



FY24 ANNUAL REPORT

Office of the General Counsel

July 1, 2023 – June 30, 2024 (Fiscal Year 2024)



OUR MISSION

The Office of the General Counsel is a team of legal professionals dedicated to public service and advancing the university's mission. We are a service unit that empowers campus stakeholders to accomplish their goals, while successfully balancing efficiency, innovation, and risk. We do this by:

- Promoting a climate of ethical behavior, integrity, and accountability;
- Providing timely, creative, and practical legal advice;
- Increasing awareness of higher education's complex regulatory landscapes through trainings, outreach, and accessibility;
- Representing the university's interests in litigation, administrative proceedings, and business transactions; and
- Facilitating the development and implementation of university initiatives.

OGC AT A GLANCE

30+

PRACTICE AREAS

160

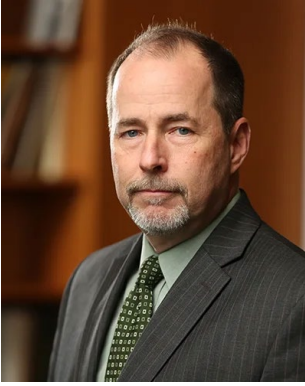
YEARS OF COMBINED
LEGAL EXPERIENCE
AMONG 8 ATTORNEYS

11

CASES IN ACTIVE
LITIGATION IN
FY24



A MESSAGE FROM THE VICE PRESIDENT AND GENERAL COUNSEL



Kevin S. Reed

Vice President and
General Counsel

Fiscal Year 2024 was B1G! The University of Oregon joined the Big 10 Academic Alliance and Athletic Conference, which the Office of the General Counsel played a key role in negotiating. We are excited for the opportunity to learn from our new peers and showcase UO on a national stage.

Other major events on campus included the encampment by students in support of Palestine on the quad in the Spring, which presented an opportunity for the University to engage in dialogue around the important distinction between protected speech and civil disobedience. Simultaneously, OGC helped navigate the organization of a new undergraduate student worker union, taking care to empower students and ensure a fair process.

FY24 also saw eight new litigation cases filed, the highest in recent history, including a case the University initiated to defend its rights concerning a construction defect matter involving one of our residence halls.

Within the office, transition in OGC's staffing that began in FY23 continued in the summer of FY24 as Bryan Dearing took a faculty position at UO Law School, and we added the talents of Carson Campbell and Jessie Schuh to our team. We also continued our action planning work and finalized an overall strategic plan featured later in this report.

As we prepare for the US presidential election in the fall and whatever else FY25 may hold, we hold fast to our commitment to [UO's mission](#) and the part we play to help leaders question critically, think logically, reason effectively, communicate clearly, act creatively, and live ethically.

Mens agitat molem!

PRACTICE AREAS COVERED BY THE OFFICE OF THE GENERAL COUNSEL

- Academic Affairs
- Athletics
- Civil Rights
- Constitutional Law
- Contracts
- Compliance
- Data Security
- Emergency and Risk Management
- Employment Law including Labor Relations
- Benefits and Retirement Plans
- Federal Agencies
- Governance and Policies
- Government Ethics
- Health Care
- Immigration & International Programs
- Intellectual Property
- Library & Museum Administration
- Litigation
- Police & Law Enforcement
- Privacy
- Procurement
- Public Finance
- Public Records & Public Meetings
- Real Estate and Land Use
- Records Retention and Preservation
- Religious Freedom
- Sponsored Research
- Student Conduct
- Subpoenas and Privacy
- Tax
- Telecommunications
- Title IX



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SELECT HIGHLIGHTS FROM WORK IN FY24

Promoted a climate of ethical behavior, integrity, and accountability:

- Worked with Undergraduate Education and Student Success to create a more robust and inclusive religious accommodation process
- Reviewed veteran's preference process to ensure the preference was appropriately applied
- Revised and simplified the student grievance process
- Improved and clarified the unrepresented employee grievance process
- Helped consolidate three separate speech policies into a single academic freedom policy
- Assisted with implementing new digital accessibility requirements set forth in ADA Title II regulations
- Simplified the financial aid appeal process to have a three-person committee instead of a financial aid appeals board
- Advised on numerous federal and state laws
- Worked closely with other units on campus to help them achieve their strategic priorities

Represented the university's interests in litigation, administrative proceedings, and business transactions:

