and representing schools in disputes that arise under state and federal special education laws. Our attorneys and consultants are also well-positioned to provide on-going case consultation services, including IEP Team facilitation, and to help school districts effectively manage difficult cases and, whenever possible, avoid costly litigation.

### **Disability Law**

Drummond Woodsum attorneys advise many public and private sector clients on the scope of their duties toward students, employees and other persons with disabilities, including the provision of reasonable accommodations, building accessibility issues, and representation in legal disputes arising under the ADA, Section 504, state and federal special education laws, and state human rights acts.

### **Public Finance**

Drummond Woodsum's public finance law team serves as bond counsel and issuer's counsel on behalf of municipalities, school districts, counties, and other governmental entities. We have extensive experience with many aspects of public finance law including tax exempt bonds, tax credit bonds, TRANs and lease purchase agreements. More generally, we advise our clients on a wide range of financial and business matters, including local budget authorization, tax assessment, education funding, reorganization, employee benefits, public bidding and procurement. We have extensive experience representing the public owner in all aspects of construction projects.

### **School Policy Analysis**

Drummond Woodsum attorneys and consultants assist school districts with drafting and analyzing school board policies, administrative procedures, school rules and student and staff handbooks to ensure compliance with legal requirements and best practices.

### **School Computer & Technology Law**

Drummond Woodsum advises school units on a wide variety of issues relating to computer technology and use of smart phones, cell phones and other devices, including acceptable use policies for students and employees, investigation of misuse of the internet by students and employees, and contracts with software and hardware vendors and internet service providers.

### **Higher Education Law**

Drummond Woodsum attorneys serve as General Counsel and Special Counsel to colleges and universities throughout the United States. Representation includes providing legal counsel and trial services in the areas of faculty tenure, employment law, student discipline, employment discrimination, public accommodation discrimination, disability rights, First Amendment issues, real estate, finance, planned giving, torts and insurance, and risk management.

### **REPRESENTATIVE CLIENTS & MATTERS**

- Towns of Sandown and Danville v. Timberlane Regional School District
- Regional School Unit No. 5 v. The Coastal Education Association
- Mount Abram Teachers Association v. M.S.A.D. 58
- Michael Doyle v. Town of Falmouth, et al.,
- Doe v. Regional School Unit 26
- Godin v. Machiasport School Department
- Baer v. N.H. Dep't of Educ.
- Avery v. N.H. Dep't of Educ
- Appeal of Michael Silverstein
- Cookson v. Brewer School Department
- Blethen Maine Newspapers, Inc. v. Portland School Committee
- Cyr v. Madawaska School District
- Kropp v. Maine School Administrative District #44
- Fitzpatrick v. Town of Falmouth, et al.
- Cole v. Maine School Administrative District No. 1
- Hasenfus v. LaJeunesse