

Center for Excellence in Higher Education Law & Policy
Stetson University College of Law

47th Annual National Conference on Law & Higher Education

March 4 – 8, 2026
Wyndham Grand Clearwater Beach

Agenda and Session Descriptions

Wednesday, March 4th

5:30 p.m. – 8:00 p.m. | Welcome: Meet Your Fellow Attendees, Speakers, and Conference Hosts (Hotel Lobby)

5:30 p.m. – 8:00 p.m. | Registration (Dunes Foyer)

Thursday, March 5th

7:30 a.m. – 5:00 p.m. | Registration (Dunes Foyer)

8:00 a.m. – 9:00 a.m. | Continental Breakfast (Dunes Foyer)

9:00 a.m. – 10:15 a.m.

New Attendee Orientation: Welcome to the Beach! (Pelican)

Presenters: Jahanna Azarian and Timothy Kessler-Cleary

The Annual National Conference on Law & Higher Education hosted by Stetson University's Center for Excellence in Higher Education Law and Policy is an experience like no other. We bring together professionals from a variety of areas of focus who share common goals. Join conference veterans Jahanna Azarian and Tim Kessler-Cleary for a "crash course" on how to optimize your experience at the conference and get tips for navigating the robust series of workshops and presentations offered at this year's event. You will also have the opportunity to get to know fellow new attendees and expand your professional network.

9:00 a.m. – 10:15 a.m. (Sandpiper)

Are Your Conduct Proceedings a Defense or Exposure to Civil Liability?

Presenters: Toby Eveland and Micah Kamrass

This presentation will discuss case studies from various jurisdictions as to how a university's student conduct and disciplinary proceedings against Greek Letter Organizations have been both a defense and an exposure to potential liability in civil litigation involving allegations of hazing, sexual misconduct, and First Amendment infringements.

9:00 a.m. – 10:15 a.m. (Dunes IV/V)

Title IX Litigation Update

Presenters: Kristina Hartman and Jacob Sapp

Join Jacob Sapp and Kristina Hartman for the Conference's popular presentation on Title IX Litigation Updates. This session will provide an overview of Title IX's recent evolution in the federal courts and administration and prioritize practical takeaways from recent litigation and OCR resolutions. This presentation is for student affairs professionals, investigators, decisionmakers, and counsel seeking updates on how the state of law may impact your campus.

9:00 a.m. – 10:15 a.m. (Dunes I/II)

Crisis Management and the Court of Public Opinion

Presenter: Jim Haggerty

Campus protests. Security incidents. Laws and regulations. Cybercrime and ransomware attacks. Higher education institutions face a variety of issues and crises... and very often institutions are unprepared. In this session, author, crisis communications consultant, and Stetson Law graduate James Haggerty will lay out best practices in crisis communications—the structure and leadership essential to responding effectively to all types of sensitive issues and events.

10:15 a.m. – 10:30 a.m.

TRANSITION BREAK

10:30 a.m. – 11:45 a.m. (Sandpiper)

FERPA Workshop Part 1--Hot Topics

Presenter: Melissa Carleton

What is new in the world of FERPA? The session will provide a legal update including recent cases, a “wish list” of regulatory fixes, and a peek into what the public is saying about student confidentiality.

10:30 a.m. – 11:45 a.m. (Pelican)

The New Norm? The Varying States of Academic Freedom Across the Regions

Presenters: Carmen Johnson and Glen Stewart

Not all Academic Freedom is created equal. How much freedom is dependent on what region or state where one is teaching. While teaching the core material such as English and mathematics, history and the sciences has been and is pretty much standard curriculum, how one can teach those subjects is highly restricted in some areas. This is especially true due to our current political climate. Broadly stated, the different regions have a distinct historical development. The North was based on Industry and production; the South and Midwest were focused on agriculture. The Midwest was also the crossroads. The West and Westcoast were based on the vast expansion of open land, the Pacific seacoast and, of course Gold!

The education climate today, based on this historical perspective, creates uncertainty in Academic Freedom. We will discuss some of the distinctions.

10:30 a.m. – 11:45 a.m. (Dunes IV/V)

I'm Supposed to Fix This??? Title VI Investigations in 2026 and Beyond

Presenters: Brigid Harrington and Micah Kamrass

In the absence of federal rules, the industry standards for Title VI compliance have been evolving rapidly. We will examine how federal guidance and resolutions, as well as judicial opinions, shape the way that institutions conduct Title VI investigations over the past several years, with a particular focus on challenges associated with allegations related to protests, anti-Semitism, and anti-Palestinian conduct. We will also assess language from court decisions that may be limiting Title VI's reach, and how this could influence the future of Title VI compliance.

10:30 a.m. – 11:45 a.m. (Dunes I/II)

Supporting Students Experiencing Pregnancy and Related Conditions

Presenter: Andrea Stagg

Since 1975, the Title IX regulations have required institutions to prohibit discrimination on the basis of pregnancy and related conditions. The Department of Education occasionally issues guidance reminding students of their rights, including the right to reasonable modifications or adjustments and to leaves of absences.

Join Andrea Stagg to learn more about the Title IX requirements about pregnancy and related conditions, including the current expectations and historical rules. Topics will include recent OCR enforcement, intersecting laws that schools must navigate (for students and employees), and best practices in establishing policies and protocols to support students.

