

# Sherry Culves

Partner

Atlantic Station T 404.322.6364  
201 17th Street NW F 404.322.6048  
Suite 1700  
Atlanta, GA 30363

[sherry.culves@nelsonmullins.com](mailto:sherry.culves@nelsonmullins.com)



Sherry H. Culves practices in the areas of education law, employment law, and general litigation. Ms. Culves has represented numerous school districts throughout Georgia, ranging from several large urban systems to mid-size and small, rural school districts. She also represents charter schools, higher education, and educational-related vendors. She speaks in a variety of venues in the area of education and employment law and regularly presents to groups supporting public school systems and education on both a state and national level.

## Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

### Experience

- Has advised numerous school districts, charter, and private educational entities in the all areas of education law, including personnel investigations, discipline and discharge, and compliance with the Fair Dismissal Act, student discipline, special education, religion in the schools, charter schools, first amendment issues, Title IX, Section 1983, the IDEA, Section 504, policy development and compliance with the Open Meetings and Open Records Acts
- Has negotiated and advised re executive compensation contracts for senior education officials
- Has litigated in the Office of State Administrative Hearings, State, Superior, and Federal Courts as well as appellate courts and has handled multiple IDEA, § 504, ADA, Title VII, Title IX, FLSA, and § 1983 cases on behalf of employers and educational organizations

## Education

Mercer University School of Law, JD, cum laude (1999)

University of Florida, BS, Public Relations (1996)

## Admissions

Georgia

## Practice Areas

[Education](#)

[Employment & Labor](#)

[Litigation](#)

[Higher Education](#)

## Industries

[Education](#)

- Has handled numerous manifestation determinations, IEP meetings, special education mediations, and IDEA and § 504 claims
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### **Previous Professional Experience**

- Attorney and partner at a Georgia law firm for 14 years where she represented school districts, hospitals, and private employers in EEOC charges and in cases involving Title VII claims, sexual harassment, race discrimination, retaliation, the Fair Labor Standards Act, ADA, ADEA, FMLA, Equal Pay Act, Title IX, negligent hiring and retention, infliction of emotional distress, and municipal liability
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### **Educational Activities**

- Mercer University School of Law
  - Managing Editor, *Mercer Law Review*

### **Recognitions**

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- [Georgia Super Lawyers Rising Star – School and Education Law \(2007, 2014, 2015\)](#)
- Leadership Macon (2003)

### **Professional Activities**

- Atlanta Bar Association
- State Bar of Georgia
  - Employer's Duties and Problems Committee
  - School and College Law Committee
- Georgia School Boards Association Council of School Attorneys
- National School Boards Association Council of School Attorneys

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## Articles & Speeches

### Insights

The 12 Rules of Christmas, *200 American School Board Journal No. 10* (December 2013)

Surviving a Special Ed Battle, *200 American School Board Journal No. 9* (October 2013)

Smith v. State: The Georgia Supreme Court Mandated Jury Instructions in Battered Person Syndrome Cases, *49 Mercer Law Review 1141* (1998)

### Events/Speaking Engagements

Legal Lessons: Discipline of Disabled Students, Paulding County School District - Speaker (May 1, 2019)

[Metro-Atlanta Georgia Learning Resources System's Special Education Administrators Legal Retreat](#) - Speaker (April 18, 2019)

Manifestation Determination Reviews: Key Considerations, *Atlanta Public Schools* - Trainer (October 2018)

Conducting Successful Mediations & Resolution Sessions, *Atlanta Public Schools* - Trainer (August 2018)

Section 504 of the Rehabilitation Act: Coordinator Training, *Atlanta Public Schools* - Trainer (August 2018)

[Education Attorneys Culves, Gupta to Provide Special Ed Training](#) - Speaker (April 26, 2018)

Taboo Topics: Employment Laws Banning Inquiries on Salary History, *Academic Search* - Speaker (February 2018)

Special Education Overview for New Principals, *Fulton County School District* - Speaker (February 2018)

Special Education: Preparing for Legal Challenges, *Graduation Achievement Charter High School* (May 2017)

Special Education Administrator Training on Student Discipline and Compliant IEP Teams, *DeKalb County School District* (March 2017)

Special Education Compliance and Best Practices, *Graduation Achievement Charter High School* (January 2017)

Special Education Administrator Best Practices Training, *Fulton County School District* (December 2016)

School Resource Officer Training: Interacting with Disabled Students, *Atlanta Public Schools* (July 2016)

Survival Skills Training: Conquering Conflict, Compliance, and Court, *Georgia Council of Administrators of Special Education* (March 2016)

SELT Training: IDEA Legal Compliance, *Atlanta Public Schools* (January 2016)

Special Education Administrators Best Practices Training, *Rockdale County School District* (November 2015)

Preparing for Legal Challenges, *Atlanta Public Schools* (November 2015)

The Literacy Landmine: How to Limit Legal Liability and Implement Best Practices, *Georgia Council of Administration of Special Education* (October 2015)

Section 504: Protections for Students with Disabilities, *DeKalb County School District* (August 2015)

Special Education Lead Teacher Training: Protocol for IEP Meetings with Lawyers, *Atlanta Public Schools* (July 2015)

