

PROFESSOR CHERYL L. ANDERSON
CURRICULUM VITAE

Phone: (618) 453-5634
e-mail: cheryla@siu.edu

CURRENT POSITION:

Professor of Law

Southern Illinois University School of Law, Carbondale, IL

Professor 2010-present; Associate Professor 2003-2010; Assistant Professor 1999-2003

Current Courses: Disability Law, Employment Discrimination, Employment Law, Advanced Appellate Advocacy

Past Courses: Advanced Employment Law, Civil Rights, Labor Law, Transactional Skills

Present Committees: Personnel (chair), Diversity and Inclusion, Dean's Advisory Committee

Past Committees: Clinic (chair), Curriculum (chair), Faculty Evaluation (chair) Rules (chair), Litigation Specialization (chair), Personnel, Self-Study (Curriculum group chair), Student Affairs & Awards (chair); Dean Search, Instructional Technology Advisory Group, Ad Hoc Committee on Research and Scholarship

SIU Law Outstanding Scholar Award (2013)

SIU Law Outstanding Teacher (2015)

Faculty Advisor to Moot Court Board and Moot Court team coach

Faculty Advisor to the Employment and Labor Law Association (inactive)

OTHER TEACHING EXPERIENCE:

Visiting Assistant Professor

Southern Illinois University School of Law, Carbondale, IL

Courses: Employment Law, Labor Law, Disability Law, Products Liability

Visiting Assistant Professor of Law

University of Pittsburgh School of Law, Pittsburgh, PA

Courses: Civil Procedure and Employment Law

Visiting Assistant Professor of Law

Gonzaga University School of Law, Spokane, WA

Courses: Property I and II, Employment Law

Other Responsibilities: Member of committee that developed week long orientation for first year students under new curriculum plan; taught Legal Research and Writing I, II, III

and IV 1995-1996 and was faculty advisor for inter- and intra school moot court competitions.

Abraham L. Freedman Teaching Fellow and Lecturer in Law

Temple University School of Law, Philadelphia, Pennsylvania

Courses: Family Law; Legal Research and Writing; Collaborations in Torts and Family Law.

EDUCATION:

Temple University School of Law

LL.M. in Legal Education

University of North Dakota School of Law

J.D. (with distinction)

Honors: Order of Coif; Order of the Barristers; several scholastic, leadership awards
Midwest Intra School Moot Court--best brief, best oralist awards
Senior Editor, North Dakota Law Review

University of North Dakota

B.A. summa cum laude (4.0/4.0) in Psychology

Honors: Phi Beta Kappa

PUBLICATIONS:

Law Review Articles:

Data Breaches and Electronic Personal Health Information (ePHI): What is Injury-in-Fact and Does HIPAA Set a Negligence Standard of Care?, Journal of Legal Medicine (forthcoming 2019) (along with 2018-19 National Health Law Moot Court Competition problem co-authored with Alyce Grigsby).

Making “Meaningful Access” Even Less Meaningful: Judicial Gatekeeping under Title II of the Americans with Disabilities Act, 49 U. Memphis L. Rev. 635-705 (2019).

Balancing Administrative Authority, Employer Discretion, and Disability Discrimination Law: Introduction to the 2014–2015 National Health Law Moot Court Competition Problem and 2014–2015 National Health Law Moot Court Competition Problem, 36 Journal of Legal Medicine 253-285 (2015).

Unification of Standards in Discrimination Law: The Conundrum of Causation and Reasonable Accommodation under the ADA, 82 Miss. L.J. 67-126 (2013).

Discrimination Claims against Law Firms: Managing Attorney-Employees from Hiring to Firing, 43 Texas Tech. L. Rev. 515 (co-authored with Leonard Gross) (originally presented at *Lawyer and Law Firm Disputes: Problems and Prevention*, sponsored by the Texas Bar Association and Texas Tech University, September 17, 2010); reprinted in the *Defense Law Journal*, (2012).

Ideological Dissonance, Disability Backlash, and the ADA Amendments Act, Wayne Law Review 55 Wayne L. Rev. 1267-1326 (2009).

Comparative Evidence or Common Experience: When Does “Substantial Limitation” Require Substantial Proof under the Americans with Disabilities Act?, 57 American Univ. L. Rev. 409-478 (2007).

What Is “Because of Disability” under the Americans with Disabilities Act? Reasonable Accommodation, Causation, and the “Windfall” Doctrine, 27 Berkeley J. Emp. & Lab. Law 323-382 (2006); reprinted in 23 Nat’l Lawyers Guild, Civil Rights Litigation and Attorneys Fees Annual Handbook 15-1 (Steven Saltzman ed., 2007).

“Neutral” Employer Policies and the ADA: The Impact of *US Airways v. Barnett* Beyond Seniority Systems, 51 Drake L. Rev. 1-43 (2002).