11:45 a.m. – 1:30 p.m. (Dunes III/IV/V)

WELCOME LUNCHEON AND KEYNOTE

Opening Remarks: Conference Chair Peter Lake and Conference Honorary Co-Chair Adam Hark

Keynote Speaker: Jonathan Fansmith, American Council on Education (ACE)

1:30 p.m. – 1:45 p.m.

TRANSITION BREAK

1:45 p.m. – 3:00 p.m. (Sandpiper)

FERPA Workshop Part 2--Crisis Management

Presenter: Melissa Carleton

How good a FERPA issue spotter are you? Do you think you can keep your institution compliant with FERPA during an unfolding situation? The session will process through a hypothetical that blends campus protests, athlete compensation, Title IX, and problematic faculty behavior to test your Confidentiality Quotient!

1:45 p.m. – 3:00 p.m. (Dunes I/II)

Campus Speech 101

Presenters: Tyler Coward, Michelle Deutchman and Neal Hutchens

This session will feature the nation's leading law and policy voices on many issues connected with Academic Freedom, First Amendment, Free Speech, Free Expression and Association. Session panelists will offer a primer for individuals wanting to learn more about or seeking a refresher on some of the fundamentals of campus speech law including time, place and manner rules. If you need a session that provides basic information on free speech, this is the one to attend. Other free speech-related sessions will delve right into recent free speech issues without the introductory information offered in this session.

1:45 p.m. – 3:00 p.m. (Egret)

When the End is Just the Beginning: Ongoing Monitoring as a Result of a Settlement with the Government

Presenters: Emma Hempel and Andrea Staggs

This session will explore the ongoing monitoring requirements for institutions that enter into resolution agreements or settlements with the federal government after an investigation. The facilitators will review what's written on paper in these agreements but also discuss the practical application and implication of such monitoring.

1:45 p.m. – 3:00 p.m. (Pelican)

Accreditation Overhaul: Implications for Higher Ed

Presenters: John Przypyszny and Patricia Salkin

Increasingly, accreditation is viewed as the missing piece of the puzzle in the effort to reform higher education in this country. This session will provide an overview of the current role of accreditation the regulatory triad, and discuss the recent changes being initiated by the Trump administration, states, and others that would make fundamental changes to the U.S. system of accreditation. This session will also examine issue such as the role of accreditation as a Title IV gatekeeper, the relationship between of accreditation and institutional autonomy, and how the efforts to reform accreditation could impact colleges and universities.

1:45 p.m. – 3:00 p.m. (Dunes IV/V)

The Current State of Title VI: DEI, Anti-Semitism, and Speech

Presenters: Rob Derdiger, Toby Eveland and Brigid Harrington

This panel will discuss the recent twin enforcement objectives of Title VI: DEI and antisemitism. We will review how allegations of antisemitism continue to lead universities into settlement agreements with the federal government, and terms of those settlements related to DEI. We will discuss guidance, including the July 2025 DOJ memo, and any steps that institutions are taking to comply, or assess risks of non-compliance. Finally, we will review recent court decisions that suggest ways that Title VI enforcement may be limited in the future.

3:00 p.m. – 3:15 p.m.

TRANSITION BREAK

3:15 p.m. – 4:30 p.m. (Dunes IV/V)

Inside the Beltway: Navigating the Uncertain Legal, Regulatory, and Policy Landscape in Higher Education

Presenters: John Przypyszny and Jonathan Tarnow

This session will review major legal, regulatory and policy activities at the Federal level impacting higher education over the past year, including the status of executive orders, the efforts to dismantle the U.S. Department of Education, administration investigations and resulting settlements with colleges and universities, as well as rulemakings, guidance, and federal court cases pertinent to Department regulations, and updates regarding accreditation.

3:15 p.m. – 4:30 p.m. (Pelican)

LGBTQIA+ and Trans Rights in Higher Education: Navigating Legal Shifts During the Edupocalypse

Presenters: Jahanna Azarian and Blaze Bowers

Rapid changes in federal and state law have created deep uncertainty for colleges and universities seeking to support LGBTQIA+ and transgender students, faculty, and staff. This session provides a clear, practical overview of the evolving legal landscape—including key Supreme Court and appellate developments—and examines how these shifts impact Title IX, employment, campus climate, and student services. Attendees will examine best-case, intermediate, and worst-case trajectories and gain insight into key considerations for compliance, risk management, and inclusive institutional practice.

3:15 p.m. – 4:30 p.m. (Egret)

Surprise! How to Handle the Unexpected Through the Student Affairs and Legal Counsel Lens

Presenters: Kristina Hartman and Shaka Sydnor

Didn't have that on your bingo card? Today's higher education administrators are required to expect the unexpected on campus. The Dean of Students and Legal Counsel Offices are often at the forefront of a "surprise" and frequently

collaborate to navigate a given crisis. Join us for this interactive session as we go through a variety of scenarios that leave higher education administrators wondering, “What to do next?” Scenarios will include campus protests, active state legislatures/officials, student deaths, complex records requests and more!

3:15 p.m. – 4:30 p.m. (Dunes I/II)

Hot Topics in Campus Speech

Presenters: Tyler Coward, Michelle Deutchman and Neal Hutchens

Free speech issues continue as important and high-profile topics on college and university campuses and in the national conversation. In this session, a trio of leading law and policy experts will weigh in on hot-topic free speech issues that institutions continue to navigate. Topics will include: the speech rights of employees and when institutions may regulate such speech, even outside of work; issues connected to time, place, and manner restrictions and free speech; and issues involving institutional neutrality.