- Prosecuted a case against a person who defamed and doxed members of our faculty
- Initiated litigation related to a construction defect in one of the residence halls to recoup remediation expenses
- Drafted, negotiated and finalized the assignment agreement for the Jake golf practice facility
- Successfully defended UO in multiple agency complaints, arbitrations and lawsuits
- Defended UO against copyright and trademark infringement
- Successfully defended four public records appeals



Provided timely, creative, and practical legal advice:

- Created guidelines around when UO will support out of state and international employment
- Continued to partner with Athletics to navigate the changing landscape around Name, Image and Likeness legislation
- Reviewed and advised on the revision of the Retention and Delegation of Authority Policy and the Presidential Search Policy and advised on the contract for the incoming president
- Negotiated multiple HECC grant agreements
- Provided First Amendment advice during the encampment

Facilitated the development and implementation of university initiatives:

- Shepherded the processes for UO joining the Big 10 Academic Alliance and Athletic Conference
- Oversaw purchase of 1700 Millrace Building
- Negotiated, drafted, and finalized the purchase of 6441 NE 30th Avenue adjacent to the UO Portland campus
- Negotiated the license agreement for the construction of the football indoor practice facility
- Drafted and negotiated several letters of intent for the disposition of leasable space at White Stag

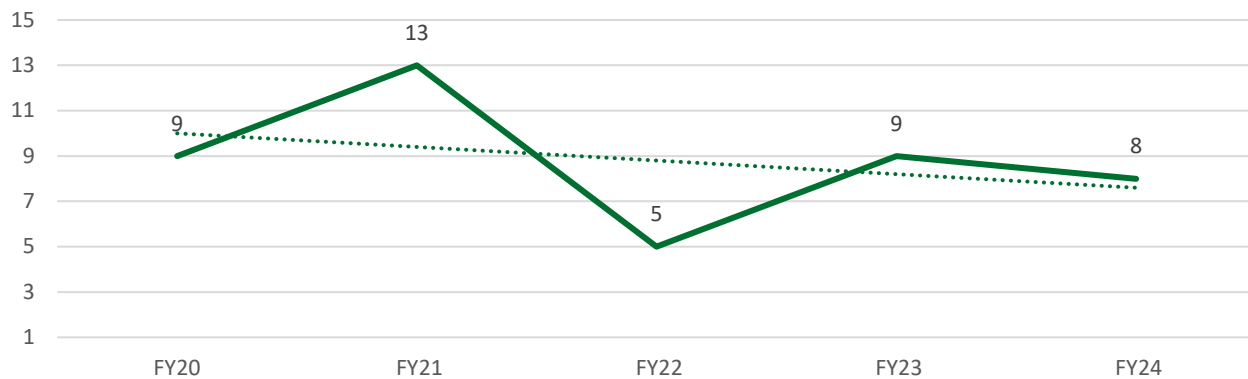


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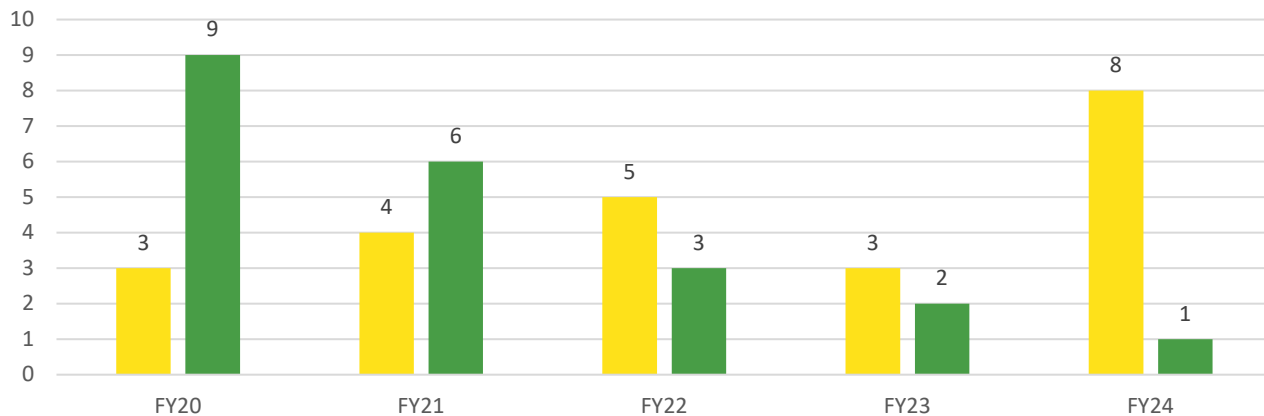
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FY24 CLAIMS DATA

