

**McGuireWoods**

**EDUCATIONAL INSTITUTIONS  
INVESTIGATIONS**



# EDUCATIONAL INSTITUTIONS INVESTIGATIONS



Educational institutions are unique. Each school operates as a microcosm with many different factions – including students, professors, administrators, and other employees – and an incredible variety of aspects to campus life, with academics, research, sports, housing, and student organizations to name just a few. With such wide-ranging breadth in this highly regulated industry, educational institutions can face significant challenges on numerous fronts when an issue arises necessitating an internal investigation or in responding to a government investigation.

McGuireWoods is a nationally recognized leader in representing and serving as a trusted advisor to educational institutions, including public, private, and proprietary colleges and universities; K-12 schools; charter schools; school boards; academic medical centers; foundations and endowments. From sexual assault allegations to Title IX litigation to inquiries into compliance with state and federal regulations, McGuireWoods has seen educational institutions through their most trying moments.

We have deep experience conducting internal reviews and investigations, audits, and responses to government inquiries on behalf of educational institutions. We routinely handle government investigations concerning a wide range of conduct by various federal agencies such as the U.S. Department of Education’s Office for Civil Rights and Federal Student Aid, the U.S. Department of Labor’s Office of Federal Contract Compliance Programs, and the U.S. Department of Justice.

## ABOUT OUR TEAM

The Educational Investigations Team at McGuireWoods is part of an elite Government Investigations and White Collar Litigation Department that has been recognized as a Law360 Practice Group of the Year. Our senior team is comprised of a deep bench of lawyers with decades of experience with investigations, including:

- Former Associate Counsel for the President of the United States
  - Former state Attorney General
  - Former U.S. Attorneys and more than a dozen federal prosecutors
  - Former Assistant Attorney General for the Justice Department's National Security Division
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The Educational Investigations Team also leverages the strengths of and partners with colleagues on our Education Industry Team, including:

- Former Deputy General Counsel for Postsecondary Education at the U.S. Department of Education
- Former deputy enforcement director at the Consumer Financial Protection Bureau
- Former state secretaries of education
- Former chairman of a state Council on Higher Education
- Former in-house counsel of a public flagship four-year research university
- Former in-house counsel at a top ten private research institution with Division I athletics program
- Member of a state Governor and Lieutenant Governor's Higher Education Transition Group
- Current and former members and chairs of public and private colleges' boards of trustees around the country
- Current and former rectors of several major colleges and universities
- Former administrators of several major colleges and universities

## HOW WE HELP

McGuireWoods' Educational Investigations Team helps our clients navigate the challenging investigations process. Whether the issue is one raised by a student privately to an administrator or a highly publicized government investigation, we gauge the potential legal and reputational consequences, conduct a thorough investigation, and counsel clients on how to resolve the issue positively while avoiding damaging missteps. Our team also helps clients limit the collateral consequences by developing strategies to reduce and address private litigation and potential criminal exposure. Furthering our expertise and in close collaboration with McGuireWoods' Strategic Risk and Crisis Management Group, our team also manages ancillary issues associated with educational investigations, including board of trustee relations, media inquiries, and other crisis management matters.

## REPRESENTATIVE MATTERS

For many years, educational institutions including universities and colleges, as well as elementary and secondary schools, have trusted McGuireWoods to handle a broad range of their most sensitive matters, including:

### Title IX Litigation

- Representation of a major university in two separate Title IX lawsuits filed by student-respondents who were suspended or expelled due to alleged sexual misconduct.
- Representation of a large major university in a Title IX lawsuit filed by a student-respondent who was suspended due to alleged sexual misconduct.
- Representation of a large major university in a federal Title IX lawsuit wherein a woman alleged that star quarterback and Heisman trophy winner Jameis Winston sexually assaulted her. The university settled the litigation without admitting liability.
- Representation of a large major university in litigation arising out of the discredited Rolling Stone article, which included allegations of mishandling sexual misconduct complaints by a Dean.
- Representation of a large private university in three federal court lawsuits by football players who were disciplined for sexual misconduct.
- Representation of private university in federal Title IX lawsuit alleging abuse by former women's athletics coach.

### Sexual Misconduct and Harassment Investigations

- Represented a public flagship four-year research institution in a multi-year investigation by the U.S. Department of Education's Office for Civil Rights (OCR) under Title IX regarding allegations of sexual assault and harassment, and successfully persuaded OCR to withdraw its initial letter of findings against the institution.
- Representation of a high-profile athlete on a national championship athletic team who was accused of sexual assault.
- Conducted investigations at multiple higher education institutions of alleged misconduct, including sexual misconduct.
- Conducted a sensitive internal investigation related to improper conduct by the superintendent of a local public school district regarding allegations of discrimination, harassment, breach of an employment agreement, and compliance with federal and state laws and regulatory requirements.
- Conducted investigation of potential present and historical sexual misconduct at boarding school and advised board on communications and strategy.
- Represented a boarding school in connection with federal investigation into alleged sexual misconduct.
- Conducted a review and provided advice to a high school on a decades' old accusation of sexual abuse of multiple former students by former faculty member.
- Conducted an internal investigation into private daycare center and early education school related to allegations of sexual abuse of several students by a teacher.

