

Enhancing Public Education Opportunities In New York City

A STRONG EDUCATIONAL SYSTEM underpins the social fabric of New York City, enabling low-income students to succeed in careers not open to their parents and preventing middle class families' flight to the suburbs. At a time when 57% of New York City's public school students perform below grade level, there is increasing reliance upon the nonprofit sector to bolster student performance. Lawyers Alliance builds the capacity of nonprofits working in support of quality education.

Charter Schools

Charter schools are an alternative form of public education. Funded with state education dollars charter schools are managed by a community-focused Board of Trustees rather than a municipal school district. Charter schools have greater flexibility in curriculum design, setting of the school calendar, and hiring and firing of staff. New York State recently authorized the creation of 100 new charter schools, 50 of which will be located in New York City. Each charter school receives authorization to operate for five years and is held accountable to fulfill the mission and academic goals contained in its charter.

Lawyers Alliance staff and volunteer attorneys work with charter schools on a range of issues relating to formation and governance, real estate



continued on page four



INSIDE

Lifecycle of a Nonprofit Organization

also:

Lawyers Alliance Elects New Chair and Vice Chair

Law Firm Appeal

HOUSING PRO BONO WORKS

Nonprofit Employment Law Helpline

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Nonprofit Employment Law Helpline

Lawyers Alliance recently launched the Nonprofit Employment Law Helpline to better serve our clients' short-term employment law needs, as well as provide our volunteers with worthwhile pro bono opportunities on an expedited basis.

As employers, our nonprofit clients often confront human resources issues that require prompt legal attention. Similar to their for-profit counterparts, they may need to resolve an immediate wage and hour, payroll, or employee classification question; consider an employee termination; respond to a Workers' Compensation Board or Department of Labor determination; or address harassment allegations. Lawyers Alliance has identified a pool of volunteer attorneys who are interested in assisting nonprofit employers on matters requiring immediate attention that involve 2–10 hours of legal work.

By sharing their time and expertise, Lawyers Alliance pro bono attorneys provide invaluable legal guidance on exciting and current workplace

law matters to New York City's dynamic nonprofit organizations. These organizations rely greatly on staff and volunteers to carry out their mission and day-to-day programs, but they often lack human resources departments or attorneys on staff who can guide them through employment law issues. Pro bono attorneys help organizations to evaluate their options, limit their liability, and ensure a productive workforce for the future.

If you want to know more about the Nonprofit Employment Law Helpline, please contact:

Liaison for pro bono attorneys and coordinators:

Jolynda Burton,
Pro Bono Coordinator
(212) 219-1800 ext. 242
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Liaison for nonprofit clients:

Angela Cheng
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HOUSING PRO BONO WORKS

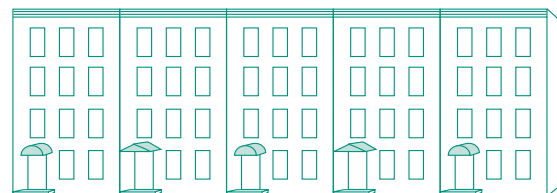
The need for affordable housing in New York City is paramount. Many of our volunteers want to work on such high impact and satisfying projects but are concerned that they lack sufficient affordable housing and/or real estate experience. Lawyers Alliance's HOUSING PRO BONO WORKS welcomes non-real estate and real estate attorneys of various skill levels.

The results capture what is best about pro bono – making a better life possible for deserving individuals. Last year, pro bono volunteers from **Davis Polk & Wardwell** partnered with Lawyers Alliance in representing **Hour Children (HC)** in its development of a new permanent supportive housing project for low-income women who were released from prison and their families. This kind of support is shown to drastically reduce the rate of recidivism. Pro bono volunteers helped HC to create affiliates, have one affiliate acquire the property and accept a loan from New York City. Lawyers Alliance also helped HC obtain equity from investors in exchange for tax credits, modify the loan, and

after obtaining a ruling exempting the transfer, enabled one affiliate to transfer the property to another without incurring a transfer tax of about \$45,000. As a result, eight women participating in the program were reunited with their families and moved into their new homes.

Lawyers Alliance staff attorneys actively co-counsel with pro bono attorneys on these projects, particularly in areas that are unfamiliar to the volunteers. They work alongside volunteers throughout the closing process, share the completion of tasks, and assist at the closing table as needed. A chart of project tasks and skills, which is classified by attorney experience level, is available to help potential volunteers assess the legal skills that they can bring to a project.

Please contact Pro Bono Coordinator **Jolynda Burton** at jburton@lawyersalliance.org or (212) 219-1800 ext. 242 to learn more about this program and to obtain a copy of the chart.