3:15 p.m. – 4:30 p.m. (Sandpiper)

Rethinking College Adjudication Systems: Establishing and Expanding Alternative Dispute Resolution Offices

Presenters: Melissa Carleton and Nathan Perry

Informal Resolution (IR) was formally established as an option for Title IX proceedings under the 2020 Regulations. Despite its origins, there is no reason for Informal Resolution—or other forms of non-investigatory adjudication—to be restricted solely to the Title IX domain.

By prioritizing dialogue, collaboration, and empathy, these alternative approaches offer a more holistic and sustainable means of resolving conflicts within educational institutions.

Informal Resolution can provide a multitude of benefits to a campus community, but incorporating IR processes into existing systems can be complex and daunting. Institutes must consider staffing, training, scope of practice, and many other issues before opening up IR as a policy option.

This presentation will review multiple options and models for establishing IR offices and policies, related or independent of Title IX. Participants will have opportunities to engage in small group discussion about process applicability to their own campuses and will also be able to work through several topical hypotheticals that lend themselves to non-investigative resolution options. Participants will also receive handouts to take back to their campuses to assist with long-term planning and decision-making in regards to office initiation and expansion.

4:45 p.m. – 5:45 p.m. (Dunes Foyer)

RECEPTION

Enjoy complimentary beer, wine and snacks while visiting with our conference sponsors, speakers and fellow attendees.

Friday, March 6th

7:30 a.m. – 5:00 p.m. | **Registration** (Dunes Foyer)

8:00 a.m. – 9:00 a.m. | **Continental Breakfast** (Dunes Foyer)

9:00 a.m. – 10:15 a.m. (Dunes I/II)

Mitigation to Avoid High-Risk Employment Litigation

Presenters: Susan Deniker, Oren Griffin and Daniel Kaufman

Employment law issues in higher education are complex and create significant risk exposure to institutions. This session will address some key high-risk areas currently facing your campuses, such as retaliation, DEI, tenure, investigations, ADA, and speech and protest issues. We will focus on practices and tools to mitigate litigation, reputational, and other risks to help institutions reduce their exposure and focus on their core missions.

9:00 a.m. – 10:15 a.m. (Pelican)

Disability Law Update

Presenter: Laura Rothstein

This overview session will briefly review the array of current issues in disability law. Focused attention will be given to academic accommodations (both modification of policies and auxiliary aids and services); documentation of disability to obtain accommodations; post-Covid issues (attendance and presence; masking; vaccine mandates); and professional education (law and health care professions) and their issues of character and fitness and connection to licensing.

9:00 a.m. – 10:15 a.m. (Sandpiper)

The Playbook for Working with Your Athletics Department

Presenters: Scott Bearby, Ian Oakley and Shannan Stamper

Your athletics department has many issues unique to its student athletes, facilities, and personnel. But, it also must operate consistently with university policies, contractual obligations, and school mission. As campus legal counsel advising your athletics department, you have to navigate both worlds, know when they have to act in harmony and when one takes priority. Panelists Shannan Stamper, University of Kentucky deputy general counsel; Lehigh University assistant general counsel Ian Oakley, and NCAA chief legal officer Scott Bearby will provide their playbook for being effective counsel on athletics issues.

9:00 a.m. – 11:45 a.m. (Dunes IV/V)

HALF-DAY Title IX Investigator Training with Certificate

Presenters: Blaze Bowers and Jennifer Hammat

This session is intended for Title IX coordinators, investigators, and any administrators who will be called upon to conduct a Title IX investigation (or for those to whom the Title IX coordinator reports). The training facilitator will cover how to prepare outreach documents, investigation interview orders, how to gather “the universe of information,” and how to navigate regulatory mandates. Additionally, the session facilitator will discuss the importance of framing and constructing a solid investigation report to provide the decision-maker with all that they need to have a compliant and successful hearing. A certificate of completion will be emailed to those attending the full training (sign in required).

10:15 a.m. – 10:30 a.m.

TRANSITION BREAK

10:30 a.m. – 11:45 a.m. (Dunes I/II)

This is NOT Legal Advice! Operational Insights from Counsel

Panelists: Eric Butler, Guilherme Costa, Daniel Kaufman and William Thro

Moderator/Contributor: Patricia Salkin

Join this panel of both in-house and outside counsel to gain their best operational insights into working in the current legal and regulatory compliance era. What are some things attorneys representing higher education institutions want YOU to know?

10:30 a.m. – 11:45 a.m. (Pelican)

Digital Access

Presenter: Laura Rothstein

This session will focus on the Department of Justice Title II Web Accessibility regulations that take effect on April 24, 2026 (affecting state and local public institutions). Private institutions are subject to ADA Title III and Section 504 expectations for digital access for their websites. The session will address how various departments and programs should be prepared and how leaders at institutions can best prepare for these new requirements. Implications of not complying will be discussed. Particular focus will be given to the role that faculty members have in ensuring that their course content is in an accessible format.