Tort Claim Notices by Year



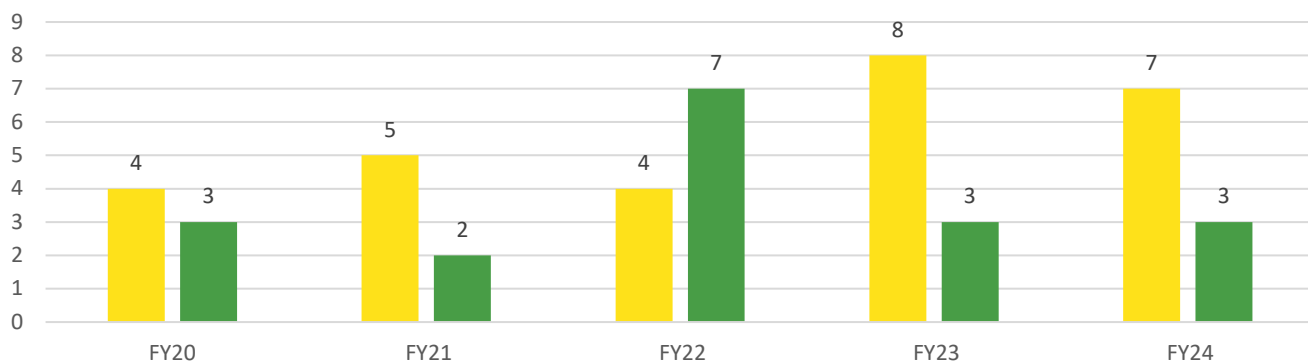
Lawsuits Initiated and Resolved by Year



5 year average number of lawsuits initiated each year: 4.6

■ Initiated ■ Resolved

Agency Complaints Initiated and Resolved by Year



5 year average number of agency complaints initiated each year: 5.6

■ Initiated ■ Resolved



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USE OF OUTSIDE COUNSEL

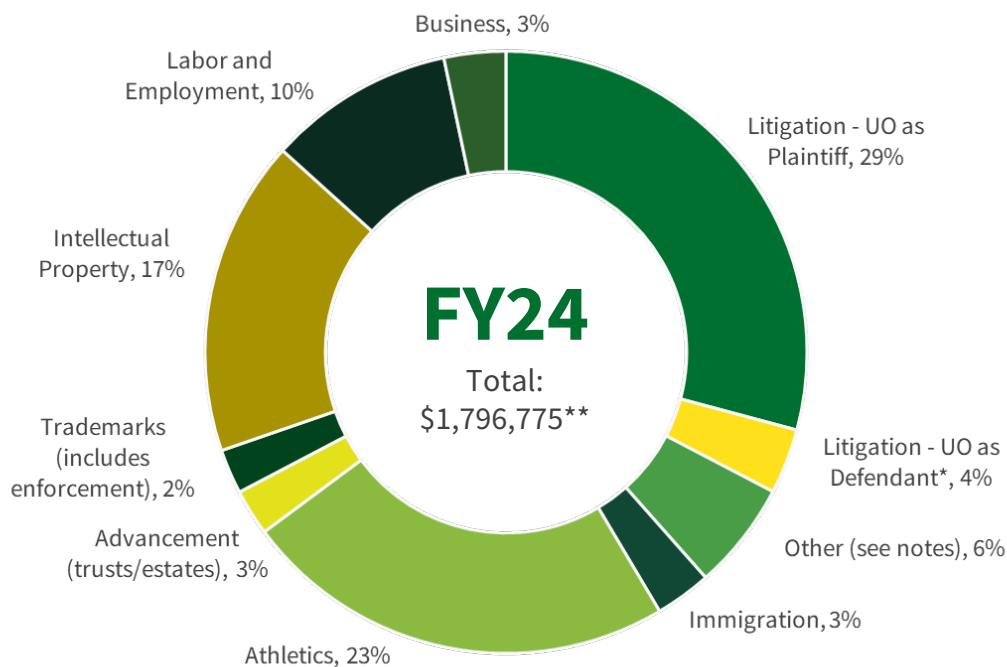
The University regularly hires outside counsel for matters that we lack the staffing to handle in house, generally litigation, occasionally labor arbitrations, and very specialized legal work, including NCAA compliance, intellectual property registrations and enforcement (e.g. patents, copyrights and trademarks), FCC work for our three radio stations, immigration, and international operations. We are judicious in the utilization of outside counsel and we are continually pursuing ways to increase our in-house capacity.

