

SCOTT R. BAURIES

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ACADEMIC APPOINTMENTS

University of South Carolina School of Law, Columbia, South Carolina

Professor of Law, 2022-present.

Courses

Civil Procedure; Federal Courts; Conflict of Laws.

University of Kentucky J. David Rosenberg College of Law, Lexington, Kentucky.

Wyatt, Tarrant, & Combs Professor of Law, 2016-2022.

Awards and Honors

Robert M. and Joanne K. Duncan Law Faculty Teaching Award, 2020

Distinguished Research Fellow, National Education Finance Academy, elected 2011.

Courses

Civil Procedure; State Constitutional Law; Statutory Civil Rights; Conflict of Laws;
Employment Law; Education Law; Advanced Torts (Economic & Dignitary Torts).

Associate Professor of Law, 2012-2016.

Assistant Professor of Law, 2008-2012.

EDUCATION

Ph.D., *Educational Leadership, Administration, and Policy*, 2009, University of Florida College of Education.

Dissertation:

Judicial Review and the Separation of Powers in State Constitutional Litigation
Challenging the Adequacy of Education Spending: Complementary Analyses and a
Proposed Adjudicatory Model

Recipient of the *Joseph C. Beckham Dissertation of the Year Award*, Education
Law Association, 2009.

J.D., *summa cum laude*, 2005, University of Florida Levin College of Law.

Class Rank: 1 out of 197.

Senior Galleys Editor, FLORIDA LAW REVIEW.

Awards and Honors:

W.D. MacDonald Prize, 2005 (highest GPA among Fall, Spring, and Summer graduating classes—approximately 400 students).

Order of the Coif, elected 2005.

Book Awards: Civil Procedure, Advanced Civil Procedure, Appellate Advocacy Employment Discrimination, Workers' Compensation.

SCHOLARLY PUBLICATIONS

Law Review Articles

Escaping State Constitutional Duty, 50 FLORIDA STATE UNIVERSITY LAW REVIEW ____ (forthcoming 2022).

Special Education's Lessons for School Funding Litigation, 6 EDUCATION LAW & POLICY REVIEW 126 (2021) (with Spencer Weiler) (special issue: "Serrano at 50").

Public Employees Who Testify, 24 EMPLOYEE RIGHTS & EMPLOYMENT POLICY JOURNAL 71 (2020) (peer reviewed).

Professor Williams and the Education Debates in State Constitutional Law, 72 RUTGERS UNIVERSITY LAW REVIEW 101 (2020) (special issue: "A Festschrift for Robert Williams").

Perversity as Rationality in Teacher Evaluation, 71 ARKANSAS LAW REVIEW 325 (2019) (symposium on education reform).

Neoformalist Constitutional Construction and Public Employee Speech, 21 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 439 (2018).

The Logic of Speech and Religion Rights in Public Employment, 19 MARQUETTE BENEFITS AND SOCIAL WELFARE LAW REVIEW 137 (2018) (special issue on religious freedom and workplace law).

A Benign Prior Restraint Rule for Public School Classroom Speech, 2 EDUCATION LAW & POLICY REVIEW 88 (2015) (special issue: "Tinker at 50").

A Common Law Constitutionalism for the Right to Education, 48 GEORGIA LAW REVIEW 949 (2014).

Individual Academic Freedom: An Ordinary Concern of the First Amendment, 83 MISSISSIPPI LAW JOURNAL 677 (2014) (symposium on higher education law).

Procedural Predictability and the Employer as Litigator: The Supreme Court's 2012-2013 Term, 52 U. LOUISVILLE LAW REVIEW 497 (2014) (special issue contribution for annual Carl Warns/Edward Render Labor & Employment Law Institute).

Testing Fuller's Forms and Limits: A Response to Oldfather, Bockhorst, and Dimmer, 65 FLORIDA LAW REVIEW FORUM 1 (2013), available at http://www.floridalawreview.com/wp-content/uploads/Bauries_Forum.pdf (invited response to Chad M. Oldfather, Joseph P. Bockhorst, & Brian P. Dimmer, *Triangulating Judicial Responsiveness: Automated Content Analysis, Judicial Opinions, and the Methodology of Legal Scholarship*, 64 FLA. L. REV. 1189 (2012)).

