

JONATHAN R. ALGER

EDUCATION

HARVARD LAW SCHOOL

J.D. *cum laude* 1989

Research Assistant, Professor David Westfall (Advanced Labor Law). Director, Legislative Research Bureau.

SWARTHMORE COLLEGE

B.A. High Honors 1986

Honors/External Examinations Program: Political Science major, History minor, Public Policy concentration. Awards: *Phi Beta Kappa*; Eugene Lang Graduate Fellowship; National Merit Scholar.

ADMINISTRATIVE, ACADEMIC AND PROFESSIONAL POSITIONS

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

Senior Vice President and General Counsel, Chief Compliance Officer, and Adjunct Faculty Member (School of Arts and Sciences); promoted from Vice President and General Counsel in 2008—New Brunswick, NJ (Jan. 2005-date)

UNIVERSITY OF MICHIGAN

Assistant General Counsel and Adjunct Faculty Member (Schools of Law, Education, Public Policy, and Information)—Ann Arbor, MI (2000–2004)

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS (AAUP)

Counsel; promoted from Associate Counsel in 1997—Washington, DC (1996-2000)

U.S. DEPARTMENT OF EDUCATION

Attorney-Advisor, Office for Civil Rights—Washington, DC (1992-96)

MORGAN, LEWIS & BOCKIUS

Associate, Labor & Employment Section—Washington, DC (1989-92)

MANAGEMENT/ADMINISTRATIVE LEADERSHIP HIGHLIGHTS

Rutgers

- As member of Leadership Team and President's Cabinet, provide strategic leadership on broad range of issues including academic and administrative policies, student affairs, research, labor and employment, budget, fundraising, athletics, federal and state relations, real estate and construction, communications, and governance. Work closely with University's governing boards and board committees (e.g., Executive, Finance & Facilities, Academic & Student Affairs, Audit, Athletics).
- Significant experience in crisis management (including political, legal, media, and public relations aspects).
- Manage legal affairs for all campuses of flagship public research and land-grant institution with strong liberal arts tradition. Supervise department with multi-million dollar budget

(including 12 direct reports). Have creatively reduced expenses through strategic restructuring and innovative problem-solving.

- At the request of the Board of Governors, serve as project manager for search for next President of the University, organizing and implementing the process and coordinating with the governing boards and other University constituencies.
- Developed and implemented institution-wide compliance initiative, coordinating efforts throughout all academic and administrative units.
- Developed and oversee institution-wide ethics initiative for all employees.
- Chaired high-level Diversity Task Force, which resulted in new strategic plan for diversity initiatives including creation of President’s Council on Institutional Diversity and Equity, Future Scholars Program (nationally renowned partnership with K-12 school districts and funding organizations), faculty cluster hiring initiative, and new manual on best practices in faculty recruitment and retention.
- Led committees that oversaw restructuring of campus-wide administrative functions and enrollment management, and searches for newly configured positions of Senior VP for Finance & Administration and VP for Enrollment Management.
- Played lead role on Athletics Review Committee (working with board members and external experts), resulting in comprehensive policy and governance changes for the entire university to improve transparency and decision-making.
- Lead University-wide effort to review policies and procedures regarding threat assessment, student safety, campus crime reporting, bullying, student privacy, etc.
- Negotiate complex partnerships with local municipalities and community organizations (e.g., mixed-use development projects).
- Conceptualized, negotiated and oversee cooperative arrangement with local municipality and school district to end years of litigation and acrimony over tax-exempt property.
- Have represented the University before federal and state agencies, the Governor’s office, federal and state legislators, and in many other contexts.
- Serve as spokesperson nationally on wide array of higher education policy issues.

University of Michigan

- Played a lead role in coordinating efforts in two landmark U.S. Supreme Court diversity/admissions cases. Organized and managed largest *amicus* brief coalition in Supreme Court history. Oversaw review of policies and procedures regarding admissions, financial aid, outreach, recruitment, and retention for all schools and colleges. Gave frequent media interviews (television, radio, and print) and presentations.
- Provided leadership on many administrative committees to oversee development and implementation of policy on issues such as copyright, media assets, and distance education.
- Played major role in development of online education programs and partnerships.

