



Scholten Fant's School Law Team

JOHN S. LEPARD was admitted to bar, 1970, Michigan, after having received his B.A. degree from Albion College (1964), a Master's degree from Michigan State University (1966); and his Juris Doctor from the University of Denver (1970). John has represented public school districts in Michigan since 1970. Prior to becoming an attorney, John was a teacher with the Grand Rapids Public Schools. John has represented school districts in a wide range of general school law, collective bargaining and employment matters.

John is a member of the National School Board Association - Council of School Attorneys and the Michigan Association of School Boards - Council of School Attorneys, and has previously served on its Board of Directors. John practices in the areas of School Law and Labor and Employment Law. In addition, John has been a frequent presenter at various school law conferences on such issues as teacher evaluations and the Teacher Tenure Act, and is involved with local educational foundations and programs.

MICHAEL L. BEVINS was admitted to Michigan bar 1985, the U.S. District Court, Western District of Michigan in 1986, the U.S. District Court, Eastern District of Michigan in 1988 and the U.S. Court of Appeals, Sixth Circuit in 1990. Michael attended Northern Michigan University (B.S. 1981) and graduated from the Thomas M. Cooley Law School (J.D., cum laude, 1985). Michael represents school districts in general school law and special education matters. Having worked as a social worker/child counselor, Michael has dealt with special education issues since the late 1970's.

Michael is an adjunct professor at Grand Valley State University, teaching the Special Education Law course. He has also been a guest lecturer at Michigan State University and at Western Michigan University.

Michael is a member of the National School Board Association - Council of School Attorneys, the Michigan Association of Schools Boards - Council of School Attorneys having served on its Board of Directors and as a Past President, and the Michigan Association of Administrators of Special Education. Michael practices in the area of School Law and Litigation.

DANIEL R. MARTIN was admitted to bar in 1995 after graduating Albion College (B.A., magna cum laude, 1992) and the Notre Dame Law School (J.D., 1995). Dan taught conflict-

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resolution to at-risk students and served as the special assistant to the Human Resources Director for the Bay City Public Schools, where he attended IEPT meetings. Dan represents school districts in general school law, special education matters, speech, religion, discipline, and search and seizure issues.

As an adjunct professor with Grand Valley State University Dan taught Constitutional Law. Dan served as the Associate Director of KIDS HOPE USA. Dan has presented for various professional development organizations, including workshops on special education and general education law issues.

Dan is a member of the Michigan Association of Administrators of Special Education, and a member of the Michigan Association of School Boards - Council of School Attorneys, serving on its Board of Directors. He also serves as president of the Community Access Line of the Lakeshore - CALL 211, and as a member of both the Tri-Cities Ministries Counseling Board of Directors and the Grand Haven Schools Foundation.

Additional Attorneys Available to meet your needs:

THOMAS M. BOVEN has assisted and represented school districts for over 30 years in real estate sales and acquisitions.

THOMAS W. SOBEL provides school districts with legal representation in the areas of real estate and employee benefit matters.



Locations

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The information in this pamphlet is designed and intended to inform the readers of services available at this Firm. It is not intended to provide legal advice or legal opinion and readers are encouraged to seek legal counsel for advice regarding their specific situation.

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School Law



Scholten Fant Attorneys



About the Firm

Scholten Fant distinguishes itself by its ability to provide school districts with comprehensive solutions to complex issues, in a timely manner, at a reasonable price.

Celebrating over 50 years of service to west Michigan, Scholten Fant was established in 1957 by Harvey Scholten and Howard Fant. With offices in Grand Haven and Holland, Scholten Fant is the largest law firm in Ottawa County with twenty attorneys and twenty-two support staff, clerical staff, paralegals and law clerks. The firm has represented public school districts and other governmental units since its inception.