Leadership Retreat for Principals: Section 504 & Special Education, *Atlanta Public Schools* (July 2015)

Special Education Coordinator Training: Protocol for IEP Meetings with Lawyers, *Atlanta Public Schools* (June 2015)

Education Law Career Panel, *Office of Civil Rights* (June 2015)

District Leadership Retreat: 504/Special Education Training, *Atlanta Public Schools* (July 2014)

A Step-by-Step Guide to Disciplining Disabled Students Under the IDEA, *LRP's 35th Annual National Institute on Legal Issues of Educating Individuals with Disabilities* (May 2014)

When to Call Your Lawyer and Other Effective Pre-Litigation Tactics for School Districts, *LRP's 35th Annual National Institute on Legal Issues of Educating Individuals with Disabilities* (May 2014)

Annual Legal Retreat Host, *Metro Area GLRS* (2014-2017)

How To Keep Your School Attorney From Breaking The Bank: Effective Use of School Lawyers and Pros And Cons of In-House Versus Outside Attorneys, *NSBA's 74th Annual Conference* (April 2014)

[Education Attorneys Glenn Brock and Sherry Culves to Speak at NSBA's Annual Conference on the Effective Use of School Lawyers](#) - Speaker (April 5, 2014)

School Governance Council Training, *Fulton County School District* (February 2014)

Special Victims Unit: Responding to Allegations of Harassment and Abuse Involving Special Education Students, *LRP's 20th Annual Special Education School Attorneys Conference* (January 2014)

What Test Cheating Cases Have Taught About Fair Dismissal Strategy, *Georgia School Boards Association Council of School Attorneys E. Freeman Leverett School Law Seminar* (December 2013)

Tons of Tips for IEP Teams: How To Stay Legally Compliant and Somewhat Sane, *Georgia Council of Administrators of Special Education* (November 2013)

I'm About To Get Sued...Now What?, *Georgia Council of Administrators of Special Education* (November 2013)

Education Law Society Panel, *Walter F. George School of Law, Mercer University* (October 2013)

Disciplining the Disabled Student: Balancing the Rights of Special Education Students with Those of Others in the School, *NSBA Council of School Attorneys, School Law Practice Seminar* (October 2013)

Employment Law Training, *Upson Regional Medical Center* (2013, 2016)

Demystifying the Discipline of Section 504 Students, *Georgia Council of Administrators of Special Education* (September 2013)

Managing Student Discipline: Preventive & Alternative Measures Under the IDEA, *Georgia Council of Administrators of Special Education* (September 2013)

Employment Law Training for Staff and Employees, *Primary Pediatrics, P.C.* (August 2013)

Top 10 Lessons Learned by School Lawyers in Litigating Special Education Cases, *Middle Georgia GLRS* (August 2013)

Legal Training on Disproportionality in Disciplining Special Education Students, *Screven County School District* (July 2013)

Employment Law Training for Partner Physicians, *Primary Pediatrics, P.C.* (June 2013)

School Law Boot Camp: Legal Pointers on Sexual Harassment, *NSBA Council of School Attorneys, Annual School Law Seminar* (April 2013)

Mastering the Manifestation Maze: An In-Depth Analysis of the Puzzle of Disciplining Special Education Students, *Georgia Council of Administrators of Special Education* (January 2013)

Supporting School Improvement Course Guest Lecturer: An Overview of Special Education Law, *Georgia College and State University* (2012)

An Overview of Special Education Law, *The Macon Bar Association* (2012)

Forty Years: A Checkered Past And A Muddled Future For The Application Of Title IX To Sexual Harassment In Schools, *The State Bar of Georgia's School and College Law Committee* (2012)

FLSA "Fast and Furious"...Or 50 Tips In 50 Minutes, *Georgia Association of School Business Officials* (2011)

Leadership Institute Legal Issues Training, *Bibb County School District* (2006)

Employment Law Update and Training, *Upson Regional Medical Center* (2006)

Fair Labor Standards Act Compliance Training (2004, 2005)

Annual Legal Training (2004-2014)

Legal Issues Training, *Peach County School District* (2004)

Equal Employment Training, *Allgood Pest Solutions* (2004)

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Student Discipline Procedures Training, *Bibb County School District* (2004)  
Wage and Hour Issues in Georgia, *Lorman Education Services* (2002)  
Student-on-Student Sexual Harassment Training, *Bibb County School District* (2002)  
School Council Training, *Bibb County School District* (2001, 2005-2007)

## Alerts

[DOL Issues Updated Overtime Guidance to Colleges & Universities under the FLSA](#), Additional Nelson Mullins Alerts (April 20, 2018)  
[Ninth Circuit Rules Equal Pay Act Bans Any Consideration of a Candidate's Prior Compensation in Setting Wage Differentials](#), Additional Nelson Mullins Alerts (April 10, 2018)  
[Supreme Court issues guidance on FAPE](#), Additional Nelson Mullins Alerts (March 22, 2017)  
[OCR alerts school districts of the prominence of ADHD-related complaints](#), Additional Nelson Mullins Alerts (July 28, 2016)