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continued from page one

leasing and acquisition, human resource management, and contractual arrangements.

Example: Grand Concourse Academy is a Bronx charter school serving approximately 285 students. Since its opening in 2004 GCA has worked to create a challenging learning environment designed to meet the educational needs of students, particularly those at risk of academic failure. In 2007, GCA was the top-ranked New York City school on the 4th grade English Language Arts exam. Recently, Lawyers Alliance and volunteer attorneys from **Dechert LLP** negotiated a lease from Women's Housing and Economic Development Corporation (WHEDCO) to house GCA's 4th and 5th grade classes. Volunteer attorneys were able to conclude the negotiations within two months, enabling the school to make necessary renovations so that the children could occupy the space beginning in September 2007.



Legal Alert: Mentoring Programs

New York State recently enacted the Safe Mentoring Act, which allows certain mentoring programs (including nonprofit corporations that match youth with adult volunteers) to conduct criminal history background checks on prospective employees and/or volunteer mentors. Mentoring programs may now fingerprint a prospective employee or mentor who may engage in unsupervised activities with youth or in activities with youth in a setting without constant agency or parental oversight.

After-School Programs

Quality after-school programs support young people in their learning process through academic enrichment, academic skill-building and homework help, and extra-curricular activities in a safe, nurturing environment.

Lawyers Alliance staff and volunteer attorneys work with nonprofits operating in-school programs and after-school programs to offer legal services in the areas of regulatory compliance, human resource management, intellectual property, real estate, and contract review.

Example: M.L. Wilson Boys & Girls Club of Harlem

(M.L. Wilson) works to motivate and enable children and youth to reach their full potential to become productive, responsible, and caring members of society. The Club's After School Program provides a positive, supportive place for children during after-school hours, where they receive academic tutoring, instruction in computer technology, recreation and social activities, and mentoring. In summer 2006, New York State sought payments from M.L. Wilson relating to Workers Compensation insurance and placed a lien on the organization's property. Lawyers Alliance achieved forgiveness of payments and the filing of satisfactions of judgment that resulted in the removal of the property liens.

Promoting quality public education for disadvantaged and at-risk children of all ages is an important part of Lawyers Alliance's Children and Youth Services program priority. For more information, please contact Legal Director **Linda Manley** at (212) 219-1800 ext. 239 or lmanley@lawyersalliance.org.

Lifecycle of a Nonprofit Organization

Community-based nonprofit organizations often evolve from a group of volunteers banding together to address a neighborhood issue to a tax exempt corporation with a modest budget and paid staff, and then, for some, to a million dollar, multi-service agency managing several government contracts, with private funding and a large staff. At each step in the development process, nonprofit organizations face challenges and potential pitfalls that lawyers can help navigate.

Lobbying

Habitat for Humanity - New York City ("Habitat-NYC"), an independent affiliate of Habitat for Humanity International, builds or renovates affordable homes in all boroughs for ownership by New Yorkers in need. A leading advocate for affordable housing, Habitat-NYC also works to ensure that every New Yorker has a decent, affordable home by creating a social movement and advocating for public policies to help end the City's housing crisis. Lawyers Alliance is advising Habitat-NYC on compliance issues related to its advocacy work.

Program Expansion

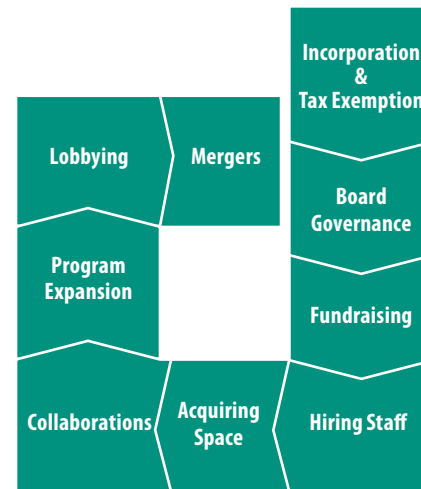
The Brooklyn Economic Development Corporation ("BEDC") stimulates economic growth and neighborhood stability in Brooklyn. Over time BEDC has evolved into a multi-service, business and community development organization maximizing employment opportunities in Brooklyn through real estate, financing, training and counseling, and collaborative activities. Lawyers Alliance and volunteers from **Arent Fox PLLC** have amended BEDC's certificate of incorporation to enable it to participate in affordable housing projects.