The Education Duty, 47 WAKE FOREST LAW REVIEW 705 (2012).

American School Finance Litigation and the Right to Education in South Africa, 27 SOUTHERN AFRICAN PUBLIC LAW 409 (2012) (peer reviewed).

State Constitutions and Individual Rights: Conceptual Convergence in School Finance Litigation, 18 GEORGE MASON LAW REVIEW 301 (2011).

Coloring Outside the Lines: Garcetti v. Ceballos in the Federal Appellate Courts, 262 EDUCATION LAW REPORTER 357 (2011) (with Patrick Schach) (peer reviewed).

State Constitutional Design and Education Reform: Process Specification in Louisiana, 40 JOURNAL OF LAW AND EDUCATION 1 (2011) (peer reviewed).

Is There an Elephant in the Room?: Judicial Review of Educational Adequacy and the Separation of Powers in State Constitutions, 61 ALABAMA LAW REVIEW 701 (2010).

Foreword: Rights, Remedies, and Rose, 98 KENTUCKY LAW JOURNAL 703 (2010) (special issue commemorating the 20th anniversary of the Kentucky Supreme Court's decision in *Rose v. Council for Better Education, Inc.*).

Florida's Past and Future Roles in Education Finance Reform Litigation, 32 JOURNAL OF EDUCATION FINANCE 89 (2006) (special issue on education reform litigation).

Rights Without Remedies: The Consequences of Tennessee v. Lane for Disabled State University Students, 195 EDUCATION LAW REPORTER 697 (2005) (with R. Craig Wood) (peer reviewed).

Book Chapters

State Constitutional Provisions Prohibiting Financial Aid to Religious Institutions, in LAW, RELIGION, AND EDUCATION (Charles Russo, ed., forthcoming).

Liability for Negligence Involving Colleges and Students, in CONTEMPORARY ISSUES IN HIGHER EDUCATION LAW (Susan Bon, David H. K. Nguyen, Jennifer Rippner, & Richard Fossey, eds., 4th ed. 2019).

Counterpoint: Do State Constitutional Provisions Concerning Education Establish a Judicially Enforceable Standard? in DEBATING ISSUES IN AMERICAN EDUCATION: VOLUME 6: SCHOOL FINANCE (William E. Thro, vol. ed., Charles J. Russo & Allan G. Osborne, Jr., ser. eds. 2012).

Counterpoint: Should the Federal Government Condition Federal Funds for School Districts on the Implementation of Mandatory Curricula? in DEBATING ISSUES IN AMERICAN EDUCATION: VOLUME 6: SCHOOL FINANCE (William E. Thro, vol. ed., Charles J. Russo & Allan G. Osborne, Jr., ser. eds. 2012).

Books

CIVIL PROCEDURE: A CONTEXT AND PRACTICE CASEBOOK (Carolina Academic Press 2015) (with Gerald Hess and Teresa Beiner); (updated 2017); (Second Edition 2019).

Amicus Briefs

Brief of Professors of Education Law and Educational Measurement as Amici Curiae, COOK v. BENNETT, No. 14-12506, UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT (filed Sept. 12, 2014) (co-signed by 18 professors of education law and educational measurement) (advocating that value-added modeling as a means of teacher evaluation was unconstitutional as applied to teachers in grades and subjects not assessed in the testing instruments used).

Brief of Law Professors as Amici Curiae, LANE v. FRANKS, No. 13-483, UNITED STATES SUPREME COURT (O.T. 2013, decided June 19, 2014) (with Paul Secunda, Sheldon Nahmod, & Joshua Branson) (co-signed by 65 law professors) (decided 9-0 in favor of the position advanced in the brief, which advocated for a narrow reading of the public employee free speech case *Garcetti v. Ceballos*).

Model Legislation

Creating Teacher Incentives for School Excellence and Equity, (with Barnett Berry & Jon Eckert) available at <http://nepc.colorado.edu/publication/creating-teacher-incentives> (2012).

ACADEMIC ADMINISTRATIVE EXPERIENCE

Sponsorship Coordinator, *Southeastern Association of Law Schools*, 2020-present.

Associate Dean of Faculty Research, *University of Kentucky J. David Rosenberg College of Law*, 2018-2020.