“Thinking within the Box:” How Proof Models Are Used to Limit the Scope of Sexual Harassment Law, 19 Hofstra Lab. & Empl. L. J. 125-171 (2001); reprinted in 20 Nat’l Lawyers Guild, Civil Rights Litigation and Attorneys Fees Annual Handbook 10-1 (Steven Saltzman ed., 2004).

“Deserving Disabilities:” Why the Definition of Disability Under the Americans with Disabilities Act Should Be Revised to Eliminate the Substantial Limitation Requirement, 65 Missouri L. Rev. 83-150 (2000).

“Nothing Personal:” Individual Liability under 42 U.S.C. §1983 for Sexual Harassment as an Equal Protection Claim, 19 Berkeley J. Emp. & Lab. L. 60-107 (1998).

Damages for Intentional Discrimination under Title II of the Americans with Disabilities Act: A Rose by Any Other Name, But Are the Remedies the Same?, 9 B.Y.U. J. Pub. L. 235-290 (1995).

Lender Liability: Breach of Good Faith in Lending and Related Theories, 64 N.D.L. Rev. 273 (1988).

Book Chapters:

Civil Rights and Equal Employment/Americans with Disabilities Act, in *Community resources: A practical guide for human service professionals*, William Crimando & T.F. Riggan, Eds. (Waveland Press, Inc.) (2004).

Journal Articles:

The Business Case for Disability Diversity in Legal Employment, Vol. 102 #3, Ill. Bar J. 3 (2104).

Other Writings:

2018 National Health Law Moot Court Competition problem and bench brief (co-authored with Alyce Grigsby).

2014 National Health Law Moot Court Competition problem and bench brief.

2003 National Health Law Moot Court Competition problem and bench brief.

Works in Progress:

Advanced Appellate Advocacy Writing: A Workbook (prospective academic text book)

Public Safety Rationales in Accommodation Decisions and the Impact of Technology (journal article).

The “Folk Psychology” behind Judicial Decisionmaking in Employment Discrimination Cases.

PRESENTATIONS

Gender and the Workplace, Women in Leadership Forum, January 11, 2019, Southern Illinois University School of Law, Carbondale, IL

Employment Law for Business Lawyers, Business Boot Camp, January 8, 2019, Southern Illinois University School of Law

LGBT Employment Interviewing Workshop, Oct. 22, 2018, Southern Illinois University, Carbondale, IL

Gender and the Workplace, Women in Leadership Forum, January 11, 2018, Southern Illinois University School of Law, Carbondale, IL

Employment Law for Business Lawyers, Business Boot Camp, January 10, 2018, Southern Illinois University School of Law

Preventing and Correcting Sexual Harassment, October 27, 2017, Neighborhood Coop, Carbondale, IL

Making “Meaningful Access” Even Less Meaningful: Judicial Gatekeeping under Title II of the Americans with Disabilities Act, Central States Law Schools Association, October 6, 2017, Carbondale, IL

Service Animals: Rights and Responsibilities, September 27, 2017, This Able Veteran, Makanda, IL

ADA Training: ADA in Review, September 8, 2017, Southern Illinois University School of Law

Gender and the Workplace, Women in Leadership Forum, January 13, 2017, Southern Illinois University School of Law, Carbondale, IL

Employment Law for Business Lawyers, Business Boot Camp, January 11, 2017, Southern Illinois University School of Law

Implications of the 2016 Election Faculty (panel), December 2, 2016, Southern Illinois University School of Law

ADA Training: Service Animals and Universal Design, November 29, 2016, Southern Illinois University School of Law

Incorporating the Pomodoro Method into the Legal Classroom, Teaching Bar Exam Skills Faculty Workshop, February 25, 2016, Southern Illinois University School of Law, Carbondale, IL

Gender and the Workplace, Women in Leadership Forum, January 15, 2016, Southern Illinois University School of Law, Carbondale, IL

Employment Law for Business Lawyers, Business Boot Camp, January 13, 2016, Southern Illinois University School of Law

The Wounded Warrior Comes Home: The Impact of Veterans with Disabilities on Employment, Health and Other Law (moderator), American Association of Law Schools, January 8, 2016, New York, NY

Reasonable Accommodation and Academic Standards, SIU School of Law Faculty and Staff Training, September 24, 2015, Carbondale, IL

The Curse of Knowledge, Zombie Nouns, and Other Impediments to Persuasive Written Advocacy, Illinois Appellate Lawyers’ Association, Continuing Legal Education, Oct. 29, 2014, Carbondale, IL

Gender and the Workplace, Women in Leadership Forum, January 10, 2014, Southern Illinois University School of Law, Carbondale, IL

