

HIGHER EDUCATION

Colleges and universities face ever-changing pressures – from Title IX and pay equity to athletics and NIL, student activism, cybersecurity concerns, and increased unionization. For decades, we’ve helped institutions of every size stay compliant, manage risk, and navigate issues with sensitivity to campus culture, stakeholders, and public scrutiny. We’ve also represented institutions on claims of every manner in front of administrative agencies and courts throughout the country.

How we can help:

- Employment & Student Affairs Advice, Training & Litigation
- Labor: Unionization, Collective Bargaining & Grievances
- Athletics, Title IX & Crisis Response

Colleges and universities are navigating unprecedented challenges on several fronts—from evolving Title IX compliance and pay equity issues to student activism, cybersecurity, and unionization. Our Higher Education Team represents institutions of every size and type throughout the country, from liberal arts colleges and private medical schools to large public university systems.

We advise boards, presidents, faculty, and student affairs leaders on the full spectrum of higher education issues. To avoid legal issues before they arise, we partner with institutional staff at all levels to help you develop and implement effective policies, procedures, training and practices. We also provide day-to-day advice and counsel on employment and student affairs issues, including everything from tenure questions, immigration queries, union elections, and collective

bargaining to benefits and retirement, Title IX, the Clery Act, and cybersecurity and data privacy.

We keep in mind that while we are hired for our legal knowledge and skills, our higher education clients also expect us consider the culture of the institution's community, the potential press attention issues can generate, and the importance of all stakeholders when providing counsel.

We also help you comply with the complex web of laws that apply to higher education, including:

- Title IX of the Education Amendments of 1972 (Title IX)
- the First Amendment
- the Fair Labor Standards Act (FLSA)
- the Equal Pay Act of 1963 (EPA) and state equal pay laws
- the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act)
- the Violence Against Women Act (VAWA)
- the Americans with Disabilities Act (ADA)
- Titles IV, VI, and VII of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act (Section 504)
- the Family Educational Rights and Privacy Act (FERPA).

Because many of these laws are dynamic and are subject to changing interpretations, Fisher Phillips' Higher Education Team closely monitors developments over time to ensure our clients remain informed and compliant so they can focus on their mission with confidence.

SERVICES

We can assist with prevention and compliance, training, defending legal actions, assisting with immigration questions, creating and reviewing benefits and plans, navigating complex and dynamic faculty and employment issues and, with our own in-house crisis communications team, we can help clients navigate crisis management and response.

SPOTLIGHT SCENARIOS: EXAMPLES OF HOW WE CAN HELP

- *You receive a demand letter or are served with a complaint alleging violations of Title IX.*
We have a team of seasoned litigators licensed in nearly all 50 states throughout the country who can represent your institution in litigation brought by parties making claims such as deliberate indifference or due process violations after internal Title IX proceedings.
- *You received a complaint from your female coaches alleging they are paid significantly less than their male counterparts.*
Higher education institutions are frequently a target of pay equity claims. Colleges and universities may guard against these claims through regular pay equity audits to identify and, where needed, rectify unlawful pay disparities. We have a team of attorneys who regularly conduct audits and advise clients on remedying any potential disparities.
- *You receive an OCR complaint alleging violations of federal law with a threat to withdraw your federal funding.*
We can defend you in Office of Civil Rights (OCR) compliance reviews and litigation including cases involving claims of discrimination, retaliation, breach of contract, and constitutional violations.
- *Your institution's policies are out of date or simply need a fresh look.*
We review your student codes of conduct, student handbooks, employee handbooks, faculty handbooks, and academic policies to ensure they are current, compliant with federal and state law, and reflect best practices.
- *You have concerns about your employees' understanding and practices with regard to Title VII, Title IX and related laws.*
We conduct internal training on employment and student affairs topics including Title VII issues such as discrimination, harassment, and retaliation; hiring, terminating, and disciplining employees; Title IX investigations; and FERPA.
- *You have a thorny employee or student matter that requires high-level strategy and close attention.*
We work with your HR Director, Title IX Coordinator, Student Affairs professionals and other stakeholders to develop a global strategy, manage risk, and ensure close supervision of the matter.
- *Your institution is behind on its Annual Security Report and other Clery compliance obligations.*
We can assist your campus by conducting internal Clery compliance audits, crafting Clery-compliant policies, providing training to campus law enforcement and campus security administrators, and representing you in external compliance reviews.

- *Your institution's graduate student employees are unionized and it is time for a new collective bargaining agreement.*
We have dedicated labor attorneys with deep experience bargaining on behalf of both public and private higher education institutions.
- *You want to add to your benefits packages for faculty and staff.*
We have a dedicated team of ERISA and benefits attorneys who work solely in the benefits area and can help you design and/or revise your benefits packages to ensure compliance with complex tax and ERISA benefits laws.
- *You receive allegations that one of your head coaches is accused of having engaged in sexual abuse of student athletes over the course of years.*
We have attorneys with years of experience conducting independent Title IX investigations, including both historical and current allegations, particularly in areas of athletics.

INDUSTRY FOCUS

Education

K-12 Institutions

KEY CONTACTS



Shiloh Theberge

Partner, Chair Higher Education

INSIGHTS

News

Feb 23, 2026

Discussion of FTC's Probe into Agents College Athletes

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Feb 11, 2026

Department of Education Drops Defense of Anti-DEI Guidance for Colleges: 3 Things Higher Ed Institutions Should Do

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Jan 28, 2026

Trump Administration Proposes Removal of Nursing From "Professional Degree" Definition: What Higher Ed and Healthcare Employers Need to Know

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Jan 21, 2026

FTC Launches Probe Into College Athlete Agents as Transfer Portal Chaos Grows – What Schools Should Do Now

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Jan 21, 2026

Texas Attorney General Takes Aim at DEI With New Opinion Letter: 6 Steps For K-12 Private Schools To Consider

US Department of Education Announces 18 Title IX Investigations Related to Transgender Athletes – What Should Your School Do?