10:30 a.m. – 11:45 a.m. (Sandpiper)

Brace for Impact: Navigating the New Frontiers of Risk in Higher Ed

Presenters: Frank Cella, Susan Deniker, Hoda Hussein and Cynthia Vitters

Higher education stands at a critical crossroads, confronting an unprecedented convergence of complex, costly, and rapidly evolving risks that threaten to reshape campuses nationwide. Join attorney Susan Deniker and leading experts from Deloitte, Marsh, and United Educators as they illuminate the high-stakes challenges redefining the landscape—and reveal the strategic imperatives institutions must adopt to stay resilient and ahead of the curve.

This dynamic session dives deep into the most pressing liability trends, the accelerating force of social inflation, intensifying regulatory and compliance demands, emerging environmental hazards like PFAS, and the surge of cyber threats fueled by artificial intelligence. Beyond diagnosis, our panel will unpack how shifting expectations from boards and stakeholders are driving new governance and risk management paradigms.

Attendees will gain actionable insights into building institutional resilience through data-driven decision-making, enhanced governance frameworks, robust controls, and innovative risk-financing solutions. Prepare to leave equipped with a clear roadmap to empower leadership, legal counsel, and risk managers to anticipate, adapt, and thrive amid the volatility transforming higher education today.

10:30 a.m. – 11:45 a.m. (Egret)

Professional Resiliency and Post-Traumatic Growth: Moving Beyond Litigation Fatigue in Higher Education

Presenters: Brent Ericson and Adam Jussel

Higher education professionals face unprecedented crisis, including litigation, that generate profound stress, self-doubt, and possibly Trauma. This presentation examines the psychological and professional impacts of such threats on student affairs practitioners, with particular focus on how deeply caring professionals navigate systems and processes.

Beyond traditional resilience frameworks that focus on "bouncing back," we focus on systematic recovery and the concept of post-traumatic growth (PTG)—the possibility of emerging from challenges with greater personal strength, deeper professional relationships, enhanced clarity of purpose, and fundamentally new capabilities. We present practical tools for leaders to transform crisis response from reactive survival to proactive growth.

Participants will learn concrete practices for building psychological safety, fostering peer support, leading through adversity, maintaining values alignment under pressure, and creating the conditions where experiences—however painful—can catalyze profound professional development rather than career-ending burnout.

11:45 a.m. – 1:30 p.m. (Dunes I/II/III/IV/V)

AWARDS LUNCHEON AND KEYNOTE

William A. Kaplin Award, Facilitator Award, and Peter F. Lake "Spirit of the Law" Award Presentation:

Conference Honorary Co-Chair Adam Hark and Chair of the Center for Excellence in Higher Education Law & Policy Conference Awards Committee Blaze Bowers

Keynote Speaker: Skye Perryman, Democracy Forward

1:30 p.m. – 1:45 p.m.

TRANSITION BREAK

1:45 p.m. – 3:00 p.m. (Dunes I/II)

Emerging Issues in College Sports

Presenters: Scott Bearby, Jim Haggerty and George McClellan

The world of intercollegiate athletics remains unsettled, with issues of student-athlete status, the first year of the House injunction, school and 3rd party NIL, sports wagering and governance making news every day. Join NCAA Chief Legal Officer Scott Bearby, Professor George McClellan, and attorney and communications consultant Jim Haggerty of PRCG | Sports as they review the latest changes from the legal, higher education, and public perception perspectives.

1:45 p.m. – 3:00 p.m. (Dunes IV/V)

The Current State and Future of the U.S. Department of Education

Presenters: Jim Moore and Debbie Osgood

Some Republicans in Congress have introduced a bill to eliminate the Department of Education and President Trump issued an executive order in 2025 for the same purpose. However, this is not the first time ED has been under attack. Almost as soon as the Carter Administration created the Department, the Reagan Administration aimed to nix it. But that effort in the 1980s failed to pass Congress.

In practical terms, can ED be eliminated totally? Could some programs survive and shift to other agencies? Who would monitor institutional compliance obligations with regulations like Title IX? What about student aid or other financial assistance to schools?

Join Debbie Osgood, former National Enforcement Director for the U.S. Department of Education's Office for Civil Rights; and Jim Moore, former Senior Advisor for *Clergy Act* Compliance and Campus Safety Operations at the U.S. Department of Education, to explore the implications of the dismantling of ED on the field and your work.

1:45 p.m. – 3:00 p.m. (Pelican)

Immigration in Transition: What Colleges and Universities Need to Know About Today's Changing Regulatory Landscape

Presenter: Aaron Blumberg

As higher education institutions navigate their dual roles—as both employers and academic communities—they face an increasingly complex immigration landscape. This presentation will examine the latest federal policy shifts affecting F and J students, postdoctoral researchers, faculty, and campus administrators. We will explore the growing vulnerability of immigrant populations such as DACA and TPS holders, assess the current status of DACA, and analyze how these developments intersect with institutional responsibilities and student support frameworks. Particular attention will be given to recent regulatory changes, including the end of Duration of Status (D/S), the new \$100,000 H-1B fee, and the heightened risks and delays associated with international travel and visa processing.

We will also look ahead to anticipated policy and enforcement trends and discuss what institutions should prepare for as government scrutiny and compliance expectations continue to rise. The goal of this session is to offer a clear, candid assessment of how shifting regulations, executive actions, and increased enforcement priorities are impacting

both the student experience and the employment-based immigration lifecycle on campus, ultimately equipping higher education leaders with the insight needed to respond effectively and support their international communities.