U.S. Perspectives on Disability Discrimination Law, Webster University Institute for Human Rights Conference, October 10, 2013, Webster University, St. Louis, MO

Gender and the Workplace, Women in Leadership Forum, January 11, 2013, Southern Illinois University School of Law, Carbondale, IL

Illinois Religious Freedom Protection and Civil Union Act: Impact on the Workplace, Southern Illinois Personnel Management Association, May 17, 2012, Carbondale, IL

Gender and the Workplace, Women in Leadership Forum, January 11, 2012, Southern Illinois University School of Law, Carbondale, IL

Gender and the Workplace, Women in Leadership Forum, January 13, 2011, Southern Illinois University School of Law, Carbondale, IL

Gender and the Workplace, Women in Leadership Forum, January 15, 2010, Southern Illinois University School of Law, Carbondale, IL

But-For Causation under the ADA, 2009 Labor and Employment Scholars Colloquium, September 25, 2009, Seton Hall University, Newark, N.J.

Amending the ADA: Avoiding a Second Backlash, Central States Law School Association Annual Meeting, October 24-25, 2008 (presentation of a current work in progress)

Comparator Evidence or Common Experience: When Does “Substantial Limitation” Require Substantial Proof under the Americans with Disabilities Act? 2006 Labor and Employment Scholars Colloquium, Marquette University

“The Americans with Disabilities Act for Rehabilitation Counselors: How The Judicial Interpretation of Disability Impacts Your Work with Persons with Disabilities,” SIUC Rehabilitation Doctoral Advanced Ethics and Disability Policy (guest lecture), April 21, 2006.

“An Overview of the Americans with Disabilities Act,” People’s Law School Law Day Event, SIU School of Law, April 30, 2005.

“The Americans with Disabilities Act: General Principles, Rights and Responsibilities,” SIUC Rehabilitation Association, November 17, 2004;

“The Americans with Disabilities Act: General Principles,” SIUC Rehabilitation Association, June 2, 2004;

“The Impact of Unionization,” Southern Illinois University A/P Council, March 30, 1999.

“Light on the Law,” WDBX Community Radio, September 10, 1999.

“Law and the Movies,” co-ordinator and frequent faculty moderator.

“Thinking within the Box: How Proof Models Are Used to Limit Sexual Harassment Law,”
Southern Illinois University Faculty Forum, November 13, 2001.

PROFESSIONAL COMMITTEES:

American Association of Law Schools Standing Committee on Disability Law, Chair (2015),
Chair-elect (2014), Secretary (2013), Executive Committee (2011, 2012, 2016).

Illinois State Bar Association Disability Law Standing Committee, Chair (2012-2013), Vice
Chair (2010-2011), Secretary (2009-2011).

Illinois State Bar Association Diversity Leadership Council (2011-2014)

University Sexual Harassment Working Group (committee that reports to SIU President and
Chancellor on matters related to proposed revisions of SIU sexual harassment policy and
procedures).

SERVICE AWARDS:

The Belle Greve Memorial Award, National Rehabilitation Association (October, 2005)

Citizen Community Rehabilitation Services Award, Illinois Rehabilitation Association (May,
2005)

Citizen Community Rehabilitation Services Award, Southern Chapter, Illinois Rehabilitation
Association (March, 2005)

OTHER SIGNIFICANT LEGAL EXPERIENCE:

Gunhus, Grinnell, Klinger, Swenson & Guy

Moorhead, Minnesota

Position: Associate Attorney

Significant Responsibilities: Civil litigation, including jury and bench trials and
appellate practice, in the areas of insurance defense (both personal injury and commercial
claims), employment law and family law; advised insurance companies on coverage
issues; provided local counsel services to employers and other organizations, including
presentations to management and other employees on employment-related issues such as
sexual harassment, responses to union activity, records management, and the Americans
with Disabilities Act; represented insurance companies and individuals in binding
arbitration, mediation and other ADR proceedings.

Grand Forks Regional Child Support Enforcement Unit

Grand Forks, North Dakota

Position: Senior Legal Officer (student position)

Significant Responsibilities: Provide IV-D Services to County Social Services in four county region, which included establishment of paternity and child support orders, enforcement of support orders through contempt and other legal proceedings, advising county social services on administrative law issues, and working with State IV-D agencies to devise and implement programs and procedures to comply with federal law.

PROFESSIONAL ORGANIZATIONS

American Bar Association, Labor and Employment Law Division

American Association of Law Schools, Disability Law, Employment Discrimination, Labor and Employment Law, and Teaching Methods sections

Southern Illinois Inns of Court, 2003-2007

Illinois State Bar Association, 2009-2015

BAR ADMISSIONS (all currently inactive):

Minnesota, North Dakota, Washington state bars

United States District Court for the District of Minnesota

United States District Court for the District of North Dakota