Co-Leader, University Committee on Responsible Speech, *University of Kentucky Diversity, Equity, and Inclusion Plan, Office of the Vice President for Institutional Diversity*, 2020-present.

Chair, Faculty Appointments Committee, *University of Kentucky J. David Rosenberg College of Law*, 2016-2018.

Chair, Curriculum Committee, University of Kentucky J. David Rosenberg College of Law, 2011-2015.

Chair, Education Law Section, Association of American Law Schools, 2014-2015.

Resource Teacher/Grant Administrator, Pinellas County Schools, Largo, Florida, 1999-2001

OTHER ADMINISTRATIVE EXPERIENCE

Chair, Personnel Policies Committee, Board of Directors, Appalachian Research, Education, and Defense Fund (AppalRED), Richmond, KY, 2011-2012.

Member, Board of Directors, Appalachian Research, Education, and Defense Fund (AppalRED), Richmond, KY, 2009-2012.

SERVICE

Service to the College of Law

Chair, Committee on Non-JD Programming, 2021-2022.

Faculty Advisor, Equine Law Society, 2020-2022.

College of Law Liaison to the University of Kentucky Jim Beam Institute, 2019-2022.

Associate Dean of Faculty Research, 2018-2020.

Chair, Faculty Appointments Committee, 2016-2018.

Faculty Advisor, Law Student Veterans Organization, 2015-2018.

Chair, Curriculum Committee, 2011-2015; 2022.

Chair, Ad Hoc Bar Commission Report Response Committee, 2015.

Faculty Committee Service

Committee on Retention, Promotion, and Tenure, 2019-2022

Faculty Appointments Committee, 2015-2018

Diversity Committee, 2015-2017

Strategic Planning Committee, 2015-2017

Judicial Clerkship Advisory Committee, 2011-2017

Curriculum Committee, 2009-2015

College Honor Council, 2009-2011; 2015-2016

Ad Hoc Committee on Lateral Hiring, 2012

Speakers' Committee, 2010-2011
Academic Status Committee, 2008-2010

Acting Faculty Advisor, KENTUCKY LAW JOURNAL, 2011.

Supervisor, numerous law students, in writing their Upper-Level Scholarly Papers, 2009-present.

Advisor, several student members of the editorial staff of the KENTUCKY LAW JOURNAL and the KENTUCKY JOURNAL OF EQUINE, AGRICULTURAL, AND NATURAL RESOURCES LAW, in writing and preparing their Student Notes for publication, 2008-2022.

Instructor, *Introduction to Legal Reasoning*, a mini-civil procedure course taught to incoming students at the University of Kentucky College of Law, 2011; 2013.

Instructor, *Kentucky Supreme Court Legal Education Opportunity Program (KLEO)*, a mini-civil procedure course taught to scholarship students from disadvantaged backgrounds preparing for the 1L year at the University of Kentucky, the University of Louisville, and Northern Kentucky University, 2010-2011, 2013.

Co-Organizer and Discussant, 1st Annual University of Kentucky College of Law *Developing Ideas Conference*, a works-in-progress workshop for junior scholars teaching at law schools in and near Appalachia, 2010.

Organizer and Planner, "Rose at 20": a symposium marking the 20th anniversary of *Rose v. Council for Better Education, Inc.*, decided by the Kentucky Supreme Court in 1989, Brown Hotel, Louisville, KY, October 21, 2009.

Symposium Issue: 98 KENTUCKY LAW JOURNAL, no.4 (2010).

Service to the University

Co-Leader, Committee on Responsible Speech, UK Diversity, Equity, and Inclusion Plan, Office of the Vice President for Institutional Diversity, 2020.

Member, University External Review Committee, University of Kentucky Confucius Institute, 2019.

Hearing Officer, University Senate Appeals Board (Privilege and Tenure), 2018-2019.

College of Law Representative, Research Working Group on the University Budget, 2013-2016.

Grant Proposal Evaluator, eLII Hybrid Course and Distance Learning Program Grant Proposal Review Panel, 2013-2015.

Member, University Senate Committee on the Establishment of a Faculty/Staff Ombud's Office, 2011-2013.

Member, University External Review Committee, University of Kentucky Department of Educational Leadership, 2008-2009.