AAUP

- Served on senior management team overseeing budget, personnel, and policy for national non-profit academic organization. Supervised legal office.

U.S. Department of Education

- Served as acting counsel to Office for Civil Rights head during Bush-Clinton political transition.
- Led agency’s “reinventing government” team responsible for comprehensive review and overhaul of budget, structure, job classifications, etc.

BUDGET OVERSIGHT

- At Rutgers, participate with senior leadership team in oversight and management of University's \$2.1 billion annual budget. Member of Budget Advisory Committee.
- Support and encourage entrepreneurial activities to develop alternative revenue sources for various University programs.
- Oversee budget for all in-house legal work and outside counsel.
- Work with finance personnel to develop and oversee hundreds of millions of dollars' worth of bond issuances by the University.
- As member of Advisory Council for the National Heart, Lung, and Blood Institute (part of the National Institutes of Health), participate in oversight of grant-making process and strategic planning for federal agency with \$3 billion+ budget.

FUNDRAISING EXPERIENCE

- Cultivate and work with major donors (including board members, alumni and corporate donors) on significant and complex gifts and gift agreements (including multi-million dollar gifts).
- Have played critical role in bringing over \$20M in private investment support to major university building projects through New Market Tax Credits program.
- Participate in planning and priority-setting for Rutgers' current \$1 billion capital campaign
- Have made keynote presentations at prestigious donor and alumni events on institutional vision and mission.
- Have worked on successful, major foundation grant proposals (e.g., for National Science Foundation, Mellon and Spencer Foundations) and with foundation leaders on national projects (e.g., Lumina, Robert Wood Johnson, Ford).
- National expert on scholarship issues; have worked with many institutions and donors to structure scholarship programs.
- Have led fundraising campaigns for non-profit organizations with multi-million dollar budgets and have made the "direct ask" on many occasions.

ACADEMIC EXPERIENCE HIGHLIGHTS

Teaching and Mentoring

- At Rutgers, created and teach undergraduate course on higher education law (Political Science Department) and first-year seminar on diversity (College of Arts and Sciences).
- Supervise for-credit independent study/thesis projects on issues related to higher education and law for undergraduate and graduate students. Serve as faculty mentor for peer instructor program. Supervise student externs getting academic credit.
- Serve on Rutgers faculty committee to prepare students for international scholarship interviews (Rhodes, Marshall, Churchill, Gates, etc.).
- Serve on Rutgers' Darien Fund Faculty Committee (to oversee and implement major gift for academic programming on the Constitution, citizenship and civic engagement).
- At Michigan, taught *Higher Education Law* for Schools of Law and Education, and created and taught interdisciplinary course on *Ideas and Expression in the Information Age* for Schools of Information and Public Policy (graduate-level courses).

- Have served as guest lecturer at many colleges around the country on issues such as diversity, free speech, copyright, and higher education law and policy.

National and International Foundation-Funded Research and Leadership Teams

- US/UK Higher Education Law Round Table, University of Oxford, UK (Lumina Foundation)
- “Valuing Diversity” Leadership Council focused on medical and health professions (Robert Wood Johnson Foundation)
- American Association for the Advancement of Science/Association of American Universities Diversity Project, Expert Advisory Board focused on STEM disciplines (Sloan Foundation, National Science Foundation)
- American Council on Education/AAUP national study of faculty perspectives on the educational benefits of diversity, co-leader (Spencer Foundation, 1997-2000)
- “Difficult Dialogues” national project on academic freedom resources (Ford Foundation)
- “Future Pathways Towards Immigration & Higher Education” (Carnegie Corporation, Casey and Lumina Foundations, Kellogg Fellowship Leadership Alliance)
- MetaNetwork for Ph.D. Diversity (Robert Wood Johnson Foundation)
- Participated in development and implementation of multi-million dollar ADVANCE grant (National Science Foundation)

Additional Research and Scholarship

- Publish articles on many aspects of higher education law and policy (see list below)
- Give scholarly presentations at hundreds of conferences and campuses around the country and abroad (see representative list below)