1:45 p.m. – 3:00 p.m. (Egret)

It's Not Court: What You Say in Title IX Proceedings Can and Might Be Used Against You

Presenters: Blaze Bowers and Kimberly Lau

As Title IX investigations continue to draw heightened scrutiny, students at colleges and universities face growing exposure to defamation claims brought by both accused parties alleging reputational harm and complainants confronting retaliatory or harmful speech. This session explores the evolving intersection of defamation law and Title IX, examining how such claims arise during campus disciplinary processes and how institutions can respond effectively while preserving fairness and freedom of expression. Through recent case law, real-world examples, and practical guidance from legal and Title IX perspectives, panelists will share strategies for addressing campus defamation and administrative solutions that protect parties and community members. Attendees will leave with actionable tools to navigate reputational issues, strengthen Title IX and conduct practices, and uphold institutional integrity.

1:45 p.m. – 3:00 p.m. (Sandpiper)

Executive Orders Affecting Higher Education

Presenter: Jeffrey Sun

This session delivers a survey of the key Executive Orders (EOs), which have impacted higher education, from the current presidential administration. The coverage will be presented into three operational frameworks to guide lawyers and campus leaders. First, the EOs have redefined civil rights. We will analyze the statutory conflicts and litigation risks arising from the executive reinterpretation of sex under Title IX, the revocation of disparate impact theory under Title VI, and new mandates regarding antisemitism and transgender participation in athletics. Second, the EOs raise new conditions of federal funds. We will dissect the aggressive use of Spending Clause authority to regulate research via the Gold Standard Science requirements, DOGE cost-efficiency audits, and heightened foreign influence transparency. Third, the EOs illustrate the reshaping of institutional autonomy and governance. We will assess the Administrative Procedure Act (APA) implications including directives to derecognize accreditors that enforce DEI standards and the preemption issues surrounding the dismantling of diversity infrastructure. The goal of this session is to equip legal and campus practitioners with a roadmap for navigating within the EOs and the college mission.

3:00 p.m. – 3:15 p.m.

TRANSITION BREAK

3:15 p.m. – 4:30 p.m. (Dunes I/II)

LET'S MAKE A DEAL? Grants and Compacts: Entering Financial Arrangements with the Federal Government in the New Regulatory State

Presenters: Seth Gilbertson and Robert Kelchen

This session will examine the rapidly evolving legal, regulatory, and compliance landscape governing college and university contracting with the federal government. Focusing on government grants and cooperative agreements, the speakers will explore emerging challenges in grant application strategy, shifting federal priorities, heightened regulatory oversight, and increasingly complex and controversial compliance obligations under the current administration. Drawing on case studies, enforcement trends, and recent policy developments, speakers will provide practical guidance on navigating the grant lifecycle and aligning institutional practices with a more assertive and less predictable federal funding and enforcement regime.

3:15 p.m. – 4:30 p.m. (Dunes IV/V)

The Clery Act and the Risk-Compliance Continuum: From Islands to Archipelago

Presenters: Jonathan Kassa and Jim Moore

Learn how to use the Clery Act as a practical framework to reduce institutional risk and support leadership goals. This session explores proactive strategies for building sustainable compliance programs that protect lives and deliver real ROI through smarter administrative practices.

- Understand the Clery Act as a commonsense framework to more effectively and efficiently manage institutional risk.
- Development of proactive systemic modeling of the Clery Act to drive institutional executive leadership goals for risk management and protection of lives.
- Comprehend the dynamic return on investment from the proper implementation of administrative capability to organically develop and sustain effective compliance.
- Detailed information and guidance including the Stop Hazing Act, Protection of Minors, and the nexus of Title IX and the Clery Act

3:15 p.m. – 4:30 p.m. (Pelican)

AI and Intellectual Property in Higher Education: From Risk Management to Institutional Strategy

Presenter: Jacob Rooksby

Early institutional responses to generative AI have focused on risk: plagiarism, copyright infringement, and compliance failures. But AI now presents strategic IP questions that go well beyond enforcement. This session asks how universities should approach ownership, authorship, and attribution in AI-assisted work as matters of institutional identity and values. Topics include faculty and student IP rights, AI-assisted scholarship, academic publishing, and the role of policy design in aligning innovation with mission. Attendees will leave with a framework for moving beyond reactive policies toward principled, forward-looking approaches.

3:15 p.m. – 5:00 p.m. (Sandpiper)

Workshop: Title IX Policy Review

Presenters: Carole Goddard and April Woodward

Developing and maintaining effective Title IX policies and procedures is essential for promoting equity, ensuring compliance, and building trust within your educational community. This interactive workshop provides participants with the tools, frameworks, and practical guidance needed to create policies and procedures that align with current federal regulations and institutional values.

Whether you are revising existing documents or drafting new ones, this session will help you move from policy concepts to practical implementation. Participants will leave with actionable templates, writing resources, and confidence in crafting Title IX policies and procedures that are comprehensive, fair, and consistent.

To receive 1:1 support, bring your policy with you to this workshop, which is intended for Title IX Coordinators, HR professionals, student affairs leaders, compliance officers, and administrators responsible for policy development and implementation.