Numerous presentations on, and demonstrations of, my approach to the Socratic Method to teaching units other than the College of Law, University of Kentucky, 2008-2022.

Service to the Legal Practice Community

Pro Bono Amicus Brief Author, detailed above under “Scholarly Publications.”

Member, Board of Directors, Appalachian Research and Defense Fund, 2009-2012.

Chair, Personnel Policies Committee, 2012.

Academic Advisor/Moot Judge for Respondent in preparation for oral argument before the United States Supreme Court in *Thompson v. North American Stainless, LLP*, 2010.

Invited Author, Kentucky Bar News: *The University of Kentucky College of Law at 100 and Rose at 20*, KENTUCKY BENCH AND BAR MAGAZINE (January 2010).

Service to the Legal Academic Community

Sponsorship Coordinator, Southeastern Association of Law Schools, 2020-present.

Identify and pursue sources of external funding to support the activities of a large, multi-state, academic association, in particular its annual conference.

Chair, Education Law Section, Association of American Law Schools, 2014-2015 (Jan.-Jan.).

Chair-elect, 2013-2014.

Secretary, 2012-2013.

Treasurer, 2011-2012.

Mentor, New Scholars’ Program, Southeastern Association of Law Schools, 2018.

Mentee’s Article: Stephanie Bornstein, *Antidiscriminatory Algorithms*, 70 ALA. L. REV. 519 (2018).

Mentor, New Scholars’ Program, Southeastern Association of Law Schools, 2013.

Mentee’s Article: Erika K. Wilson, *Towards a Theory of Equitable Federated Regionalism in Public Education: Reversing the Role of School District Boundary Lines in Dismantling Brown v. Board of Education*, 61 UCLA L. REV. (2014).

SEALS Steering Committee Member, Southeastern Association of Law Schools, 2015-2016; 2021.

Articles Committee Member, JOURNAL OF EDUCATION FINANCE, 2013-2018 (conducted several blind peer reviews of submitted articles per year).

Advisory Committee Member, EDUCATION LAW AND POLICY REVIEW, 2012-present (engage in general advisory duties for peer-reviewed law journal).

Manuscript Reviewer, Aspen Law Book Publishing/Wolters Kluwer Law & Business, 2012-2013.

Member, New Scholars' Committee, Southeastern Association of Law Schools, 2010-2012.

Author's Committee Member, EDUCATION LAW REPORTER, 2010-2018 (conducted several blind peer reviews of submitted articles per year).

Delegate, House of Representatives, Association of American Law Schools, 2010-2012; 2021 Annual Meetings.

Director, University of Kentucky College of Law Sponsor Membership, American Society for Comparative Law, 2009-2022.

Editorial Board Member, JOURNAL OF COLLEGE AND UNIVERSITY LAW, 2007-2008.

BAR ADMISSIONS

Florida, 2005 (active).

LEGAL EXPERIENCE

Associate, McGuireWoods, LLP, 2006-2008.

Practice Areas: Labor & Employment; Complex Commercial Litigation; Higher Education Law.

Law Clerk, Chambers of the Honorable Emmett Ripley Cox, United States Court of Appeals for the Eleventh Circuit, 2005-2006.

Judicial Extern, Chambers of the Honorable Stephan P. Mickle, United States District Court for the Northern District of Florida, Fall 2004.

Summer Associate, Greenberg Traurig, LLP, Summer 2004.

Practice Areas: Commercial Real Estate; Securities Litigation; Labor & Employment; Public Finance.

Teaching Assistant, Legal Research and Writing/Appellate Advocacy, University of Florida Levin College of Law, 2003- 2004.

Research Assistant, Professor Juan F. Perea, University of Florida Levin College of Law, 2003.

Acknowledgment: Juan F. Perea, *Buscando América: Why Integration and Equal Protection Fail to Protect Latinos*, 117 HARVARD LAW REVIEW 1420, 1420 n.* (2004).

Research Assistant, Professor R. Craig Wood, University of Florida College of Education, 2003.

SPEAKING ENGAGEMENTS

Academic Presentations

Interpretation, Construction, and State Constitutional Education Rights, Education Law Association Annual Meeting, San Antonio, TX, 2021.

