

# VENABLE<sup>®</sup><sub>LLP</sub>

## National Association of Independent Schools 2013 Annual Conference

### “A Stitch in Time Saves Nine” Tailoring Your School’s Employment Agreements

presented by  
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# What's in a Name?

- “A Stitch in Time Saves Nine: Tailoring Your School’s Employment Agreements”

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# Goals of the employment agreement

- clarity
- stability
- flexibility
- security

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## major legal issues to consider

- discrimination based on a protected category
- breach of contract
- ‘wrongful termination’

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## major policy decisions

- employment agreements vs. employment contracts vs. offer letters vs. ???
- who receives employment agreements

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## major policy decisions

- ending employment
  - employment-at-will
  - for cause
  - early termination
  - ???

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## major policy decisions

- term
  - employment
  - responsibilities
  - rest and rejuvenation

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# duties

- level of detail
- changes to duties
- outside services to parents/students
- outside services from parents/students

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# compensation and benefits

- unit of pay
  - earning
  - payment
- level of detail
- impact of (early) termination or other changes

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# other possible provisions and issues

- single year / no guarantee of future contract
- reference to school policies and rules
- satisfactory completion of current term (if any)
- conflicts of interest
- “force majeure”
- qualifications
- confidentiality and student privacy
- non-competition and/or non-solicitation
- arbitration
- full and complete agreement
- modification to agreement
- execution of agreement
- deadline

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# contact information

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