



## Eugene R. Barnosky

### Of Counsel

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### Profile

With a varied background in many areas of the law, including land use and real estate development, Gene now focuses his practice on municipal, education and labor matters and works extensively for school district and BOCES clients. He has served as village attorney for two Suffolk County villages and is a frequent lecturer for the Suffolk and Nassau County Academies of Law. For more than 20 years, Gene has provided key presentations on a wide variety of education law topics at virtually every Pre-Convention Law Conference of the New York State School Boards Association.

Gene is past president of the New York State Association of School Attorneys and past Chair of the Education Law and Municipal Law Committees of the Suffolk County Bar Association. His articles on education law have been published in the *New York Law Journal* and *Newsday*. His most recent articles in the *New York Law Journal* analyzed a 2022 Supreme Court decision regarding First Amendment rights in schools and a 2021 Supreme Court decision concerning discipline of students for off-campus conduct.

### Honors & Affiliations

- Listed in:
  - *Martindale-Hubbell*®, AV Preeminent Rated
  - *New York Metro Super Lawyer*®, 2016-2021
  - *Long Island Business News*, Around 50 Award Recipient, 2014
  - *Long Island Business News*, Who's Who in Intellectual Property & Labor Law, 2011
  - South Huntington Educational Foundation Honoree, 2006
  - *Long Island Business News*, Who's Who in Law, 2003
- Fellow, American Bar Foundation
- Fellow, New York Bar Foundation
- New York State Association of School Attorneys, Past President
- Suffolk County Bar Association
  - Education Law Committee, Past Chair
  - Municipal Law Committee, Past Chair

### Education

- St. John's University School of Law (J.D. 1979)
- Colgate University (A.B. in Philosophy and Religion, 1975)
- Regis High School

### Bar/Court Admissions

- New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. Court of Appeals for the Second Circuit

### Practices

- School Law
- Labor and Employment
- Municipalities
- Real Estate and Construction
- Property
- Government and Regulatory Affairs

## Representative Presentations

- "Collective Bargaining – A Look at the Present and Where We Might Be Headed," 25th Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 22, 2021
- "Collective Bargaining – More than COVID-19," 24th Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 22, 2020
- "The School Board's Role as an Employer – Where Does the Board's Authority Begin and End?," 23rd Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 24, 2019
- "Collective Bargaining in the Age of Janus and the Tax Cap," Annual School Law Conference, Nassau and Suffolk Academies of Law and the Education Law Committees of the Nassau and Suffolk County Bar Associations, December 7, 2018
- "Employment Law – Some Bargaining and Non-Bargaining Issues," 22nd Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 25, 2018
- "Slip Sliding Away? The Potential Demise of the Agency Fee and its Impact on Management and Unions," Nassau and Suffolk Academies of Law, December 8, 2017
- "School Board Member Free Speech Rights," 21st Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 12, 2017
- "Collective Bargaining – What is Old, What is New?," 20th Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 27, 2016
- "Bullying in the Workplace-Is Your District Vulnerable to Liability?," 19th Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 18, 2015
- "The Affordable Healthcare Act – Lingering Issues," 18th Annual Pre-Convention School Law Seminar, NYS School Boards Association and NYS Association of School Attorneys, October 26, 2014

## Representative Publications:

- "SCOTUS Marches Prayer to a Public School's 50-Yard Line," *New York Law Journal*, August 22, 2022
- "The U.S. Supreme Court "Tinkers" With Discipline Outside the Schoolhouse Gate," *New York Law Journal*, July 15, 2021
- "Municipalities Must Place Focus on Payroll Classifications," *Suffolk Attorney*, May 14, 2008
- "Certificates of Good Faith Provide BOE Members with Protection from Personal Legal Liability," *New York State School Boards Association On Board* Publication, February 13, 2006
- "Increased Tolerance of Religious Activity in Public Schools," *New York Law Journal*, July 18, 2002

- "Good News' May Be Bad News for School Officials," *New York Law Journal*, August 10, 2001
- "How Much Should Schools Know About the Teachers They Hire?" *Newsday*, March 18, 2001

### Other Activities

- Past President, Colgate Club of Long Island
- Former Vice Chair, South Huntington Educational Foundation
- Former member of the Board of Directors, Family Service League of Long Island
- Former member of the Advisory Board, First American Title Insurance Company