Preconference Half-Day Session: Introduction to Education Law for Law Students, Education Law Association Annual Meeting, San Antonio, TX, 2021.

COVID-19 and Worklaw, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, 2021.

Contract Issues in Employment Law, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, 2021.

“Wow - that was unexpected!”: Deaning in a Time of Crisis, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, 2021.

Recent Developments in School Funding Litigation, Southeastern Association of Law Schools Annual Meeting (held virtually due to COVID-19), 2020.

State Constitutional Law Discussion Group, Southeastern Association of Law Schools Annual Meeting (held virtually due to COVID-19), 2020.

The Rights of LGBTQ Workers After Bostock, Southeastern Association of Law Schools Annual Meeting (held virtually due to COVID-19), 2020.

A Government of Individuals, Colloquium on Scholarship in Employment and Labor Law (COSELL), Las Vegas, NV, 2019.

Current Issues in State Constitutional Law—Interpretive Methodologies, Adjectives, and Positive Rights, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2019.

Labor & Employment Law Workshop: Post-Janus Alternatives and Consequences—the First Amendment Fallout, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2019.

Perversity as Rationality in Teacher Evaluation, Symposium on Education Reform, University of Arkansas School of Law, Fayetteville, AR, 2018.

Current Issues in Workers’ Compensation Law, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, FL, 2018.

Workplace Law in the Supreme Court, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, FL, 2018.

Senior Paper Discussant, Works in Progress Series: Workplace Law, Southeastern Association of Law Schools Annual Meeting, Ft. Lauderdale, FL, 2018.

Agency and Academia, Colloquium on Scholarship in Employment and Labor Law (COSELL), Texas A&M University School of Law, Ft. Worth, TX, 2017.

Trends and Tensions between Religious Freedom and Workplace Protections and Benefits, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2017.

Senior Paper Discussant: New and Existing Voices in Labor and Employment Law, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2017.

Developments in Anti-Retaliation Law, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2017.

Higher Education Faculty and the First Amendment, Constitution Day Address to University of Kentucky Senate, 2016.

Discussant, Fisher v. University of Texas – Implications for Labor and Employment Law, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, 2016.

Senior Paper Discussant, Works in Progress Series: Workplace Law, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, 2016.

Supreme Court Review: Labor and Employment Decisions—OT 2015, 33rd Annual Carl A. Warns, Jr./Edward Render Labor & Employment Law Institute, University of Louisville, 2016.

A Government of Individuals: County Clerks, “Official Duties,” and the Obergefell Decision, 10th Annual Labor & Employment Colloquium, Bloomington, IN, 2015.

Current Issues in Whistleblower Protection, Southeastern Association of Law Schools Annual Conference, Boca Raton, FL, 2015.

New Voices in Labor and Employment Law (senior paper discussant), Southeastern Association of Law Schools Annual Conference, Boca Raton, FL, 2015.

Access to Justice Roundtable (discussant), Southeastern Association of Law Schools Annual Conference, Boca Raton, FL, 2015.

The Higher Education Act at 50 (panel moderator as Chair), Association of American Law Schools Annual Meeting, Washington, DC, 2015.

Recent Developments in School Finance Litigation, Education Law Association Annual Meeting, San Diego, CA, 2014.

Perspectives on Tenure from Current Professors of Employment Law, Panel, Southeastern Association of Law Schools Annual Conference, Amelia Island, FL, 2014.

The Third Wave at 25, National Education Finance Conference (Annual Meeting of the National Education Finance Academy), Louisville, KY, 2014.

Academic Tenure in the Courts, 8th Annual Labor and Employment Colloquium, UNLV School of Law, 2013.

Supreme Court Review: Labor and Employment Decisions—OT 2012, 30th Annual Carl A. Warns Jr. Labor & Employment Law Institute, University of Louisville, 2013.

Current Issues in School Finance Litigation, National Education Finance Conference (Annual Meeting of National Education Finance Academy), Indianapolis, IN, 2013.

State Constitutions and Public Employee Speech, Education Law Association Annual Meeting, Hilton Head, SC, 2012.

State Constitutions and Public Employee Speech, 7th Annual Labor and Employment Colloquium, Northwestern University School of Law, Chicago, IL, 2012.