## REPRESENTATIVE MATTERS (CONTINUED)

### Athletics Investigations and Compliance

- Conducted an internal investigation of an NCAA Division I college basketball program regarding allegations of misconduct by a head coach.
- Conducted a review of alleged recruiting violations with collegiate basketball players.
- Conducted a review of potential NCAA violation related to men's volleyball team.
- Conducted an internal investigation regarding a university's admissions practices with respect to foreign athletes and advised the university on compliance with immigration regulations and NCAA Bylaws.
- Representation of universities in connection with NCAA compliance matters.
- Representation of a university in connection with the alleged wrongful termination of its football coach.

### Title VI Investigations

- Conducted public investigation on behalf of Eastern Virginia Medical School into the "blackface" yearbook scandal surrounding the Honorable Ralph Northam, Governor of Virginia.
- Conducted internal investigation into public university's handling of complaints and policies related to Title VI and represented university in a directed investigation initiated by the U.S. Department of Education's OCR.
- Represented a major military institute, and then the institute's Alumni Agencies, in connection with an independent audit and investigation of the institute's culture, policies, practices, and traditions related to alleged violations of Title VI and Title IX.
- Conducted an independent investigation into claims of systemic racial discrimination by a superintendent of a local public school district and presented the school board with a comprehensive investigative report as well as an executive summary.



## REPRESENTATIVE MATTERS (CONTINUED)

### Other Representations

- Representation of a major public university in a wide-ranging criminal investigation out of the Southern District of New York into bribery and corruption in NCAA college basketball
- Representation of a proprietary institution before the U.S. Department of Education, Federal Student Aid's Borrower Defense Unit, regarding hundreds of borrower defense to repayment claims under Title IV of the Higher Education Act of 1965, as amended, and the borrower defense regulations.
- Representation of a major four-year university in a contentious audit conducted by a third-party auditor regarding mismanagement of finances and fraud, resulting in no adverse findings against the university.
- Representation of a university during an investigation, response, and defense of civil litigation regarding research integrity and allegations of fraudulent data and advised the university's institutional review board in evaluating these issues.
- Conducted an investigation into a student suicide at a private college.

### Response to Government Requests

- Representation of a university in response to ICE summons.
- Representation of a university in response to government subpoena for student-related information.
- Representation of a charter school in response to SEC subpoena.

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## KEY CONTACTS



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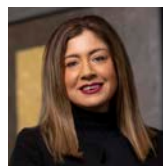
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## ABOUT OUR GOVERNMENT INVESTIGATIONS & WHITE COLLAR LITIGATION DEPARTMENT

The Government Investigations & White Collar Litigation Department at McGuireWoods is a nationally recognized team of more than 80 attorneys representing Fortune 100 and other companies and individuals in the full range of civil and criminal investigations and enforcement matters at both the federal and state level. Our senior team is comprised of a deep bench of former federal officials, including former U.S. Attorneys, more than a dozen federal prosecutors, and an Associate Counsel to the President of the United States. Strategically centered in Washington, our Government Investigations & White Collar Litigation is proud to be recognized as an elite practice, most recently honored by Chambers USA with a highly regarded nationwide ranking for Corporate Crime & Investigations, honored twice as White Collar Practice Group of the Year by Law360, and consistently ranked among the world's leading investigations firms on the Global Investigations Review 100 guide to top cross-border investigations practices. The Legal 500 United States, a premier list of the country's best law firms, also commended McGuireWoods for the "exceptional quality" of our powerhouse white collar litigation practice.

For more information about the breadth of the capabilities of the Government Investigations & White Collar Litigation Department, please contact department chair Jason H. Cowley at [jcowley@mcguirewoods.com](mailto:jcowley@mcguirewoods.com) or at +1 704 343 2030.

## ABOUT MCGUIREWOODS' EDUCATION INDUSTRY GROUP

For years, McGuireWoods' **Education Industry Group** has crafted solutions locally and nationally for hundreds of institutions of higher education, public and private K-12 schools, charter schools, school boards, statewide organizations, foundations and endowments. While many of these groups share similar legal needs, our interdisciplinary education team recognizes that the legislative and regulatory environment presents challenges that require focused, client-specific solutions. We're skilled in addressing every type of legal issue these institutions face.

## ABOUT MCGUIREWOODS

McGuireWoods has 1,100 lawyers in 21 offices across the United States and other countries. Over its 187-year history, we have earned the loyalty of our many longstanding clients with deep understanding of their businesses and broad skills in complex regulatory and compliance matters, highstakes disputes, and transactional matters. For more than a decade, McGuireWoods has been ranked on BTI Consulting Group's "Client Service 30" list of law firms serving Fortune 1,000 companies — elite firms singled out for client service excellence based on unprompted feedback from corporate counsel. Its full-service public affairs arm, McGuireWoods Consulting LLC, offers infrastructure and economic development, strategic communications and grassroots advocacy, and government relations solutions. For more information, visit [www.mcguirewoods.com](http://www.mcguirewoods.com).

# McGuireWoods



**Nationwide highly regarded ranking for Corporate Crime & Investigations**



**Nationwide ranking for corporate investigations and white collar criminal defense**



**Named to the “Client Service A-Team”**



**Multiple partners named “White Collar, Regulatory & Compliance Trailblazers”**



**Named a Practice Group of the Year**



**Multiple government investigations partners named “Lawyers of the Year”**

Best Lawyers

**Ranked among the world’s top 100 firms for five consecutive years for our “heavyweight team of white-collar investigators that bring decades of high-stakes work experience.”**



**One of the “Most Recommended Law Firms” 17 years in a row, a distinction shared with only 9 other firms**



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