

EMILY GOLD WALDMAN

Elisabeth Haub School of Law at Pace University
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EDUCATION

- 2002 **Harvard Law School**, J.D., *magna cum laude*
Harvard Law Review, Editor
Harvard Mediation Program, Vice President
- 1999 **Yale University**, B.A., *summa cum laude*, History
Phi Beta Kappa
Recipient of Edwin Small Prize for Senior Thesis in American History

EXPERIENCE

- Fall 2006-
present **Elisabeth Haub School of Law at Pace University**, White Plains, NY
Professor of Law (received tenure in 2011; promoted to full professor in 2014)
Associate Dean for Faculty Development & Operations (2016-)
 - Teaching fields include Law & Education, Employment Law, Constitutional Law, and Civil Procedure.
 - Administrative responsibilities include promoting faculty scholarship and development; establishing and administering faculty policies; and helping implement strategic plan and Haub gift.
 - Winner, Goettel Prize for Faculty Scholarship, 2008 (chosen by vote of external reviewers)
 - Winner, Ottinger Award for Faculty Achievement, 2015 & 2018 (chosen by faculty peers for service to law school)
- 2005-2006 **Chambers of the Honorable Robert A. Katzmann, Chief Judge of the United States Court of Appeals for the Second Circuit**, New York, NY
Law Clerk
- 2003-2005 **Debevoise & Plimpton LLP**, New York, NY
Litigation Associate
- 2002-2003 **Chambers of the Honorable William G. Young, United States Chief District Judge, District of Massachusetts**, Boston, MA
Law Clerk

ACADEMIC PUBLICATIONS

The Unconstitutional Tampon Tax, RICHMOND L. REV. (forthcoming 2019) (with Bridget J. Crawford)

School Jurisdiction Over Online Speech, OXFORD HANDBOOK OF UNITED STATES K-12 EDUCATION LAW (forthcoming 2019) (book chapter)

The Preferred Preferences in Employment Discrimination Law, 97 NORTH CAROLINA L. REV. 101 (forthcoming 2018)

Show and Tell?: Students' Personal Lives, Schools, and Parents, 47 CONN. L. REV. 699 (2015)

University Imprimaturs on Student Speech: The Certification Cases, 11 FIRST. AM. L. REV. 382 (2013) (symposium issue)

No Jokes About Dope: Morse v. Frederick's Educational Rationale, 82 UMKC L. REV. 685 (2013) (symposium issue)

Badmouthing Authority: Hostile Speech About School Officials and the Limits of School Restrictions, 19 WILLIAM & MARY BILL OF RIGHTS JOURNAL 592 (2011), reprinted in THE FIRST AMENDMENT LAW HANDBOOK, 2011-12 (Rodney A. Smolla, ed., Thomas/West 2011)

Regulating Student Speech: Suppression versus Punishment, 85 INDIANA LAW JOURNAL 1113 (2010)

A Post-Morse Framework for Students' Potentially Hurtful Speech (Religious and Otherwise), 37 JOURNAL OF LAW AND EDUCATION 463 (2008); reprinted in THE FIRST AMENDMENT LAW HANDBOOK 2009-2010 (Rodney A. Smolla, ed., Thomas/West 2009)

Returning to Hazelwood's Core: A New Approach to Restrictions on School-Sponsored Speech, 60 FLORIDA LAW REVIEW 63 (2008) (winner of 2008 Goettel Prize for Faculty Scholarship); reprinted in THE FIRST AMENDMENT LAW HANDBOOK 2008-2009 (Rodney A. Smolla, ed., Thomas/West 2008)

Fulfilling Lucy's Legacy: Recognizing Implicit Good-Faith Obligations Within Explicit Job Obligations, 28 PACE LAW REVIEW 429 (2008) (symposium issue)

The Case of the Male OB-GYN: A Proposal for Expansion of the Privacy BFOQ in the Healthcare Context, 6 U. PA. J. LAB. & EMP. L. 357 (2004)