We are also committed to supporting our local and state economy, and use Oregon attorneys whenever possible. In FY24, half of the firms we worked with were either based in Oregon or have offices in Oregon. We are also deeply committed to supporting underrepresented attorneys and to ensuring that female attorneys are paid commensurate to their male counterparts when assigned to university matters.

FY24 LEGAL SPEND SUMMARY

Legal spend in FY24 is an anomaly in both the amount spent and in which categories. Over the past 5 years, typical legal spend related to Athletics was between 1-3%. In FY24, given the transition to the Big 10 Athletic Conference, our spend jumped to 23%. FY24 was also unusual in that our legal spend as a plaintiff in litigation (29%) outpaced our legal spend as a defendant (4%) by quite a bit. Typically those figures would be reversed, with an average of 30% spent on defense and around 3% spent as a plaintiff, which is largely reflective of litigation the University initiated in pursuit of a remedy to a construction defect in one of our dorms. Legal spend was typical in all other categories.

FY24 FINANCIAL DATA: INSTITUTIONAL SPEND BY MATTER



*Litigation amounts do not include settlements or expenses covered by UO's insurers

**Represents university spend – does not include ASUO legal services for students

Notes: "Other" includes spend between .1% - 1.2% on the following matters: Cybersecurity, Real Property/Land Use, Retirement Plans (UO manages plans for all 7 OR public higher ed institutions), Title IX, Global Operations, UO Radio Stations/FCC, Research Compliance, Benefits, DACA Application Support for Students, Healthcare Compliance

