

Sandra F. Sperino

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BOOKS AND BOOK CHAPTERS

MCDONNELL DOUGLAS: THE MOST IMPORTANT CASE IN EMPLOYMENT DISCRIMINATION LAW (Bloomberg 2018) (2d ed. 2019).

West's Hornbook, FEDERAL DISCRIMINATION LAW (2019).

UNEQUAL: HOW AMERICA'S COURTS UNDERMINE DISCRIMINATION LAW (w/ Thomas) (Oxford Univ. Press 2017).

FEDERAL DISCRIMINATION LAW IN A NUTSHELL (w/ Player) (West 2017).

Rothstein et al., FEDERAL EMPLOYMENT LAW, Discrimination Chapter (West 2019) (both practitioner and student treatises).

EMPLOYMENT DISCRIMINATION: CASES AND MATERIALS, Carolina Academic Press (w/ Gonzalez) (2d ed. 2013) (3d ed. 2019).

ARTICLES

Into the Weeds: Modern Discrimination Law (forthcoming NOTRE DAME L. REV.).

Caught in the Cat's Paw (forthcoming BYU L. REV.).

Justice Kennedy's Big New Idea, 96 BOSTON U. L. REV. 1789 (2016).

Retaliation and the Reasonable Person, 67 FLA. L. REV. 2031 (2015).

Discrimination Law: The New Franken-tort, 65 DEPAUL L. REV. 721 (2016) (invited submission for Clifford Symposium).

Let's Pretend Title VII is a Tort, 75 OHIO ST. L. REV. 1107 (2014).

The Tort Label, 66 FLA. L. REV. 1051 (2014).

Fakers and Floodgates (w/ Thomas), 10 STAN. J. CIV. RTS. & CIV. LIBERTIES 223 (2014) (invited submission).

Discrimination Statutes, the Common Law and Proximate Cause, 2013 U. ILL. L. REV. 1.

Statutory Proximate Cause, 88 NOTRE DAME L. REV. 1199 (2013).

Revitalizing State Discrimination Law, 20 GEORGE MASON L. REV. 545 (Winter 2013).

Rethinking Discrimination Law, 110 MICH. L. REV. 69 (2011).

A Modern Theory of Direct Corporate Liability for Title VII, 61 ALA. L. REV. 773 (2010).

Judicial Preemption of Punitive Damages, 78 U. CIN. L. REV. 227 (2009).

The "Disappearing" Dilemma: Why Agency Principles Should Now Take Center Stage in Retaliation Cases, 57 KAN. L. REV. 157 (2008).

Complying with Export Laws without Importing Discrimination Liability: An Attempt to Integrate Employment Discrimination Law with Deemed Export Requirements, 52 ST. LOUIS UNIVERSITY LAW JOURNAL 375 (Winter 2007-08).

Recreating Diversity in Employment Law by Debunking the Myth of the McDonnell-Douglas Monolith, 44 HOUSTON L. REV. 349 (2007).

The Sky Remains Intact: Why Allowing Subgroup Evidence is Consistent with the Age Discrimination in Employment Act, 90 MARQUETTE L. REV. 227 (2006).

Flying Without A Statutory Basis: Why McDonnell-Douglas Is Not Justified By Any Statutory Construction Methodology, 43 HOUSTON L. REV. 743 (2006).

Under Construction: Questioning Whether Statutory Construction Principles Justify Individual Liability Under the Family and Medical Leave Act, 71 MO. L. REV. 71 (2006).

Disparate Impact or No Impact? The Future of Non-Intentional Discrimination Claims Brought by the Elderly, 13 ELDER L.J. 339 (University of Illinois 2005).

Chaos Theory: The Unintended Consequences of Expanding Individual Liability Under the Family and Medical Leave Act, EMP. RIGHTS & EMPL. POL'Y J., Vol. 9, Issue 2 (2005) (peer-reviewed journal).

ESSAYS AND OTHER PUBLICATIONS

Killing the Cat's Paw, SETON HALL L. REV. (forthcoming 2020) (invited symposium).

Harassment: A Separate Claim?, 6 BELMONT L. REV. 123 (2019) (invited symposium).

Disbelief Doctrines, 39 BERK. J. LAB. & EMPL. L. 231 (2019).

Book Review, ANTIGAY BIAS IN ROLE-MODEL OCCUPATIONS, 39 H.R. QUARTERLY 986 (2017).

Book Review, EXTENDING WORKING LIFE FOR OLDER WORKERS: AGE DISCRIMINATION LAW, POLICY AND PRACTICE, COMP. L. LAW & POL. J. 986 (2019).

Guest Blogger, New Private Law Blog, a project of the Project on the Foundations of Private Law at Harvard Law School.

Beyond McDonnell Douglas, 34 BERK. J. LAB. & EMPL. L. 257 (2014).

Diminishing Retaliation Liability (w/ Alex Long), NYU LAW REVIEW ONLINE (2013).

Direct Employer Liability for Punitive Damages, A Response to Joseph Seiner's Article, *Punitive Damages, Due Process and Employment Discrimination*, 97 IOWA L. REV. BULL. 24, 33 (2012).

