

## **Sandra Sperino**

*University of Cincinnati College of Law, P.O. Box 210040, Clifton Avenue & Calhoun Street,  
Cincinnati, OH 45221*

*Tel. 937-212-1701; e-mail: sandra.sperino@uc.edu*

### **BOOKS AND BOOK CHAPTERS**

MCDONNELL DOUGLAS: THE MOST IMPORTANT CASE IN EMPLOYMENT DISCRIMINATION LAW (Bloomberg, updated annually).

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

UNEQUAL: HOW AMERICA'S COURTS UNDERMINE DISCRIMINATION LAW (w/ Thomas) (Oxford Univ. Press 2017) (awarded Civil Justice Scholarship Award from the Pound Civil Justice Institute).

FEDERAL DISCRIMINATION LAW IN A NUTSHELL (w/ Player) (West 2017, 2020).

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

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

Book chapter, THE OXFORD HANDBOOK OF RACE AND LAW IN THE UNITED STATES (ed. Devon Carbado, Khiara Bridges, Emily Houh) (forthcoming 2022).

### **ARTICLES**

*The Causation Canon*, \_\_\_ IOWA L. REV. \_\_\_ (forthcoming 2022).

*Evidentiary Inequality*, 101 BOSTON U. L. REV. 2105 (2021).

*Into the Weeds: Modern Discrimination Law*, 95 NOTRE DAME L. REV. 1077 (2020).

*The Emerging Statutory Proximate Cause Doctrine*, 99 NEB. L. REV. 285 (2020).

*Caught in the Cat's Paw*, 2019 BYU L. REV. 1219 (2019).

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

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

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

*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**

*Co-Worker Evidence in Court*, 65 ST. LOUIS U. L. J. (2020) (invited symposium).

*Killing the Cat's Paw*, 50 SETON HALL L. REV. 1303 (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).

Guest Blogger, New Private Law Blog, 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 Missouri School of Law**, Columbia, Missouri

*Associate Dean for Research and Faculty Development* (July 2022 to present)

*Elwood L. Thomas Missouri Endowed Professor of Law* (July 2022 to present)

*Senior Fellow, Center for the Study of Dispute Resolution* (July 2022 to present)

Teaching Employment Law, Disability Law, and Lawyering

**University of Cincinnati College of Law**, Cincinnati, Ohio

*Judge Joseph P. Kinneary Professor of Law* (January 2019 to June 2022)

*Associate Dean of Faculty* (August 2015 to May 2018)

*Professor* (Summer 2013 to June 2022)

Taught Civil Procedure I and II, Torts, Employment Discrimination, Employment Law, and Statutory Interpretation

2021, 2019 University Excellence Award for Faculty-to-Faculty Research Mentoring

2018 Faculty Excellence Award for Scholarship

2017, 2022 Goldman Prize for Excellence in Teaching

2015 Schott Award for Scholarship

Fellow of the Graduate School

*Associate Professor* (Summer 2011 to Summer 2013)

Taught 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 PRESENTATIONS**

AALS Section on Employment Discrimination Incubator Workshop, December 2020.

Colloquium on Scholarship in Employment and Labor Law (COSELL), University of Louisville Brandeis School of Law, Fall 2020.

New Waves of Worker Empowerment: Labor and Technology in the 21st Century, Saint Louis University School of Law, Fall 2020.

Supreme Court Review, ABA Webinar, 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 (COSELL), 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 (COSELL), 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 (COSELL), 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.

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

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

Colloquium on Current Scholarship in Labor and Employment Law (COSELL), 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 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

American Law Institute, Elected Member

Federal Judicial Center, Faculty Member, Phase II Judicial Orientation

Pound Institute, Academic Fellow

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)

Reappointment, Promotion and Tenure Committee (2013-14, 2021-22) (faculty elected)  
Non-Tenure Reappointment and Promotion Committee (2011-12); (chair) (2013-14, 2014-15)

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

LLM Admission Committee (2015-17)

Whitman Selection Committee (2015-17)

Appointments Committee (2012-2013, 2019-22); chair (2019-20)

Admissions Committee (2019-22)

APC Committee (2014-15)

INTELLECTUAL PROPERTY AND COMPUTER LAW JOURNAL Committee (2012-13, 2013-14)

UC Law Women Mentor

Research, Development, Library and Technology Committee (chair) (2015-18)

Faculty Development Committee (2011-12)

Communications Committee (2015-16)

University Joint Committee on Parental Leave (2014-15)

University 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)