American School Finance Decisions: Right or Wrong for Education Rights in South Africa?, Conference on Interpreting the South African Constitution, Center for Education Law and Policy, Johannesburg, South Africa, 2012.

The Education Duty, International Symposium for Education Reform, Lexington, KY, 2012.

Current Issues in School Finance Litigation, National Education Finance Conference, San Antonio, TX, 2012.

Academic Liberty, First Amendment Panel, *The Constitutionalization of Labor and Employment Law*, University of Wisconsin Law School, Madison, WI, 2011.

Academic Liberty, 6th Annual Labor and Employment Colloquium, Southwestern Law School, 2011.

Discussant, Student Assignment Policies in Large School Districts, Conference on Structural Racism, University of Kentucky, 2011.

Education Duties and Education Rights, Washington University School of Law Junior Faculty Colloquium, 2011.

Destabilizing Systems—Devaluing Rights: The Institutional Reform Litigation Model and State Constitutions, Faculty Colloquium, Northern Kentucky University, 2011.

Education Rights and Duties, National Education Finance Conference, 2011.

Garcetti's "Strike Zone," Fifth Annual Labor and Employment Law Colloquium, Washington University-St. Louis/St. Louis University, 2010.

Holding, Dicta, and Public Employee Speech, Randall-Park Colloquium, University of Kentucky College of Law, 2010.

New Empirical and Theoretical Work on Judging and the Judicial Process, Southeastern Association of Law Schools (SEALS), Annual Meeting, Palm Beach, Florida, 2010.

Supreme Court Review: Labor and Employment Decisions—OT 2009, Twenty-Seventh Annual Carl A. Warns Jr. Labor & Employment Law Institute, University of Louisville, 2010.

Educational Adequacy Litigation, Separation of Powers, and the Promise of Adjudicatory Reform, University of Kentucky Martin School of Public Policy Workshop Series, 2010.

Ashcroft v. Iqbal and Pleading in the Federal Courts, Moderator's Academic Introduction to Practitioner Debate Jointly presented by the Federal Bar Association, the American Constitution Society and the Federalist Society, Federal Courthouse, Lexington, KY, 2010.

Individual Rights, Legislative Duties, and Judicial Review of Educational Adequacy, American Educational Research Association Annual Meeting, 2010.

The State of the States: The Use of Federal Recovery Act Funds in School Finance in Kentucky, American Educational Research Association Annual Meeting, 2010.

Educational Adequacy Litigation, Separation of Powers, and the Promise of Adjudicatory Reform, American Education Finance Association Annual Meeting, 2010.

Constitutional Duty Specificity and Exigency-based Education Reform in New Orleans, Association of American Law Schools Annual Meeting, 2010.

Judicial Review and the Separation of Powers in State Constitutional Litigation Challenging the Adequacy of Education Spending: Complementary Analyses and a Proposed Adjudicatory Model, Education Law Association Annual Conference, presented as the recipient of the Joseph C. Beckham Dissertation of the Year Award, 2009.

Education Finance Litigation, Separation of Powers, and the Promise of Adjudicatory Reform, Education Law Association Annual Conference, 2009.

Educational Adequacy Litigation and Political Questions: Balancing Powers in the States, New Scholars Program, Southeastern Association of Law Schools (SEALS), Annual Meeting, Palm Beach, Florida, 2009.

The Politics Behind the Establishment of Public Kindergartens in Florida, History of Education Society Annual Meeting, Yale University, 2001 (with Deanna L. Michael).

Termination of Incompetent Teachers in Florida, Eastern Educational Research Association Annual Meeting, Hilton Head Island, South Carolina, 2000.

Pedagogy, Scholarship, Curriculum, and Human Resources Workshops

Understanding Race in Legal Employment, Panels on Institutional Racism, Kentucky Bar Association, held virtually due to COVID-19, 2020.

Navigating the Legal Academic Hiring Process, Prospective Law Teachers Workshop, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2019.

Becoming a Productive Scholar, Newer Law Teachers Workshop, Southeastern Association of Law Schools Annual Meeting, Boca Raton, FL, 2017.

Keynote Speaker: The Lawyer on Your Shoulder, Launching Your Career in the Know: A Seminar for University of Kentucky Pre-service Teacher Candidates, 2016.

