



## Philip J. Zaccheo

### Member

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*He, Him, His*

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### Profile

**Phil, co-chair of the firm's higher education practice, is a trusted advisor and advocate who provides counseling and representation to colleges and universities throughout the United States on a variety of legal issues.**

Phil's practical advice reflects his more than 30 years of experience in the field, taking account of not only the legal considerations, but also the financial, operational and public relations implications of particular circumstances at both private and public institutions. His experience includes all major areas of higher education law, including:

- academic affairs
- corporate governance, including:
  - charter and bylaw drafting and revision
  - trustee fiduciary obligations
  - issues arising in connection with Board proceedings
  - principles of shared governance
- corporate finance, including endowment administration under UPMIFA
- charitable giving and development
- student affairs and student discipline, including Title IX compliance
- student financial aid issues, including Title IV compliance
- student mental health issues
- education record confidentiality
- intercollegiate athletics

Phil has represented institutions in connection with the negotiation, drafting and review of a wide range of contractual arrangements common to colleges and universities, including:

### Education

- New York University School of Law (J.D., *cum laude*, 1992)
- Union College (B.A., *cum laude*, 1989)

### Bar/Court Admissions

- New York

### Practices

- Higher Education
- Exempt Organizations
- Mergers and Acquisitions
- Cybersecurity and Data Privacy
- Collegiate Sports
- Title IX
- Business and Transactions

- presidential, administrative and coaches' employment agreements
- pouring rights and sponsorship agreements with national beverage companies and similar entities
- affinity credit card and similar intellectual property use arrangements
- licenses for broadcasting rights
- agreements for the use of institutional facilities by outside entities and for the use of municipal stadiums and arenas by intercollegiate athletics programs
- bookstore, food service and physical plant outsourcing agreements
- various arrangements with institutional vendors and consultants

Phil has served as transactional counsel in connection with mergers, acquisitions, affiliations and spin-offs involving colleges, universities, and other tax-exempt organizations. He has also represented numerous institutions in connection with federal and state regulatory compliance investigations and reviews, including Title IV program reviews and governmental investigations pertaining to relationships with lenders, affinity card issuers, student health insurance issuers and other vendors.

An active participant in the National Association of College and University Attorneys, Phil has served in several roles, including as a member of the Annual Conference Planning Committee for several years. He has served as a guest lecturer at Syracuse University and the Syracuse University College of Law, and as an adjunct faculty member at University College of Syracuse University.

## Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*® 2020, Sports Law (listed for more than 5 years)
- New York State Bar Association, Business Law Section
- National Association of College and University Attorneys

## Representative Presentations

- An Interview with Philip Zaccheo, Higher Education, Legally Bond Podcast, August 16, 2021
- "The Lawyer's Role in Cost Cutting Measures and Revenue Generating Activity in a Time of Budget Restraint," National Association of College and University Attorneys, March 11, 2021
- "When Tradition and Climate Collide: Statues, Monuments and Building Names on College and University Campuses", National Association of College and University Attorneys Annual Conference, June 26, 2019
- "Attorney-Client Privilege in the Committee Setting," National Association of College and University Attorneys Annual Conference, June 24, 2014

## Other Activities

- Editorial Board, Journal of College and University Law
- Board Chair, Advisory Board, Syracuse Area Salvation Army
- National Association of College and University Attorneys Annual Conference Organizing Committee