Telephone Consultation and Electronic Communication

Much of the work performed for our school district clients is in the form of telephone consultation and electronic communication. By conducting business in this manner the cost of services is kept to a minimum as travel costs are avoided and any school district in the state can have easy access to our attorneys. Our attorneys are available when needed for IEPT meetings, school board meetings, in-service training, hearings or other matters, at an affordable rate.

Client Workshops

Scholten Fant offers proactive services which provide information and training on how to comply with the law and avoid disputes. A wide variety of workshops and professional development opportunities are available for your staff and administrators. The seminars and workshops are structured to focus on preventive strategies.

Our Newsletter: School Law Update

Scholten Fant publishes a newsletter to keep its school law clients up to date on the ever-changing areas of law which affect school districts.

Website

Scholten Fant's website includes archived copies of the firm's newsletter. Additional resources covering topics such as student discipline matters, Section 504, special education due process procedures, Family Educational Rights and Privacy Act (FERPA), Freedom of Information Act (FOIA), etc., and links to statutes, regulations and other resources are also made available as the site is updated. www.scholtenfant.com



Areas of Service

School districts face a multitude of legal issues which may involve real estate, construction and a wide range of other legal considerations. Scholten Fant is prepared to assist your district in all of these matters, as well as the general school law and special education issues which confront school districts on a daily basis.

General School Law

Schools address general matters involving the Revised School Code on a daily basis, including issues related to student discipline, pupil transportation, enrollment, residency and the general powers of school districts and Intermediate School Districts. We can assist in drafting cooperative agreements and other contracts for services. Student records under the Family Educational Rights and Privacy Act (FERPA) and other confidentiality issues arise frequently, and we are available to assist in these areas including responding to subpoenas and other record issues. Our attorneys regularly assist school district clients with compliance regarding the Open Meetings Act, Freedom of Information Act (FOIA), Michigan Election Laws, and review and drafting of Board policies and Administrative Guidelines.

State School Aid Act

Our attorneys regularly assist districts with matters involving the State School Aid Act, pupil accounting, schools of choice under section 105 and 105(c) including contracts for special education services under section 105(c).

Labor and Employment

Scholten Fant attorneys have extensive experience in labor and employment matters, including collective bargaining, contract administration, dismissals under the Teacher Tenure Act, teacher evaluation requirements, probationary non-renewals, grievance processing, arbitrations, and employee discipline. In addition, we can assist with claims of unfair labor practices, wage and hour disputes, unemployment compensation and Family Medical Leave Act matters.



Scholten Fant

Special Education

One of the most confusing areas of school law involves the extensive regulations relating to students with disabilities. Our attorneys have extensive experience with respect to special education matters, including implementation of the Individuals with Disabilities Education Act (IDEA) statutory and regulatory requirements relating to IEPT meetings, evaluations, eligibility determinations, review and revision of student IEPs, parent consent or revocation of consent and the multitude of individual requests which may be raised by parents with respect to students with disabilities. Navigating the discipline process regarding students with disabilities can be a daunting task, and our attorneys have years of experience in assisting school districts in appropriately implementing the general discipline process, as well as the additional procedures required by the IDEA for disciplining students with disabilities, including Manifestation Determinations and use of Interim Alternative Educational Settings. When disputes arise, we are available to represent your school district in special education due process hearings, mediations and appeals, as well as assist in resolving Part 8 complaints.

Section 504 and the ADA

Scholten Fant attorneys are also available to assist in responding to section 504 and ADA issues involving students, employees and other "consumers." We assist school district in reviewing and revising their policies and procedures for compliance with section 504 and other civil rights acts. With respect to students who are eligible to receive services under section 504, Scholten Fant can assist districts in complying with their responsibilities in evaluating and determining eligibility for such services, training staff, implementing appropriate 504 plans. Assistance is also available for responding to OCR complaints or claims of discrimination, as well as representing the district with respect to 504 due process complaints. As with the discipline of special education students, Scholten Fant can assist in navigating the additional requirements for imposing discipline on students receiving 504 services.