(Repeated by request after similar sessions in Nov. 2010, Nov. 2012, and Nov. 2015.)

Scholarship Nuts and Bolts, New Law Teachers Workshop, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL, 2016.

Publishing Education Finance Scholarship in Law Journals, National Education Finance Conference (Annual Meeting of National Education Finance Academy), Louisville, KY, 2014.

Essay Assessment in Law Teaching, Discussion Group, Southeastern Association of Law Schools Annual Conference, Amelia Island, FL, 2014.

Law School Demonstration Lesson, Admitted Students Open House Day, University of Kentucky College of Law, 2014, 2013, 2012, 2010.

Can Michigan Amend its Constitution to Prohibit Racial Preferences in College Admissions?: A Discussion of Schuette v. BAMN, University of Kentucky College of Law Diversity Committee, 2013.

Developing Learning Outcomes for our Students, One-Day Workshop, presented in role as Chair of Curriculum Committee, for University of Kentucky College of Law Faculty to begin multi-year Learning Outcomes-based Curriculum Reform Project, 2013.

Multiple Choice Assessment in Law Teaching, Discussion Group, Southeastern Association of Law Schools Annual Conference, Palm Beach, FL, 2013.

Promotion and Tenure Beginnings, Invited Panelist in Workshop offered by University of Kentucky Office of the Associate Provost for Faculty Advancement, Lexington, KY 2013.

Introduction to Legal Reasoning, a mini-civil procedure course taught to incoming students at the University of Kentucky College of Law, 2013, 2011.

Kentucky Supreme Court Legal Education Opportunity Program (KLEO), a mini-civil procedure course taught to scholarship students from disadvantaged backgrounds preparing for the 1L year at the University of Kentucky, the University of Louisville, and Northern Kentucky University, 2013, 2011, 2010.

From Plessy to Fisher: Race-based Affirmative Action and the Equal Protection Clause: University of Kentucky College of Law Diversity Committee, 2012.

When Expression is Your Duty: Public School Teachers and the First Amendment, Education Law & Policy Symposium, Kentucky Association of School Administrators, 2012.

Retaliation Claims in the Educational Workplace, 1st Annual Education Law and Policy Symposium, Kentucky Association of School Administrators, 2011.

Common Pitfalls in Educational Hiring Practices, 1st Annual Education Law and Policy Symposium, Kentucky Association of School Administrators, 2011.

The Socratic Method, Demonstration Lesson to the *College Teaching* (GS 610) graduate course, as well as members of the University of Kentucky Center for the Enhancement of Learning and Teaching (CELT), 2011.

FMLA Issues for Payroll Professionals, Jacksonville Compensation Association, Jacksonville, FL, 2008 (with Scott S. Cairns, Esq.).

These Records May Be Used Against (or For) You in Court: Helping Your Company's Outside Counsel Through Smart Record-Keeping, Society for Human Resource Management, Jacksonville, FL, 2006.

Attorney Turnover and Mentoring, Greenberg Traurig, LLP, Summer Associate Business Challenge Culmination Meeting, The Yale Club, New York, NY, 2004.

Classroom Learning Systems, a one-day workshop on classroom management delivered numerous times to diverse audiences in the Pinellas County, FL School District, 1999-2001.

Assess for Success, a six-day workshop and peer training delivered to a selected cohort of fifty expert teacher trainers to prepare them to train in-service teachers at local school sites in outcomes-based assessment techniques, Pinellas County School District, 2000-2001.

ADDITIONAL TRAINING

Participant (pursuant to Dean's nomination and Associate Provost's selection), University of Kentucky Chairs' Academy II, a continuing leadership development program for promising future University leaders, University of Kentucky, 2018-19.

Participant (pursuant to Dean's nomination and Associate Provost's selection), University of Kentucky Chairs' Academy, an introductory leadership development program for promising future University leaders, University of Kentucky, 2015.

Grant Recipient and Member of "Blended Learning" Cohort, University of Kentucky eLearning Initiative, University of Kentucky Center for the Enhancement of Learning and Teaching (CELT), 2014-2015.

Participant, Spencer Kagan Institute on Cooperative Learning, a multi-day intensive workshop on classroom cooperative learning techniques, along with several one-day follow-up sessions, 1999-2001.