Framing Discrimination Law, Jurist (Fall 2011).

The New Calculus of Punitive Damages for Employment Discrimination Cases, 62 OKLA. L. REV. 701 (2010).

Diminishing Deference: Learning Lessons from Recent Congressional Rejection of the Supreme Court's Interpretation of Discrimination Statutes, 33 RUTGERS L. REC. 40 (2009).

ACADEMIC POSITIONS

University of Cincinnati College of Law, Cincinnati, Ohio

Joseph P. Kinneary Professor of Law (January 2019 to present)

Associate Dean of Faculty (August 2015 to May 2018)

Professor (Summer 2013 to present)

Teaching Torts, Civil Procedure I and II, Employment Discrimination, and Employment Law

2019 University Excellence Award for Faculty-to-Faculty Research Mentoring

2018 Faculty Excellence Award for Scholarship

2017 Goldman Prize for Excellence in Teaching

2015 Schott Award for Scholarship

Associate Professor (Summer 2011 to Summer 2013)

Teaching Civil Procedure I and II, and Employment Law

2013 Goldman Prize for Excellence in Teaching

Temple University Beasley School of Law, Philadelphia, Pennsylvania

Assistant Professor of Law (June 2008 to June 2011)

Taught Employment Discrimination, Torts, and Civil Procedure

University of Cincinnati College of Law, Cincinnati, Ohio

Visiting Assistant Professor (August 2007 to July 2008)

Taught Employment Discrimination, Remedies, and Property

Saint Louis University School of Law, St. Louis, Missouri

Visiting Assistant Professor (June 2006 to July 2007)

Taught Civil Procedure I and II, Remedies, and Disability Law

University of Illinois College of Law, Champaign, Illinois
Lawless Fellowship Program (January 2005 to August 2006)
Taught Advanced Civil Procedure/Conflict of Laws, and Employment
Discrimination

SELECT UPCOMING AND RECENT PRESENTATIONS

Supreme Court Review, ABA Webinar, Spring 2020.

Employment Law Symposium, Saint Louis University School of Law, Spring 2020.

Symposium Honoring Professor Charles Sullivan, Seton Hall, Fall 2019.

NELA Annual Conference, Summer 2019.

Notre Dame Law School Faculty Colloquium, Spring 2019.

Saint Louis University School of Law Faculty Colloquium, Spring 2019.

University of Missouri School of Law Faculty Colloquium, Spring 2019.

Constitution Day Lecture, Xavier University, September 2018.

Sexual Harassment and Assault in the Workplace, ABA Webinar, Spring 2018.

University of California-Berkeley School of Law, Future of Discrimination Law:
Frameworks, Theory, Practice and People Symposium, March 2017.

American Association of Law Schools Conference, January 2017.

NELA, Covington, KY, October 2016.

Colloquium on Scholarship in Employment and Labor Law (COSELL), University of
Washington School of Law, September 2016

Warns-Render Employment Law Institute, June 2016.

The Big Bang, ABA EEO National Conference, March 2016.

Louisiana Judicial Conference, December 2015.

The Present and Future of Civil Rights Movements: Race and Reform in 21st Century
America, Duke Law School, November 2015.

Faculty Speaker Series, Cardozo Law School, October 2015.

Alabama Bar Association, Labor and Employment Conference, October 2015.

Colloquium on Current Scholarship in Labor and Employment Law, University of Indiana Maurer School of Law, September 2015.

Clifford Symposium, DePaul University College of Law, April 2015.

Colloquium on Current Scholarship in Labor and Employment Law, University of Colorado Law School, September 2014.

Harvard/Stanford/Yale Faculty Forum, June 2013.

The Intersection of Tort and Discrimination Law, Ohio State University College of Law, November 2013 (co-organizer and symposium participant).

“Minding the Gap: Reflections on the Achievement Gap Between Men and Women in the Workplace in 2013,” FIU LAW REVIEW Symposium, February 2013.

American Association of Law Schools Conference, January 2013.

Seton Hall Labor and Employment Law Scholars’ Forum, October 2012.

Colloquium on Current Scholarship in Labor and Employment Law, Northwestern University Law School, September 2012.

Law and Society Annual Conference, June 2012.

Junior Faculty Federal Courts Workshop, February 2012.

Faculty Speaker Series, University of Indiana-Bloomington, February 2012.

Michigan State University College of Law Junior Faculty Workshop, October 2011.

Sixth Annual Colloquium on Current Scholarship in Labor and Employment Law, Los Angeles, September 2011.

AALS Women Rethinking Equality Conference, June 2011.

Faculty Speaker Series, University of Illinois College of Law, January 2011.

Colloquium on Current Scholarship in Labor and Employment Law, Washington University School of Law, September 2010.

Panel Participant, AALS Annual Meeting, Section on Employment Discrimination Law, *Reviving Employee Rights? Recent and Upcoming Employment Discrimination Legislation*, January 2010.

Panel Participant, Southeastern Association of American Law Schools Conference, August 2009.