Academic Journal and Other Editorial Work

- Contributing editor for *The Law of Higher Education* (Jossey-Bass, 5th ed., pending)—asked by current editors William A. Kaplin & Barbara A. Lee to edit a significant portion of the leading treatise on higher education law
- Authors Committee, *West’s Education Law Reporter* (1998-2000)
- Published regular column and reviewed articles for *Academe* magazine
- Serve as manuscript referee and book reviewer for *The Journal of College and University Law* and various higher education book publishers

Tenure Process

- Have advised institutions nationally on tenure processes and difficult tenure cases
- At AAUP, received continuing term appointment (equivalent of tenure) through process involving internal and external peer review, and participated in reviews of colleagues

Accreditation Experience

- Member of American Bar Association’s Accreditation Committee, which oversees accreditation of new and existing law schools and is actively engaged in discussion of accreditation standards (e.g., involving assessment and student learning outcomes)
- Chair of ABA Accreditation Committee’s Program Improvement Task Force (recommending ways to use the accreditation process to improve academic program quality)
- Have served on site visits/reaccreditation teams at top law schools: Duke (10/07); UCLA (11/09); Northwestern (10/10)

- Conducted site visit of a foreign summer program: Touro/University of Pittsburgh Institute in International Commercial Law and Dispute Resolution, Zadar, Croatia (July 2010)
- Co-chair of Rutgers University working group on enrollment management as part of University-wide Middle States reaccreditation

HIGHER EDUCATION – ADDITIONAL NATIONAL POLICY LEADERSHIP

- Have trained and advised higher education organizations and institutions nationally on admissions, financial aid, diversity initiatives, faculty recruitment and retention, academic freedom, and other issues
- At AAUP, advised national governing board, administrators, and faculty nationwide on legal and policy issues such as: tenure and promotion, discrimination, affirmative action, academic freedom, university governance, due process, and intellectual property. Gave frequent presentations on higher education law and policy.
- At U.S. Department of Education, coordinated development and implementation of national policy guidance on racial harassment, free speech, and race-targeted financial aid (received highest-level *Special Act Award*, 1995).
- **Other Advisory Boards and Teams**
 - Advisory Council for the National Heart, Lung, and Blood Institute (part of the National Institutes of Health)—participate in grant-making process and setting of strategic priorities in critical areas related to health policy
 - International Advisory Council of the Center for Excellence in Higher Education Law and Policy, Stetson University College of Law
 - Association of American Universities, General Counsel Working Group (Co-chair)
 - College Board Access and Diversity Collaborative, “Braintrust” member
 - *Legal Issues in Higher Education* (annual national conference at University of Vermont), Board of Advisors
 - Indiana University-Purdue University Indianapolis, employment practices review (1/06)
 - California State University System, General Counsel office review (5/09)
- **Chair/Co-organizer of National Conferences**
 - 50th Anniversary Annual Conference of the National Association of College and University Attorneys (Washington, DC, June 2010)
 - Lawyers New to Higher Education (NACUA, Toronto, 2009)
 - The Future of Diversity and Opportunity in Higher Education (sponsored by Rutgers University, Columbia University, the Center for Institutional and Social Change, and the College Board, New Brunswick, NJ, 2008)
 - Higher Education Discrimination Law (NACUA, Tempe, AZ, 2005)
 - Computers on Campus: Privacy, Security, Intellectual Property and the Internet (NACUA, Washington, 2003)
 - Technology Law and E-Commerce Institute (Institute for Continuing Legal Education, Ann Arbor, MI, 2002)
 - Academic Freedom at Religiously-Affiliated Institutions (AAUP, Chicago, 1997)

- **National Association of College and University Attorneys (NACUA)**
 - President and chair of Board of Directors (June 2011-June 2012) for national organization with 3800+ college and university attorneys (elected to “presidential ladder” in 2008; have also served as President-Elect, First Vice President and Second Vice President)
 - Member, Board of Directors; have served on many committees (e.g., Executive, Strategic Planning, Finance & Audit, Legal Education, Nominations & Elections)
 - Frequent speaker on wide variety of topics
 - Host for exchange program with Australian counterparts