The Supreme Court, 2000 Term—Leading Cases, *Good News Club v. Milford Central School*, 121 S. Ct. 2093 (2001), 115 HARV. L. REV. 396 (2001)

Recent Case, *United States v. Hayes*, 227 F.3d 578 (6th Cir. 2000), 114 HARV. L. REV. 2194 (2001)

OTHER PUBLICATIONS

Author of two casebook chapters (entitled “Students’ Freedom of Expression” and “Creation and Control of the Curriculum”) in *Education Law: Equality, Fairness, and Reform* (Aspen, 2013, edited by Derek Brown)

School Speech Controversies in Today’s Climate, in EIGHTEENTH ANNUAL SCHOOL LAW INSTITUTE (Practising Law Institute 2018)

Students’ Fourth Amendment Rights in Schools: Strip Searches, Drug Tests, and More in TENTH ANNUAL SCHOOL LAW INSTITUTE, 87-96 (Practising Law Institute 2010) (reprinted in substantially similar form at 26 TOURO L. REV. 1131 (2011))

Student Speech Rights: The State of the Law Post-Morse v. Frederick, in EIGHTH ANNUAL SCHOOL LAW INSTITUTE, 107-118 (Practising Law Institute 2008)

The Attorney-Client Privilege and Internal Investigations: Privilege Issues in Structuring an Investigation and Interviewing Witnesses, in STAYING OUT OF TROUBLE: WHAT EVERY ATTORNEY MUST KNOW ABOUT ETHICS 2004, 409-425 (Practising Law Institute 2004) (with Mary Beth Hogan)

PRESENTATIONS AND MEDIA APPEARANCES

Inclusion Riders and Diversity Mandates, Belmont Law Review Symposium on the Modern Workplace: Contemporary Issues in Labor and Employment Law, Belmont Law School, Nashville, TN (October 5, 2018)

Supreme Court Analysis: The New Docket, Richard French Live (October 1, 2018)

The Preferred Preferences in Employment Discrimination Law, Thirteenth Annual Colloquium on Scholarship in Labor and Employment Law, University of South Carolina Law School, Columbia, SC (September 28, 2018)

School Speech Controversies in Today’s Climate, Eighteenth Annual School Law Institute, Practising Law Institute, New York, NY (June 7, 2018).

Supreme Court Analysis: The Kavanaugh Nomination, Richard French Live (September 26, 2018)

Supreme Court Analysis: The Kavanaugh Nomination, Richard French Live (July 11, 2018)

Supreme Court Analysis: Lead-Up to Announcement of New Nomination, MSNBC (Velshi & Rule) (July 9, 2018)

Supreme Court Analysis: Potential Nominees for Justice Kennedy’s Seat, Richard French Live (July 9, 2018)

Supreme Court Analysis: Potential Nominees for Justice Kennedy’s Seat, Richard French Live (July 9, 2018)

Supreme Court Analysis: Justice Kennedy’s Retirement, Richard French Live (June 27, 2018)

Supreme Court Analysis: Justice Kennedy's Retirement, News 12 Westchester (June 27, 2018)

Legal Roundtable, Richard French Live (June 6, 2018)

Supreme Court Analysis: Major Decisions and Possible Justice Kennedy Retirement, Richard French Live (May 16, 2018)

Judging Statutes: Interpreting Congress' Laws Under the Constitution, A Conversation with the Honorable Robert A. Katzmann, Chief Judge, United States Court of Appeals for the Second Circuit, Seventh Annual Constitution Day Celebration (organized by the Constitutional Sources Project), New York, NY (September 15, 2016)

Introduction to Due Process and Equal Protection (with the Honorable Elizabeth Stong, United States Bankruptcy Judge, Eastern District of New York), Summer Teachers Institute on Civic Education, New York, NY (July 5, 2016)

Show and Tell? Students' Personal Lives, Schools, and Parents, American Association of Law Schools Annual Meeting, Section on Defamation and Privacy (selected from competitive Call for Papers), New York, NY (January 4, 2014)

University Imprimaturs on Student Speech, Hofstra Law School Faculty Colloquium, Hempstead, NY (January 28, 2013).