Colloquium on Current Scholarship in Labor and Employment Law, University of San Diego College of Law & California Western School of Law, October 2008.

Faculty Speaker Series, Widener University School of Law, November 2008.

Colloquium on Current Scholarship in Labor and Employment Law, University of Colorado College of Law, September 2007.

Colloquium on Current Scholarship in Labor and Employment Law, Marquette University College of Law, October 2006.

Presenter, "Litigating Employment Cases," Illinois Bar Association Conference on Human Rights, February 2006.

EDUCATION

University of Illinois College of Law, Champaign, Illinois

Juris Doctor awarded May 1999, *summa cum laude*

- Elected Editor-in-Chief of the UNIVERSITY OF ILLINOIS LAW REVIEW
- Order of the Coif
- Rickert Award recipient for Excellence in Legal Publications and Excellence in Scholarship
- CALI Awards for highest grade awarded in Constitutional Law I and II, Contracts, Professional Responsibility, Administrative Law, Labor Law, and Estates and Trusts

University of Illinois College of Journalism, Champaign, Illinois

Master's of Science in Journalism awarded May 1999, *summa cum laude*

Texas Tech University, Lubbock, Texas

Bachelor of Arts in Journalism awarded May 1995, *summa cum laude*

- Highest ranking Arts and Science Graduate

OTHER EXPERIENCE

Lewis, Rice & Fingersh, L.C., St. Louis, Missouri

Attorney (August 2001 to January 2005)

Attorney in the litigation department and the labor and employment department, with additional experience in appellate practice; co-authored successful petition for writ of certiorari in *United States v. Sell*, and brief argued before the United States Supreme Court on March 3, 2003.

United States District Court, Eastern District of Missouri, St. Louis, Missouri

Law Clerk for the Honorable Donald J. Stohr (August 1999 to August 2001)

Assisted Judge Stohr in drafting opinions, preparing for trials, and conducting legal research.

University of Illinois, Champaign, Illinois

Stuart N. Greenberger Research Assistant in Legal Ethics

Professor Ronald Rotunda (June 1997 to May 1999)

Researched and assisted in updating Professor Rotunda's treatise (TREATISE ON CONSTITUTIONAL LAW), textbooks (MODERN CONSTITUTIONAL LAW and PROBLEMS AND MATERIALS ON PROFESSIONAL RESPONSIBILITY) and a new professional responsibility text for the American Bar Association.

Teaching Assistant for Walt Harrington (August 1997 to May 1999)

Taught Introduction to Journalism writing section.

LEGAL PUBLIC SERVICE

Lead counsel on amicus brief, *Comcast Corp. v. National Association of African-American Owned Media* (filed in the United States Supreme Court in Sept. 2019)

Lead counsel on amicus brief, *University of Texas Southwestern Medical Center v. Nassar* (filed in United States Supreme Court in April 2013).

Editorial Adviser, Bloomberg Law

Chair, AALS Section on Employment Discrimination Law, 2012-13.

Chair-Elect, AALS Section on Employment Discrimination Law, 2011-2012.

Secretary, AALS Section on Employment Discrimination Law, 2010-2011.

Executive Committee, 2019-2020; 2020-21.

Contributing Editor, COVENANTS NOT TO COMPETE, American Bar Association (2004 to 2016).

Contributing Editor, TRADE SECRETS, A STATE-BY-STATE SURVEY, American Bar Association (2006 to 2016).

Contributing Editor, EMPLOYEE DUTY OF LOYALTY, American Bar Association (2005 to 2016).

Contributing Editor, TORTIOUS INTERFERENCE IN THE EMPLOYMENT CONTEXT, American Bar Association (2007 to 2016).

LAW SCHOOL AND UNIVERSITY SERVICE

Site Visit Committee (co-chair) (2016-18)

Dean's Search Committee (2014-15)

Reappointment, Promotion and Tenure Committee (2013-14)

Non-Tenure Reappointment and Promotion Committee (chair) (2013-14, 2014-15)

Faculty Advisory Committee (2012-13, 2013-14, 2015-16)

LLM Admission Committee (2015-17)

Whitman Selection Committee (2015-17)

Appointments Committee (2012-2013, 2019-20)

Admissions Committee (2019-20)

APC Committee (2014-15)

INTELLECTUAL PROPERTY AND COMPUTER LAW JOURNAL Committee (2012-13, 2013-14)
Non-Tenure Track Promotion and Tenure Committee (2011-12)
Research, Development, Library and Technology Committee (chair) (2015-18)
Faculty Development Committee (2011-12)
Communications Committee (2015-16)
University Joint Union-Management Committee on Parental Leave (2014-15)
Distinguished AHSS Research Award Committee (2016-17)
University Research Advisory Board (2016-17)
University Cross-Disciplinary Research Task Force Committee (2015-18)

PROFESSIONAL ASSOCIATIONS AND LICENSES

Admitted to practice in Illinois (2000 to present)
Admitted to practice in Missouri (1999) (inactive status)
Admitted to practice before U.S. Supreme Court (2003 to present)