OTHER HIGHER EDUCATION LEADERSHIP TRAINING

- **Advancing to the Presidency** workshop, American Council on Education, invited participant, Washington, DC (2009)
- **Exceptional Boards: Strengthening the Leadership Team**, American Society of Association Executives, Washington, DC (2011)
- **American Council on Education Institute for New Chief Academic Officers**, regular presenter (2007-2012)

OTHER LABOR/MANAGEMENT EXPERIENCE

- Personally negotiated historic labor neutrality agreement with Governor’s office and state union for 1800+ employees
- Oversee labor and employment work at Rutgers University (including negotiations, grievances, arbitrations, etc.), which has 14 unions representing thousands of employees
- At AAUP, worked with unions around the country on negotiations and contract issues
- At Department of Education, was member of staff union and was selected to head agency team that worked on management-labor relations issues
- At Morgan, Lewis & Bockius, provided legal advice and support for union negotiations and contract issues for major corporations and government organizations; represented joint union-management teams in landmark cases on project labor agreements (resulting in successful Supreme Court precedent)

OTHER BOARD SERVICE AND COMMUNITY ACTIVITIES

Human Relations Council, Montgomery School District (member) – District-wide committee that develops initiatives on human relations and diversity issues and provides recommendations to the Board of Education

Governing Boards (Elder/Session member), numerous committees and volunteer service activities at three large Presbyterian churches

- **Nassau Presbyterian Church** (Princeton, NJ; 2007-10): Have served as President of Corporation; Chair of Personnel Committee
- **First Presbyterian Church of Ann Arbor** (Ann Arbor, MI; 2002-04)
- **National Presbyterian Church** (Washington, DC; 1996-99)

Community Choral Groups

- **Choral Arts Society of Washington** (symphonic chorus: Kennedy Center performances, nationally televised events; international tours; professional recordings; 1989-2000)
- **National Singers** (a cappella group: professional recordings; concert tours; 1992-96)

SCHOLARSHIP: SELECTED LIST FROM REFEREED JOURNALS AND ACADEMIC PERIODICALS

- **“From Desegregation to Diversity and Beyond: Our Evolving Legal Conversation on Race and Higher Education,”** 36 *Journal of College and University Law* 983-1001 (2010) (special commemorative issue in celebration of the 50th anniversary of the National Association of College and University Attorneys).
- **“Weapons on Campus: Are We a Special Context?”**, *Leadership Exchange* (NASPA/Student Affairs Administrators in Higher Education: Winter 2009).
- **“Legal Issues for Academic Leaders,”** *Effective Practices for Academic Leaders* (Stylus Publishing, LLC: June 2008).
- **“Colleges Must Be Forearmed With Effective Policies on Weapons,”** *The Chronicle of Higher Education* (June 6, 2008).
- **“Putting the Michigan Rulings into Practice,”** *The Chronicle of Higher Education* (Feb. 25, 2005).
- **“You’ve Got to Have Friends: Lessons Learned from the Role of *Amici* in the University of Michigan Cases,”** 30 *Journal of College and University Law* 503-29, with Marvin Krislov (Spring 2004).
- **“Race-Conscious Financial Aid After the University of Michigan Decisions”** (National Association of College and University Attorneys: Spring 2004).
- **“What’s Ahead for Affirmative Action?”**, *Change: The Magazine of Higher Learning* (American Association for Higher Education: May/June 2003).
- **“Intellectual Property,”** book chapter for The Compleat Academic: A Career Guide (2d ed.), (John M. Darley et al., ed.), with James Hilton (American Psychological Association: 2003).
- **“Online Policy, Ethics & Law: What You Need to Know,”** *Distance Education Report* (June-July 2002).
- **“Online Education: A Legal Compendium,”** National Association of College and University Attorneys, with John Przepyszny (2002).
- **“University-Industry Collaborations: Getting Your Slice of the Intellectual Property Pie,”** *Science’s Next Wave* (American Association for the Advancement of Science, Nov. 2001).