Saturday, March 7th

7:30 a.m. – 5:00 p.m. | **Registration** (Dunes Foyer)

8:00 a.m. – 9:00 a.m. | **Continental Breakfast** (Dunes Foyer)

9:00 a.m. – 10:15 a.m. (Dunes I/II)

Academic Freedom and the Contours of Campus Speech Law

Presenter: Frederick Lawrence

The contours of campus speech law involve issues of both free expression and academic freedom. Academic freedom and free expression are best conceptualized as distinct rights. Whereas the general right of free expression is individualistic and egalitarian, the specific right of academic freedom is communitarian and meritocratic. The general right of free expression protects the right of all citizens to express themselves about a broad range of subjects. It requires content and viewpoint neutrality in “the marketplace of ideas.” The specific right of academic freedom primarily protects the right of a limited group of people within universities to pursue and convey their expert knowledge. It does not extend to content or viewpoints that fail to meet academic standards as determined by faculty peers.

This session will explore the distinctions between free expression and academic freedom, particularly under the First Amendment, and will consider such topics as:

- whether the right of academic freedom belongs to individual faculty members, the academic institution in which they serve, or both.
- the constitutional employee-speech doctrine for faculty at public institutions
- the protections offered by academic freedom for expert speech that bears directly on matters of state or university policy
- non-constitutional doctrines affecting faculty at private colleges and universities
- whether students do and should be entitled to academic freedom.

9:00 a.m. – 10:15 a.m. (Dunes IV/V)

PART 1 of 3—Civil Rights Bootcamp: Building a Core Foundation for Title VI, IX, and Equity Compliance in the Edupocalypse Era

Presenters: Emma Hempel and Jody Shipper

The first session of this Bootcamp focuses on providing practical guidance and support for professionals tasked with overseeing Title VI, IX, and VII compliance and equity initiatives within their institutions. Jody and Emma, Grand River Solutions and equity practice experts, will begin with an overview of the evolution of Title VI, Title VII and other applicable laws and regulations. Jody and Emma will guide participants through a discussion of the nuances of applicable laws and the framework for determining where instances of prohibited conduct fall within our policies.

9:00 a.m. – 10:15 a.m. (Pelican)

The Elements of Good Governance

Presenters: R. Barbara Gitenstein and Cheryl Stanton

In the complex landscape of higher education, good governance requires engagement of at least three important stakeholder groups: the board of trustees/regents, the administration, and the faculty (some forward-thinking institutions include students and staff as important voices as well). Each of these entities should appreciate and honor not only its own role and responsibility but that of the other entities. There must be shared understanding, effective communication, and respectful engagement between and among these groups and they all should recognize their responsibility is to the institution and its mission, not only to their stakeholder group. This session will examine the roles and responsibilities of these key players, discuss best practices, and identify emerging board trends.

9:00 a.m. – 10:15 a.m. (Sandpiper)

The Restoration Court: Understanding SCOTUS in the Time of Trump

Presenters: Susan Deniker and William Thro

Recent U.S. Supreme Court decisions signal a departure from precedential deference and interpretation of constitutional rights in the current world context and a conscious movement toward restoration of original interpretation of the Constitution. Many of these decisions redefining federal and administrative power, civil rights, and individual rights have been significantly impactful on higher education institutions. This session will include a review of relevant recent Court decisions and cases to be decided in the current term and discussion of what they mean for your campuses.

10:15 a.m. – 10:30 a.m.

TRANSITION BREAK

10:30 a.m. – 11:45 a.m. (Dunes I/II)

Free Expression on Campus: Beyond the Law

Presenters: Brent Ericson, Neal Hutchens and Michelle Toppe

Adhering to legal standards is only part of what should define how institutions respond to free speech and expression issues. This session will provide participants with ideas and strategies to take back to their own campuses about how to extend the work of free expression beyond legal rules. A key topic of emphasis will be the role of free expression teams that help speakers and observers understand campus policies and practices connected to free speech. Such teams can help prevent escalation of tensions and provide a buffer before using more assertive management strategies, such as involving campus police. The session will also consider how to build learning communities around topics connected to free expression for multiple stakeholders, such as students, faculty and staff members, board members, and parents.

10:30 a.m. – 11:45 a.m. (Dunes IV/V)

PART 2 of 3—Civil Rights Bootcamp: Building a Core Foundation for Title VI, IX, and Equity Compliance in the Edupocalypse Era

Presenters: Emma Hempel and Jody Shipper

During this second session of the Bootcamp, participants will dive into the crucial role of equity officers, coordinators, and directors in promoting access, equity, and accountability on college campuses. Participants will review skills for success through collaborative partnerships, effective communications, and comprehensive policies and procedures by developing an all-encompassing plan for compliance. Lastly, participants will begin exploring the resolution process, beginning with receiving reports and conducting initial outreach.

10:30 a.m. – 11:45 a.m. (Pelican)

Shared Governance in Troubled Times

Panelists: R. Barbara Gitenstein, John Kroger and Shannan Stamper

Moderator/Contributor: TBD

The landscape for higher education in the United States in 2026 is a troubled one. The public is questioning the value proposition of the enterprise and one of the frequent objects of criticism is the concept of shared governance. We believe that shared governance is foundational to academic freedom and good institutional governance. While there are legitimate points of criticism, specifically the failure to come to expeditious decision-making, the suggestion that shared governance should be discarded is wrongheaded. In fact, good shared governance (i.e., recognizing that governance is in fact shared and that it is proactive not reactive) assures sound thinking and planning for a healthy future for institutions.