Collaborations

Operating on Manhattan's Upper West Side and West Harlem, **Goddard Riverside Community Center** ("Goddard Riverside") provides 22 programs of services and activities to help participants achieve personal goals, connect with a community, and become more effective advocates. The NYC Department of Homeless Services (DHS) awarded Goddard Riverside a contract to provide street outreach and housing placement services, upon which Goddard Riverside organized a Consortium of leading social services organizations. Lawyers Alliance, on behalf of Goddard Riverside, negotiated the lead contract with DHS and the subcontract agreements with the Consortium's other six members.

Mergers

The Foundation for Research on Sexually Transmitted Diseases Inc. ("FROST'D") serves more than 7,000 individuals annually, providing care to substance users, sex workers, and the homeless by offering HIV counseling and testing, primary health care, sterile syringe exchange, case management, drug treatment referrals, and access to food and housing. In summer 2006, the FROST'D board made a strategic decision to seek an alliance with another HIV/AIDS organization. Lawyers Alliance counseled the board and negotiated a strategic alliance agreement with Harlem United.



Acquiring Space

Ifetayo Cultural Arts Facility ("Ifetayo") is dedicated to supporting the creative, educational, and vocational development of youth and families of the diverse Flatbush community in Brooklyn. Ifetayo offers programs in cultural awareness, performing and visual arts, as well as academic instruction, health and wellness, and professional skills development. Lawyers Alliance and volunteer attorneys from **Stroock & Stroock & Lavan LLP** are assisting Ifetayo with the purchase of a building located in Flatbush.

START HERE

Incorporation & Tax Exemption

Working with Union Settlement Association, **Concrete Safaris** provides green exercise programs, including gardening, fitness, and leadership, for inner-city youth in East Harlem, plus lifestyle coaching for students and their parents. Lawyers Alliance and volunteer attorneys from **McDermott, Will & Emery** incorporated Concrete Safaris and secured federal tax exempt status.

Board Governance

Chhaya Community Development Corporation ("Chhaya") supports the housing and community development needs of South Asian and other immigrant communities through education and referral programs related to housing and financial literacy. In 2005, Asian Americans for Equality ("AAFE"), Chhaya's fiscal sponsor, and Chhaya decided that spinning off Chhaya from AAFE would promote its independence and result in a new community partner for AAFE. Lawyers Alliance and a volunteer attorney from **Troutman Sanders LLP** revised Chhaya's by-laws to remove AAFE as the sole member and to transform Chhaya into a non-membership, board-led corporation.

Fundraising

The **ANSOB Center for Refugees** aims to help refugees and political asylum recipients through English language instruction, translation and interpretation services, educational counseling, social services, and job placement services. Lawyers Alliance advised on a corporate sponsorship agreement and unrelated business income tax issues.

Hiring Staff

Community Roots Charter School (the "School"), serving Brooklyn's Fort Greene neighborhood, aims to prepare students to excel in the 21st century through independent thinking and working productively within a diverse group of learners. In advance of the school's opening Lawyers Alliance and volunteer attorneys from **Hughes Hubbard & Reed LLP** assisted the School with preparing its personnel policies.

Lawyers Alliance Elects New Chair and Vice Chair

Edward F. Greene, general counsel of Citi Markets and Banking, has been named chair of the Lawyers Alliance board of directors, succeeding **Christine D. Rogers** of Arnold & Porter. Mr. Greene had previously served as vice chair. **Jill L. Rosenberg**, partner, Orrick, Herrington & Sutcliffe LLP takes Mr. Greene's place as the board's vice chair.

Mr. Greene was a founder of Lawyers Alliance in 1969, then known as the Council of New York Law Associates. He has served on the Lawyers Alliance board of directors since 2004. He graduated from Harvard Law School with an undergraduate degree from Amherst College.

"It is an honor to be elected chairman of the board, and I am proud to be associated with Lawyers Alliance," said Mr. Greene. "This is an important and exciting time to be chair of an organization that is having such a major impact on nonprofits that are serving low-income communities."

Ms. Rosenberg has served on the board since 2003. In addition to advising a range of clients and being a frequent speaker on employment law issues, Ms. Rosenberg serves as the firm's Partner in Charge of Pro Bono Programs. Ms. Rosenberg graduated from University of Chicago Law School with an undergraduate degree from Princeton University.

"As an active Lawyers Alliance volunteer, I know that Lawyers Alliance is unequalled in the services that it provides to nonprofit organizations and the pro bono opportunities that it provides to the legal community," said Ms. Rosenberg. "I am honored to serve as vice chair of an organization that helps to bring vital services to so many New Yorkers."

Mr. Greene and Ms. Rosenberg join board treasurer **Nicolas A. Kronfeld** from Davis Polk & Wardwell and board secretary **Samir A. Gandhi** from Sidley Austin LLP.



Edward F. Greene



Jill L. Rosenberg

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