SELECTED MEDIA

*Time Magazine, State Constitutional Law Expert Commentator on issues related to the refusal of Kentucky County Clerks to issue marriage licenses following the Supreme Court's 2015 decision in *Obergefell v. Hodges*.*

*Resulting Article: Josh Sanburn, *What's Next for the Kentucky Clerk Who Won't Issue Gay Marriage Licenses?*, TIME (online edition) (Sept. 1, 2015), available at <http://time.com/4018999/kentucky-clerk-kim-davis-same-sex-marriage/> (last visited Sept. 1, 2015).*

New York Times, State Constitutional Law Expert Commentator on issues related to the Washington Supreme Court's order sanctioning the state legislature by fining the body \$100,000 per day for failure to respond adequately to the Court's declaratory judgment holding the state education funding system unconstitutional.

*Resulting Article: Kirk Johnson, *Washington State Faces \$100,000-a-Day Fine Until Schools Plan Is Reached*, N.Y. TIMES (U.S. Edition Aug. 13, 2015), available at: http://mobile.nytimes.com/2015/08/14/us/washington-state-faces-dollar100000-a-day-fine-until-schools-plan-is-reached.html?referrer&_r=0 (last visited Aug. 14, 2015) (online).*

*National Public Radio, Employment Law Expert Commentator on issues related to the refusal of Kentucky County Clerks to issue marriage licenses following the Supreme Court's 2015 decision in *Obergefell v. Hodges*.*

*Resulting Articles: Garrett Wymer, *Legal Expert Weighs in on County Clerks Refusing Marriage Licenses*, WKYT News (July 8, 2015), available at: <http://www.wkyt.com/home/headlines/Legal-expert-weighs-in-on-county-clerks-refusing-marriage-licenses-312720821.html> (last visited Aug. 1, 2015) (online text with*

embedded video commentary); Ryland Barton, *ACLU of Kentucky Willing to Sue the County Clerks Refusing To Issue Marriage Licenses*, WFPL News (June 29, 2015), available at: <http://wfpl.org/aclu-kentucky-willing-sue-county-clerks-refusing-issue-marriage-licenses/> (last visited Aug. 1, 2015) (online text); numerous others in dozens of media outlets (2015).

New York Times, State Constitutional Law Expert Commentator on issues related to the Washington Supreme Court's order holding the state legislature in contempt for failure to respond adequately to the Court's declaratory judgment holding the state education funding system unconstitutional.

Resulting Article: Kirk Johnson, *Washington Governor Seeks New Taxes as a Court Order Looms*, N.Y. TIMES, at A13 (Jan. 14 2015) (print edition), also available at: <http://www.nytimes.com/2015/01/14/us/washington-governor-seeks-new-taxes-as-a-court-order-looms.html> (online edition).

Associated Press, Constitutional Law Expert Commentator on employment and religion-related issues surrounding the denial of tourism tax incentives to Ark Encounter, LLC, which plans to build an amusement park in Northern Kentucky featuring a to-scale replica of Noah's Ark.

Resulting Article: Dylan Lovan, *Noah's Ark park in Ky. could sue to get back tax incentives* (distributed to dozens of media outlets in print and online, 2014-15)

Washington Examiner, State Constitutional Law Expert Commentator on the challenges facing Senator Rand Paul's potential plans to run for reelection to the Senate and for President during the 2016 election cycle.

Resulting Article: T. Becket Adams, *For Rand Paul, a Downside to the Midterms*, WASHINGTON EXAMINER (2014).

Associated Press, Labor and Employment Expert Commentator on employment-related issues presented in ongoing lawsuits against the Holy See related to alleged sexual abuse.

Resulting Article: Dylan Lovan, *Victims: KY Abuse Suit Against Vatican Could Heal* (distributed to dozens of media outlets in print and online, 2010).

UF Law Magazine, Education Law Expert Commentator on issues related to "cyberbullying" in schools.

Resulting Article: Kara Carnley-Murrhee, *Cyberbullying*, UF LAW (Winter 2010), at 17-19.

The Kentucky Standard, State Constitutional Law Expert consulted on the topic of smoking bans in private businesses in Kentucky.

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