10:30 a.m. – 11:45 a.m. (Sandpiper)

AI and Higher Education: What You Need to Know Now

Presenters: Kirsten Davis and F. Paul Greene

In the span of just a few years, artificial intelligence, and more specifically generative artificial intelligence, have altered the higher education landscape materially. From AI integration to AI detection, to ethical AI usage and proper

AI governance, the issues facing higher education institutions arising from AI are complex and growing. In this discussion, you will hear from an internal AI expert and external AI counsel on how to navigate these waters, including in relation to internal law departments. The discussion will address AI risks and rewards, AI governance issues, AI ethics, as well as practical considerations an institution may encounter in its daily use of AI. Participants will leave with a better understanding of the ethical AI landscape and actionable recommendations on how to manage AI risk.

11:45 a.m. – 1:30 p.m. (Dunes III/IV/V)

LUNCH SESSION: CRYSTAL BALL PANEL

Remarks: Provost Elizabeth Skomp, Stetson University

Crystal Ball Panelists: Frank Cella, R. Barbara Gitenstein, Denise Greathouse, Peter Lake, Frederick Lawrence, Thomas Major, Jr., Rick Seltzer, Jody Shipper, Charity Stutzman, William Thro, Michele Toppe

Crystal Ball Panel Moderator: Honorary Conference Co-Chair Adam Hark

Join our panel of visionaries as they take a mostly serious, but sometimes fun, look into the future of higher education law and policy. There may be an appearance from futurist “Whammo-the Magnificent”, although in the future nothing is certain.

1:30 p.m. – 1:45 p.m.

TRANSITION BREAK

1:45 p.m. – 3:00 p.m. (Dunes I/II)

Responding to Government Overreach: Turning Threats into Opportunities

Presenter: Frederick Lawrence

The past year has witnessed an unprecedented level of tension between the government (federal and some states) and the higher education sector. This tension has taken the form of threatened and actual cuts in federal funding, unilateral changes in the formula for indirect cost reimbursement, state and federal directives that affect curricular and decisions, just to name a few. Over the course of the year, colleges and universities found various ways to respond to this government overreach into higher education. This session will explore some of the ways in which government threats were turned into opportunities for strategic responses, including:

- the convening of higher education leaders that produced the influential Call for Constructive Engagement
- advocacy related to the Compact for Academic Excellence proposed by the administration on October 1 to nine institutions and subsequently offered to all colleges and university nationwide
- Higher Education’s Compact with America issued by Phi Beta Kappa and the AAC&U outlining seven enduring principles as to the value of higher education: opportunity, affordability, excellence, freedom, security, partnership and prosperity.

1:45 p.m. – 3:00 p.m. (Dunes IV/V)

PART 3 of 3—Civil Rights Bootcamp: Building a Core Foundation for Title VI, IX, and Equity Compliance in the Edupocalypse Era

Presenters: Emma Hempel and Jody Shipper

During the final session of our Bootcamp, participants will continue exploring promising practices, approaches, and procedures for responding to reports of discrimination and harassment. Through interactive activities, we will establish a framework for conducting initial intakes, overseeing investigations, adjudication, and appeals. Participants will leave with practical tools and shared strategies they can apply within their own institutions. The facilitators will provide actionable approaches for streamlining and aligning equity response processes by embracing the best aspects of the various legal requirements.

1:45 p.m. – 3:00 p.m. (Pelican)

Where Standing Stands: The Current Law Around Bias Response

Presenter: Adam Hark

In March 2025, the U.S. Supreme Court declined for the second time in under a year to take up constitutional questions around campus bias response teams. Critical dissents and an evolving circuit split have followed, wherein the precise balance of student rights and institutional interests may well come down to location. The presentation will explore the jurisprudence on this issue – technically a mere question of legal standing, but really much more – identifying and analyzing as the courts have key elements of bias response practices in higher education and if and how those may infringe on student rights. To the extent possible, the presentation aims to better equip attendees to anticipate how their own institutional practices might measure up if one day scrutinized in a court room.

1:45 p.m. – 3:00 p.m. (Egret)

Mergers, Acquisitions and Change of Control

Presenters: Nathan Adams IV and Aaron Brosnan

Mergers, acquisitions and changes of control are now common in higher education. This panel explores the trends, opportunities and pitfalls. Transactions require the parties to navigate a variety of operational, employment, financial aid, finance and governance challenges. The panelists will discuss the responsibilities and roles of officers and

directors in the charged atmosphere in which they must make decisions caused by regulators, lenders, bondholders, staff, students, alumni, and donors. We will address and offer tips regarding the tasks that must be managed simultaneously such as contract negotiations, regulator and accreditor demands, public disclosures, endowment fund considerations, and litigation threats.

3:00 p.m. – 3:15 p.m.
TRANSITION BREAK

3:15 p.m. – 4:30 p.m. (Dunes I/II)

Inside the (Virtual) Hearing Room: Perspectives and Best Practices from a Decision-Maker and Advisor

Presenters: Patricia Hamill and Amanda Norris Ames

Title IX hearings are among the most complex components of institutional response to sexual misconduct allegations. Yet, the perspectives of those who participate in these hearings—hearing officers, advisors, and parties—are often siloed. This session brings together two seasoned practitioners: one a frequent Title IX hearing officer and the other a frequent advisor to parties. Together, they will offer a 360-degree view of the hearing process, providing practical guidance grounded in real-world experience.

