



Jim Newberry | Member

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LICENSURE KY
EDUCATION J.D. University of Kentucky

Jim Newberry focuses his practice on representing colleges and universities and their affiliated organizations. He recently served as Mayor of Lexington and has extensive leadership experience in the equine industry, legal service industry, state government and higher education. Mr. Newberry is leader of the firm's Higher Education Team and serves as the Managing Member of the firm's Louisville, Kentucky office.

REPRESENTATIVE EXPERIENCE

Addressed multiple governance issues for nonprofit boards, including disassociation of college board from denominational supervision

Drafted fundraising and gift acceptance policies

Represented multiple institutions in investigating Title IX complaints

Represented multiple institutions in addressing Clery compliance issues

Represented multiple institutions in addressing student financial aid questions

Drafted Title IX sexual misconduct policies for multiple institutions in aftermath of 2014 guidance

Drafted restricted gift agreements

Participated with college leadership in development of five-year strategy to disassociate institution from denominational affiliation

Represented university charged with multiple NCAA violations necessitating termination of athletic director's long-term employment agreement

Addressed both programmatic and regional accreditation issues

Repurposed restricted gifts under UPMIFA

Advised faculty and staff on specific FERPA issues and FERPA catalog disclosures

Evaluated multi-state regulatory compliance obligations associated with distance learning initiatives

Assisted statewide agricultural association to develop legislative strategy and lobbied state legislature to enact legislation reflecting the association's strategy

Represented international insurance organization in global restructuring effort and obtained necessary state regulatory approvals

Mediated highly visible environmental dispute involving controversial NPDES permit

Trained faculty and staff in Title IX compliance at multiple institutions

WORK EXPERIENCE

- 2014 Steptoe & Johnson PLLC
- 2012-2014 Vice President and General Counsel, Georgetown College, Georgetown, Kentucky
- 2011-2012 Managing Partner, Hargrove Madden, LLP
- 2011-2012 Adjunct Professor of Political Science and Executive in Residence, University of Kentucky
- 2007-2011 Mayor, Lexington-Fayette Urban County Government, Lexington, Kentucky
- 1999-2006 Partner, Wyatt, Tarrant & Combs, LLP
- 1990-1998 Partner/Shareholder, Newberry, Hargrove & Baker, P.S.C.
- 1991-1992 Acting Secretary, Kentucky Natural Resources and Environmental Protection Cabinet, Commonwealth of Kentucky
- 1984-1988 General Counsel, Airdrie Stud, Inc.
- 1981-1984 Fowler, Measle & Bell

RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS

- Lessons from the (Sweet) Briar Patch
- "Avoiding Pitfalls in Federal Student Aid"
- "The Texas Transgender Guidance Case Impact"
- Betsy DeVos Named Secretary of Education
- Colleges and Universities Should Review Title IX Policies in Wake of DOJ Investigation
- Courts Slowly Clarifying Colleges' Obligations Under Title IX
- Deadline Approaching for Compliance with Clery Act Changes
- Department of Education Releases Updated Guidance for Title IX Compliance
- Federal Judge Blocks Transgender Guidance
- Firm Targeting Colleges Alleging ADA Noncompliant Websites
- Higher Education Webcast - "The New Title IX Guidance: Now What?"
- July 2015 Webcast - "Lessons from the (Sweet) Briar Patch"
- Lawsuit Leads To Another 'Dear Colleague Letter' From The Department Of Education
- More Lessons from the (Sweet) Briar Patch
- Off-Campus Discipline Not Required By Title IX
- Proposed Changes in Title IX Enforcement
- Protecting Students Accused of Violating Title IX
- Sexual Orientation Discrimination Covered Under Title IX

Ten Questions to Ask to Prevent Academic Fraud

The Post-Election Outlook for Higher Education

Title IX: Now What?

Webcast - Changes on the Horizon: Kentucky Health Care Reform Under Governor-Elect Matt Bevin

What Is Important To Know About the Proposed Title IX Regulations

White House Report Signals Enhanced Title IX Enforcement

"After the Dear Colleague Letter: Developing Enhanced Due Process Protections for Title IX Sexual Assault Cases at Public Institutions," 44 Journal of College and University Law, 78 (2018)

"Faculty Hiring Practices and Faculty Evaluations," Council of Independent Colleges Workshop for Department and Division Chairs, 2018

"Litigation Update - Due Process," National Conference on Law and Higher Education, 2018

"Sexual Assault in Higher Education – The Rights of the Accused," Education Law Association, 2018

"Charting an Institutional Course in Turbulent Higher Education Times," Carroll University, 2018

Guest Lecturer, Bellarmine University Leadership in Higher Education PhD Program, 2018

"Legal Issues That Keep Presidents Up at Night," Council of Independent Colleges' Presidents Institute, 2016, 2017, 2018

"Top Legal Issues Facing Higher Education," American Academic Leadership Institute, 2016, 2017

"Transgender & Overtime Issues for Higher Education," Mid-South Athletic Conference, 2016

"Using a Title IX Policy to Educate the Campus," Pittsburgh Business Times, 2016

"Joining with ACS Colleagues to Reduce Legal Expenses," Associated Colleges of the South, 2016

"Legal Issues for Colleges and Universities," Appalachian College Association, 2015

"Legal Issues for Academic Deans," Appalachian College Association, 2015

"Title IX Overview," Appalachian College Association, 2015

"Campus Sexual Assaults," Council for Advancement and Support of Education Annual Conference for Media Relations Professionals, 2015

"Drafting a Title IX Compliant Sexual Misconduct Policy," Association of Independent Colleges and Universities of Ohio, 2015

"Lessons Learned from the (Sweet) Briar Patch," Association of Independent Colleges and Universities of Ohio, 2015

"Drafting a Title IX Compliant Sexual Misconduct Policy," Association of Independent Kentucky Colleges and Universities, 2015

"Legal and Ethical Issues for Colleges and Universities," Bluegrass Higher Education Consortium, 2015

"Recent Title IX Changes," Council for Christian Colleges and Universities Attorneys Conference, 2014

"Liberal Arts Lessons," University of Kentucky, College of Arts & Sciences, Lexington, KY, 2011

"Franco-American Relations," Lafayette France & America, Paris, France, 2007

"Lessons Learned by a New Mayor," Harvard University Conference for New Mayors, Cambridge, MA, 2007

MEMBERSHIPS AND AWARDS

PROFESSIONAL

The Best Lawyers in America®

Special Justice, Kentucky Supreme Court, 1994

INDUSTRY/CIVIC

Member, National Association of Independent Colleges and Universities Legal Services Review Panel, 2015-present

Member, United States Chamber of Commerce Education, Employment, and Training Committee 2014-present

Member, Kentucky Chamber of Commerce, Education & Workforce Development Council, 2015-present

Board of Visitors, University of Kentucky Martin School of Public Administration, 2009-present

Member, The Journal of College and University Law Editorial Board, 2015

Executive Committee, Bluegrass Area Development District, 2007-2010

Executive Committee, Kentucky League of Cities, 2007-2010

Member, Lexington-Fayette County Board of Health, 2007-2010

Executive Committee, World Games 2010 Foundation, 2007-2010

Vice-President, Health Kentucky, Inc., 2000-2006

Vice President, Blue Grass Community Foundation, 2001-2005

Member, President's Advisory Committee on the Arts at the Kennedy Center, 1995-1997

Chair, Governor's Task Force on Health Care Access and Affordability, 1992-1993

Member, Governor's Commission for Health Care Reform, 1992-1993

Board of Directors, University of Kentucky Athletics Association, 1978-1979

Board of Trustees, University of Kentucky, 1977-1978