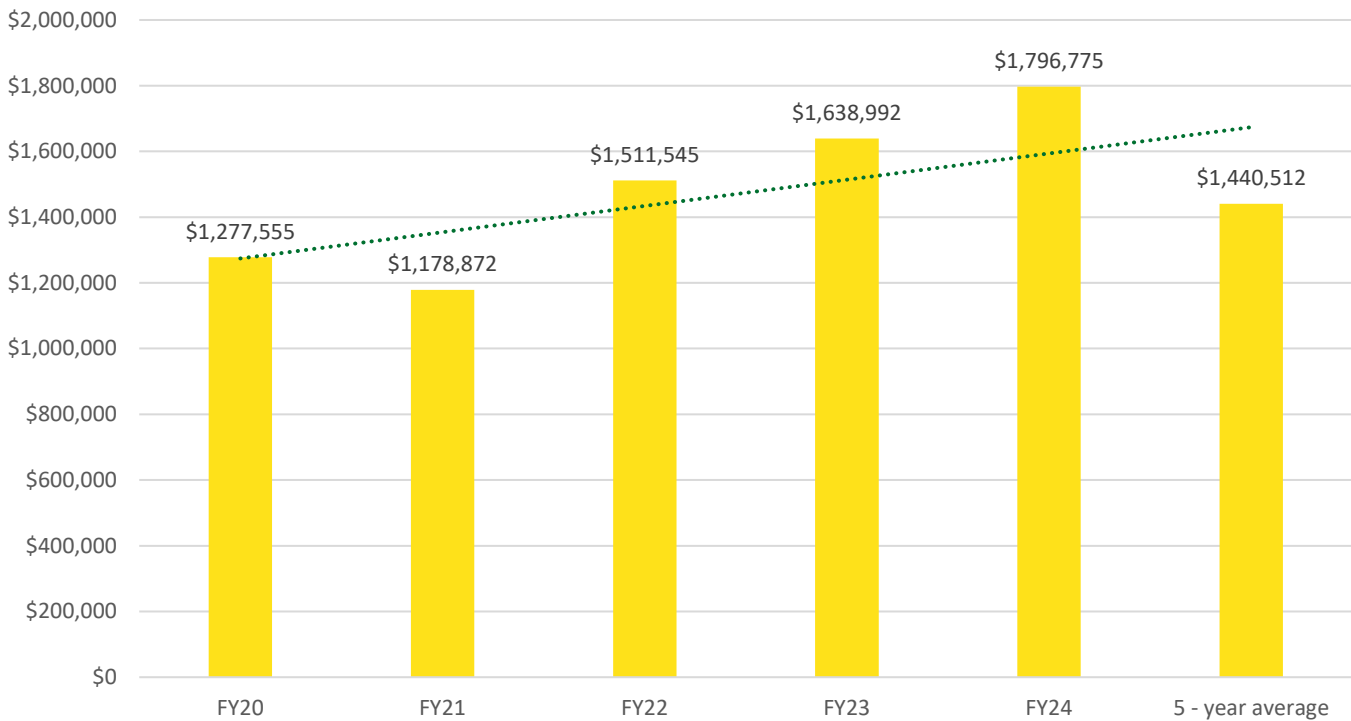


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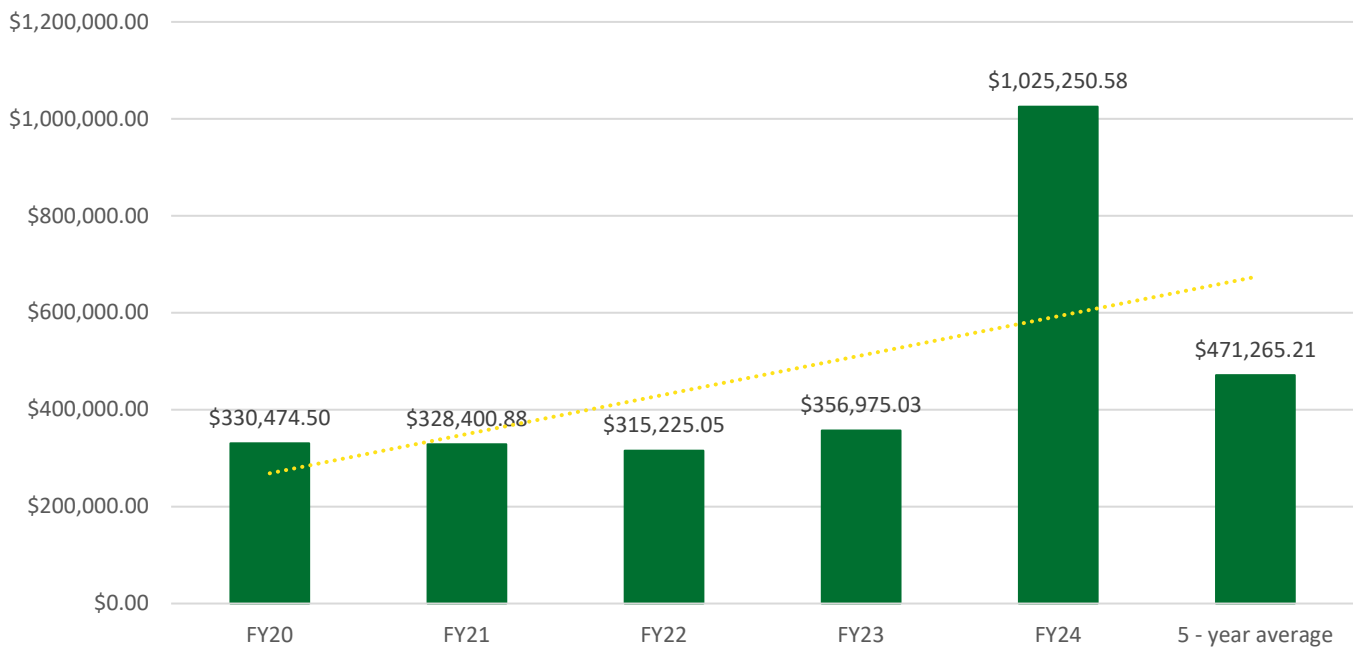
FY24 FINANCIAL DATA

Total Institutional (UO) Outside Counsel Expenses Over Time*



*Does not include ASUO spend on legal services for students

Total OGC Outside Counsel Expenses Over Time



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OGC GIVES BACK

We are proud of the many ways OGC employees serve UO and the community. Here are select highlights from service in FY24:

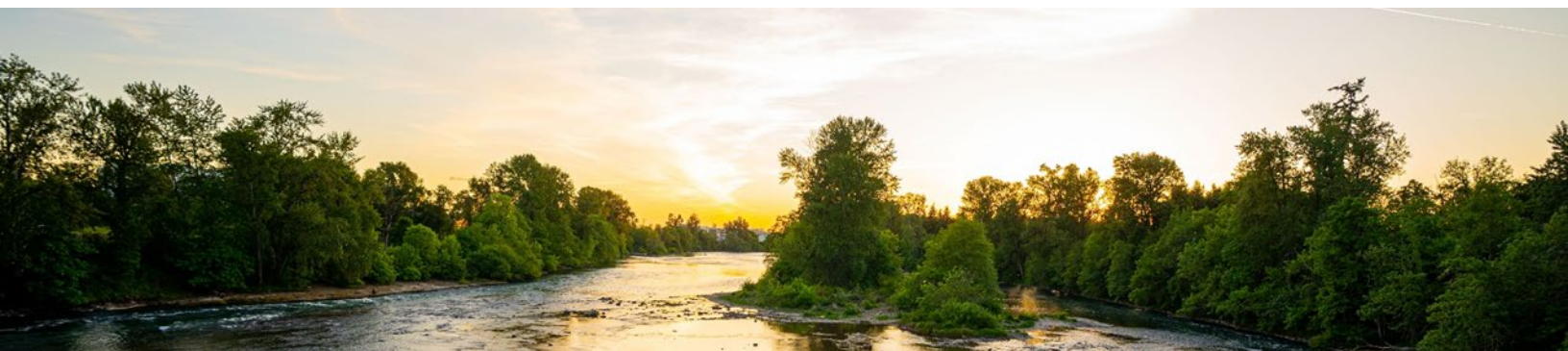
Service to the University:

- College of Education Advisory Counsel (Kevin Reed)
- AAU General Counsel Steering Committee (Kevin Reed)
- APLU General Counsel Advisory Group (Kevin Reed)
- JSMA Advisory Board (Doug Park)
- Chaired Search Committee for AVP for Industry, Innovation and Technology Unit (Doug Park)
- Behavioral Evaluation & Threat Assessment Team (Jessie Schuh)
- Title IX Management Team (Jeslyn Everitt)
- Information and Communications Technology Accessibility Committee (Jeslyn Everitt)
- ADA Coordinator Committee (Jeslyn Everitt)
- Demonstration Education Safety Team (Jessica Price)
- Policy Advisory Committee (Jessica Price)
- HIPAA Privacy Committee (Jessie Schuh)
- Equity & Inclusion Advisory Council (Ryan Hagemann, Julia Cohalan)
- OA Council Representative (Julia Cohalan)

Service in the Community:

- Oregon Federal District Court Ninth Circuit Representative; Conference Organizer and Plenary Session Moderator (Doug Park)
- Green Dot Public Schools Board Chair (Kevin Reed)
- ExED Board (Kevin Reed)
- Lane County Women Lawyers (Jeslyn Everitt)
- Oregon Women Lawyers (Jessica Price, Doug Park); OWLs Award Selection Committee (Doug Park)
- Oregon Asian Pacific American Bar Association (Doug Park)
- National Association of College and University Attorneys Presenters and Panelists (Doug Park, Ryan Hagemann, Jessica Price)
- Association of Student Conduct Administrators Panelist (Doug Park)
- Volunteer Firefighter, McKenzie Fire & Rescue (Kevin Reed)
- High Desert Museum Board (Ryan Hagemann, Carson Campbell)

And special mention to **Jessica Price** for receiving the First Decade Award from the National Association of College and University Attorneys for her contributions to the organization and outstanding service to the practice of higher education law. Congratulations Jessica!



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OGC STRATEGIC ACTION PLAN

OGC is committed to continuous improvement, and to creating an engaging, equitable and inclusive culture. Toward that end, our team met throughout the year to develop a strategic action plan, structured under the following goals and tactics. Under each tactic, we have also developed specific action items using the S.M.A.R.T.I.E. framework. Those action items are not included here in the interest of brevity. We are looking forward to turning our attention toward implementation in FY25.

1. Create a comprehensive everboarding program for employees [Engagement]
 - a. Develop unit onboarding and offboarding resources
 - b. Rethink annual evaluations
 - c. Design and Implement a Document Management System
 - d. Promote Professional Development Opportunities
2. Develop and communicate unit policies and practices designed to promote an equitable work environment [Equity]
 - a. Develop unit level policies and assemble into an employee handbook
 - b. Determine what technology we will utilize to facilitate our work and how it will be used
 - c. Rethink office meetings
 - d. Continue to formalize extern program and supervision thereof
3. Promote a shared understanding of respect and inclusion recognizing the contributions of all team members [Inclusion & Belonging]
 - a. Create a fun, enjoyable working environment
 - b. Respect the value of each other's time, roles, and responsibilities
 - c. Communicate with each other directly, openly, and thoughtfully
 - d. Recognize and value each other's diverse strengths, skills, contributions, and successes



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