The presenters will walk attendees through the lifecycle of a hearing, beginning with preparation and case file review, continuing through the live hearing itself, and concluding with thorough and compliant written determinations. Topics will include many common challenges in the hearing process, such as strategies for helping hearing officers/panels and parties prepare effectively, maintaining fairness and neutrality during the hearing, managing the dynamics of live cross-examination, and writing clear, defensible decisions.

Participants will leave with actionable tools to strengthen their institutional practices, enhance hearing fairness and efficiency, and improve outcomes for all involved. Designed for coordinators, decision-makers, and advisors alike, this session demystifies the hearing process from every seat in the room—empowering practitioners to approach hearings with greater confidence, clarity, and compassion.

3:15 p.m. – 4:30 p.m. (Dunes IV/V)

The Importance of Case Management During the Edupocalypse

Presenters: Emma Hempel and Andrea Stagg

Join Andrea Stagg and Emma Hempel, Grand River Solutions legal and practice experts, for a session on building trust in Title IX and Equity processes. Regulations and guidance come and go, but some best practices remain the same. Learn about approaches to build and maintain trust with the campus community, including through training, strategic messaging, transparency in case management for parties and advisors, and purposeful data collection and analysis.

3:15 p.m. – 4:30 p.m. (Pelican)

Redefining the Future-Ready Institution: Personalization, Outcomes, and the New Student Experience

Presenter: Charity Stutzman

Declining enrollment, shifting perceptions of institutional value, and mounting regulatory pressures have propelled higher education into a transformative era. In addition, trends found in national data suggest notable changes in the student profile. These shifts and external factors compel leaders to make intentional decisions about the role they serve and how they operate. They hold significance in redefining the student experience and the mission and mandate for institutions of higher education, positioning both for sustainable success.

This session will present ground-breaking insights into three critical considerations for future-ready institutions:

1. the shifts in behaviors and individual motivators for today's college students
2. the role of AI as a tool to support the evolution of programs, services and outreach strategies
3. The responsibility to provide highly personalized, high-quality experiences with direct link to graduate outcomes and earnings.

As students navigate the collegiate experience, institutions must be prepared to rethink the learning environment to ensure relevance for today's students, accountability for student skill development and career outcomes, and integration of AI and technology as core components of the future-ready landscape.

3:15 p.m. – 4:30 p.m. (Egret)

What Have You Got to Say? Publishing in Scholarly and Practitioner Publications

Presenters: Neal Hutchens and Claudine McCarthy

From journal articles to op-eds, writing for publication can provide an avenue for advancing professionally while focusing on topics of importance to you. In this session, you'll engage with presenters who have expertise in writing and editing for academic and practitioner publications. The session is especially geared toward professionals who would like to dip their writing quills into developing articles for either type of publication for the first time. Topics covered will include: identifying topics you would like to write about and potential publications where you can submit your work, weighing the pros and cons of working with co-authors, and reflecting on how writing for publications can differ from other types of professional writing. The session will also consider topics related to sharing your expertise with members of the media or in settings like conferences.

Sunday, March 8th

Post Conference Workshops

Separate Registration Required

7:30 a.m. – 12:30 p.m. | **Registration** (Third Floor Foyer)

8:00 a.m. – 9:00 a.m. | **Breakfast** (Third Floor Foyer)

9:00 a.m. – 11:45 a.m. (Sandpiper)

Beyond the Fallout: Investigative Report Writing for Edupocalyptic Survival

Presenter: Jody Shipper

Preparing a thorough investigation report that will satisfy demanding parties, vexatious attorneys, persnickety advisors, and the occasional ill-informed judge is harder than ever. Whether you're just starting out, or consider yourself a seasoned pro, don't miss this chance to learn from Jody Shipper and work through some of today's trickiest investigation issues: Title IX twists, Title VI snarls, Title VII snafus, and the myriad ways in which these and other statutes overlap and, occasionally, conflict. Together you'll work through some real-world hypos with Jody, and then participants will have the chance to work through their most challenging investigation questions.

9:00 a.m. – 11:45 a.m. (Pelican)

Equity in Inquiry: Creating Neuroinclusive Campus Grievance Procedures

Presenter: Laura Anthony

Statistics suggest that up to 20% of the population includes individuals who have a neurodiverse condition that impacts how they process, recall and communicate information. And since campus grievance procedures often fail to account for such impacts, neurodivergent participants can struggle when navigating these procedures. In this session, Laura Anthony will discuss the most common forms of neurodivergence, including ADHD and Autism, and share how institutions can improve policies, refine practices and make grievance procedures, like Title IX investigations and hearings, more inclusive.

Laura will address common myths and biases regarding neurodiversity, offer insight into the growing body of research regarding credibility assessments, and provide practical suggestions for structuring investigations and hearings to produce the most reliable evidence.

She will also provide insight into how conflict can be particularly challenging for neurodivergent individuals who often process emotions, interpret communication, and respond to tension in different ways. For dispute resolution professionals, like mediators, restorative justice practitioners and informal resolution facilitators, it's important to understand these differences and how traditional practices can create barriers to resolution. This training offers insight into how to eliminate these barriers, implement inclusive practices that account for diverse thinking and communication styles and achieve better solutions for all parties.