Hazelwood and Higher Education, Symposium: One Generation Under Hazelwood: The 25-Year Retrospective on Student First Amendment Rights, University of North Carolina School of Law, Chapel Hill, NC (November 9, 2012)

Morse v. Frederick's Educational Rationale, Symposium: Gathering at the Schoolhouse Gate—40 Years of Landmark School Speech Cases, University of Missouri-Kansas City Law School, Kansas City, MO (September 21, 2012).

Moderator and Program Organizer, *Taking Stock at Title IX's 40th Anniversary*, American Association of Law Schools Annual Meeting, Joint Program of Sections on Education Law and Sports Law, Washington, DC (January 5, 2012).

Keynote Speaker, *When Words Become Weapons: Educational Perspectives and Legal Parameters*, Summer Institute Co-Sponsored by Pace Law School and Pace School of Education, White Plains, NY (July 12, 2011).

Employment Law Implications of Student-on-Teacher Harassment, Fifth Annual Labor & Employment Law Colloquium, Washington University Law School and St. Louis University Law Schools, St. Louis, MO (September 24, 2010).

Invited Speaker, Westchester County Board of Legislators Meeting about proposed cyber-bullying law, White Plains, NY (August 9, 2010).

Students' Fourth Amendment Rights in Schools: Strip Searches, Drug Tests, and More, Tenth Annual School Law Institute, Practising Law Institute, New York, NY (May 5, 2010).

Regulating Student Speech: Suppression versus Punishment, New York Junior Scholars Workshop at Fordham Law School, New York, NY (February 27, 2009).

Student Speech Rights: The State of the Law Post-Morse v. Frederick, Eighth Annual School Law Institute, Practising Law Institute. New York, NY (May 19, 2008).

Unresolved Questions Regarding Students' Potentially Hurtful Speech, Education & the Law Committee, New York City Bar Association. New York, NY (February 25, 2008).

Lessons from Morse v. Frederick: Implications for Students' Religious Speech, American Association of Law Schools Annual Meeting, Section on Education Law, New York, NY (January 4, 2008).

Fulfilling Lucy's Legacy: Recognizing Implicit Good-Faith Obligations Within Explicit Job Obligations, Pace Law School Symposium on "The Enduring Legacy of *Wood v. Lucy, Lady Duff-Gordon*," White Plains, NY (November 9, 2007).

LAW SCHOOL SERVICE

Associate Dean of Faculty Development and Strategic Planning (2016-present)

Faculty Director, Federal Judicial Honors Program (2007-present)

Chair, Strategic Planning Committee (2014-15); Curriculum Committee, 2013-14)

Member, Administration & Budget Committee (2016-present) (ex officio), Appointments Committee (2016-present) (ex officio), Admissions Committee (2016-present) (ex officio), Career Development Committee (2016-present) (ex officio), Nominating Committee (2019-14; 2016-present) (ex officio); Curriculum Committee (2010-12; 2014-16); Academic Standing Committee (2016-10, 2012-13); Law School Dean Search Committee (2013-14); Task Force on Pace Law School's Environmental Law Program (2010); Strategic Planning Committee (2007-2010); Ad Hoc Committee for Revision of Promotion and Tenure Rules (2007-2008).

PROFESSIONAL SERVICE AND ACTIVITIES

Member, Second Circuit Judicial Council Committee on Civic Education and Public Engagement (2015-present)

Member, Advisory Board, Student Advocacy (2018-present; previous secretary of Board)

Previous Chair, Section on Education Law, American Association of Law Schools (Chair in 2011, Chair-Elect in 2010, Secretary in 2009; Treasurer in 2008)

Member, Second Circuit Courts Committee, Federal Bar Council (2007-2011)

Member, Education & the Law Committee, New York City Bar Association (2005-2008)

BAR ADMISSIONS

New York State Bar, Admitted May 7, 2003 (Second Department).

Admitted to appear before the Southern District of New York, Eastern District of New York, and the United States Court of Appeals for the Second Circuit.