HUSCH BLACKWELL



Ellen M. Babbitt

SENIOR COUNSEL

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OVERVIEW

Serving clients for more than 35 years, Ellen concentrates her practice on advising public and private research universities, community colleges, liberal arts colleges, graduate and medical programs, and religious schools of different denominations.

As a member of the Education Team, Ellen counsels and advocates on behalf of educational institutions in cases involving tenure, academic freedom, accreditation, internal investigation, ADA accessibility, program closure and codes of conduct. She also represents institutions (and individuals within those institutions) in government investigations, lawsuits and administrative proceedings concerning compliance with statutory, governance and accreditation standards.

Earlier in her career, Ellen was a founding partner in Babbitt, Land & Warner LLP, which focused on higher education legal services. She frequently presents at conferences, seminars and webinars on significant legal issues affecting higher education. She also has published extensively on issues of higher education risk management, particularly in the areas of academic program closure, academic freedom and disabilities.

Industry

Education

Services

Higher Education
Title IX

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Experience

- Represented institutions and individual defendants as lead counsel in contract, discrimination, fraud and defamation claims arising from tenure denials, non-reappointments or dismissals for cause.
- Counseled governing boards and senior administrators of multiple institutions in planning and executing program reduction or closure decisions made for reasons of financial exigency, strategic planning or programmatic need. Also counseled institutions on related accreditation, faculty, staff and student issues, including tenured faculty terminations.
- Advised and represented institutions in internal, quasi-judicial proceedings addressing potential dismissal of tenured or extended-appointment faculty members. Also represented faculty committees, administrators and board members in various phases of internal proceedings that preceded final decisions.
- Represented colleges and universities in investigations by federal agencies or accrediting institutions scrutinizing institutional compliance with U.S. Department of Education financial aid regulations, Clery Act compliance, Title IX provisions, accrediting agency recommendations, Office for Civil Rights (OCR) sexual harassment regulations and ADA/Section 504 requirements.
- Advised institutions as lead counsel in litigation by students, tenured faculty, administrators and clinic patients seeking injunctions or damages for alleged contract breach or fraud arising from program closures.
- Worked with institutions to convert faculty appointment systems to tenure or clinical track appointment systems or to memorialize recent changes to dual-track or extended appointment faculty systems. Updated faculty handbook and dispute resolution policies to incorporate changes.

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Experience

- Conducted confidential internal investigations involving sensitive allegations of research integrity violations, discrimination, harassment or other misconduct made against senior administrators, faculty or board members. Prepared reports detailing results of investigations and advised decision-makers on appropriate responses to investigative results.
- Drafted and revised numerous faculty handbooks, student bulletins, tenure procedures and grievance policies to incorporate emerging best practices within the higher education community. Served on multi-constituent committees charged with recommending updates and revisions to current faculty handbooks and student policies.
- Designed and delivered on-campus training to educate supervisors, administrators and other constituencies about how to apply internal policies and address potentially serious conduct or performance issues, consistent with the institution's stated policies.

Recognition

- *Illinois Super Lawyers*, Schools & Education, 2007-2021
- Illinois Leading Lawyers - Women Edition, 2014
- *Law Bulletin Publishing*, Chicago Women in Law: Women Making an Impact, 2013
- *Law Bulletin Publishing*, Leading Lawyer, 2017

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Education

- J.D., Northwestern University Pritzker School of Law
  - *cum laude*
  - Order of the Coif
  - *Northwestern University Law Review,* Editor-in-Chief
- B.A., Vanderbilt University
  - English and History
  - *magna cum laude*
  - Phi Beta Kappa

Admissions

- Illinois
- U.S. District Court, Northern District of Illinois (Trial Bar)
- U.S. Court of Appeals, Seventh Circuit
- U.S. Supreme Court

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*Contact Ellen to set up an in-person consultation by appointment in the Chicago office.



2025 Pro Bono Contributor

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