



## Monica C. Barrett

### Member

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### Profile

Monica joined the firm as a member in 2016 after having served as Interim General Counsel at Rutgers, the State University of New Jersey. She provides legal advice and counsel to colleges and universities, public school districts, and independent schools in all aspects of education law, including student affairs, faculty tenure and promotion, governance issues, athletics, and academic affairs.

Monica advises on staff and student employment, grievances, student conduct and discipline, Title IX policies and investigations, threat assessment and behavior intervention, FERPA, public-records, accreditation, regulatory and nonprofit compliance, bylaws, and policy handbooks. She counsels clients on a variety of employment law issues, such as executive contracts and compensation, severance agreements, disability accommodations, FMLA and other leave issues, and misconduct investigations. Monica partners with other attorneys at the firm to conduct investigations at all levels of client institutions. She also defends institutions before state and federal agencies and courts.

Monica's responsibilities at Rutgers encompassed the full range of legal and compliance issues facing a state-wide research university with major professional schools and 29 labor unions, 20,000 employees, and a student body of approximately 65,000. As a key member on the President's Cabinet she was responsible for advising the President and members of the Boards on all legal issues, and supervising a staff of 18 lawyers.

Monica is a frequent presenter at National Association of College and University Attorneys (NACUA) national conferences and she has been widely published on a variety of higher education topics. Previously, she was employed as Executive Deputy General Counsel at the State University of New York; Associate General Counsel at Cornell University; and Assistant General Counsel at Barnard College.

### Representative Presentations

- COVID-19: Managing a Dynamic University Workplace in the Midst of a Pandemic Webinar, NACUA Briefing, March 26, 2020
- Panelist, What Keeps a College President Up at Night, Legal Issues in Higher Education, Manhattanville College School of Education 3rd Annual Legal Issues Symposium, February 21, 2020
- Panelist, Climate 2020: Climate and Diversity in a Polarized World, NACUA CLE

### Education

- University of Michigan Law School (J.D. 1988)
- Wellesley College (B.A., *cum laude*, 1982)

### Bar/Court Admissions

- New York
- New Jersey
- U.S. Supreme Court
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the District of New Jersey

### Practices

- Higher Education
- Labor and Employment

Workshop, New Orleans, LA, January 30, 2020

- 20/20 Vision on Employment Law: Looking Back on the Important Employment Laws of 2019 and Looking Ahead to Potential Changes in 2020 Webinar, The Commission on Independent Colleges & Universities in New York, January 21, 2020
- Human Resources Update, The Commission on Independent Colleges & Universities in New York Regional Meeting, October 15, 2019
- Stump the Experts, The Ever-Evolving Field of Higher Education Discrimination Law: What You Need to Know Now, April 5, 2019
- One Step Forward, One Step Back?: The Faculty's Role in Promoting Diversity, Equity, and Inclusion, The Ever-Evolving Field of Higher Education Discrimination Law: What You Need to Know Now, April 4, 2019
- #OFFEND #UPLIFT #HATE #LOVE: Blurred Lines as Both Public and Private Universities Navigate the Costs of Free Speech, Annual Conference of the National Association of College and University Attorneys, June 24-27, 2018
- Tenure Evaluation Challenges, United Educators Webinar, March 1, 2018
- Hot Legal Issues in Higher Education, Higher Education Leadership Symposium, February 9, 2018
- Panelist, Top Trends and Emerging Issues in Higher Education Discrimination Law, NACUA CLE Workshop, March 29, 2017
- What Legal Counsel Wants You to Know from Day One, American Association of Colleges of Nursing 2016 Fall Executive Development Series, November 16, 2016
- Managing the Complexities of Investigations, CUPA-HR Annual Conference and Expo 2016, September 25-27, 2016
- Student Disciplinary Issues, NACUA Annual Conference, June 25, 2016
- Panelist, Managing Privilege, Privacy and Other Complexities in an Investigation and Afterwards, NACUA 2016 CLE Workshop, March 31, 2016
- When Bullies Move Online: Dealing with Cyberbullying and Electronic Harassment on Campus, CLE Workshop of NACUA, March 2015
- What We Can Learn from the Tyler Clementi Tragedy, International Bullying Prevention Association Annual Conference, November 2012
- Cyberbullying on the Quad, Annual Conference of NACUA, June 2012
- Rutgers' Response to the Tyler Clementi Tragedy, U.S. Department of Education, April 2011

## Other Activities

- Editorial Board, Journal of College and University Law, 2016-2017
- Board Member, NACUA, 2011-2014
- Co-Chair, Working Group, Diversity and Civil Rights, NACUA 2015 Annual Conference
- Chair, Program Committee for NACUA Conference on Higher Education Employment Issues, 3/14
- Chair, Committee on Legal Education, NACUA, 2012-2013; Vice Chair, Committee on Legal Education, NACUA, 2005-2006; 2009-2010; 2010-2011

- Chair, Program Committee for NACUA Conference "Responding to Sexual Violence on Campus: OCR Dear Colleague Letter Compliance," 2/11
- Chair, Program Committee for NACUA Conference "Setting Up International Programs," 2011
- Chair, Advisory Board Council on Diversity and Inclusivity, NACUA, 2009-2010; 2010-2011
- Chair, Virtual Seminars Subcommittee, Committee on Legal Education, NACUA, 2009-2010