- **Regular “Legal Watch” columns**, *Academe* magazine (1998-2000). Topics included, e.g., intellectual property rights, distance education, academic freedom, privacy, discrimination, and international law.
- **“When Color-Blind is Color-Bland: Ensuring Faculty Diversity in Higher Education,”** 10:2 *Stanford Law and Policy Review* at 191-204 (Spring 1999).
- **“Unfinished Homework for Universities: Making the Case for Affirmative Action,”** 54 *Washington University Journal of Urban and Contemporary Law* at 73-92 (Summer 1998).
- **“Beyond Speech Codes: Harmonizing Rights of Free Speech and Freedom from Discrimination on University Campuses,”** 23 *Journal of College and University Law* at 91-132, with Arthur L. Coleman (Summer 1996) (quoted and cited by Sixth Circuit Court of Appeals in *Bonnell v. Lorenzo et al.*, 2001).
- **“Love, Lust, and the Law: Sexual Harassment in the Academy,”** *Academe* at 34-39 (Sep./Oct. 1998).
- **“The Educational Value of Diversity,”** *Academe* at 20-23 (Jan./Feb. 1997) (reprinted for national DiversityWeb site and for many conferences, publications, and classes).

SELECTED PRESENTATIONS

Mr. Alger has given hundreds of scholarly and civic presentations on a wide variety of higher education policy topics at conferences and campuses around the country. The list below is a representative sample (complete list is also available).

International Comparative Higher Education Law: University of Oxford; University of the West Indies; two series of German universities and academic conferences; Canadian Association of University Teachers.

Diversity in Higher Education:

- **National conferences** such as National Association of College and University Attorneys; College Board; National Science Foundation; Council for the Advancement and Support of Education; Coalition of State and University Aid Administrators; National Association of State Universities and Land-Grant Colleges; Law School Admissions Council; Association of American Universities; American Council on Education; and Association of American Colleges and Universities.
- **Colleges and universities** such as Harvard; Yale; Princeton; Columbia; NYU; University of Nebraska; University of Connecticut; Florida State University System; Pepperdine; Arizona State; University of Rochester; George Washington University; Washington College; Purdue; Ohio State; Penn State; and University of Virginia.
- **Business organizations and corporations** such as Diversity and the Law in the Financial Services Industry; Wall Street Employee Manager’s Association; National Hispanic Corporate Council; Rainbow/PUSH Wall Street Project; and Terex Corporation.

Academic Leadership: American Council on Education/Institute for New Chief Academic Officers; Washington Higher Education Secretariat.

Dealing with Financial Challenges: National Association of College and University Attorneys; Legal Issues in Higher Education national conference.

Faculty Employment Issues: American Association for Affirmative Action; Pomona College; University of Minnesota; Middle Tennessee State University.

Development/Fundraising: Traverse City Economic Club; Jonathan Club (Los Angeles); University of Michigan Club of Central Ohio.

Role of the General Counsel: National Association of College and University Attorneys; Higher Education Law Office Managers.

Financial and Ethical Accountability Standards: Association of American Universities/Public Affairs Network; Council on Law in Higher Education.

Intellectual Property, Distance Education, and Technology Issues: Educause; Burroughs Wellcome Fund; National Association of State Universities and Land-Grant Colleges; Legal Issues in Higher Education national conference.

Academic Freedom: National Conference on Law and Higher Education; State University System of Pennsylvania; Penn State; Freedom Forum; Association for Education in Journalism and Mass Communication; AAUP national and local conferences.

Religion and Politics in the Academy: National Conference on Law and Higher Education; Legal Issues in Higher Education national conference.

Academic Governance: University of Tennessee; “The Future of the American College Presidency” (*Black Issues in Higher Education* videoconference).

Student Organizations: National Association of College and University Attorneys; Association of College Unions International webinar; Legal Issues in Higher Education national conference.

Discrimination Law: National Association of College and University Attorneys; Association of Corporate Counsel.

Racial and Sexual Harassment: U.S. Department of Education; U.S. Department of Justice; Iowa State; Wayne State; AAUP national and state meetings.

Campus Security: National Conference on Law and Higher Education; NASPA/Stetson Student Affairs Law & Policy Conference.

Immigration and Higher Education: Challenges & Opportunities: Pathways Towards Immigration and Higher Education.

Teaching in Higher Education: National Association of College and University Attorneys.