



Aaron Lacey

Partner

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EDUCATION

- Vanderbilt University Law School, J.D. and Certificate in Law and Business, 2002
- Duke University, B.A., 1999

ADMISSIONS

- District of Columbia
- Missouri
- Virginia
- Virginia USDC, Eastern District

AFFILIATIONS

- National Association of College and University Attorneys
- American Bar Association

EMPLOYMENT

- Thompson Coburn LLP; Partner, 2014-Present
- Dow Lohnes PLLC (now Cooley LLP); Attorney, Postsecondary Education Practice Group, 2002-2010

The Chair of Thompson Coburn's Higher Education Practice, Aaron assists institutions to navigate a wide range of complex legal and regulatory matters.

Aaron has substantive experience in federal, state, and accrediting agency laws and standards that govern postsecondary institutions, and regularly advises on issues involving students, faculty and staff, facilities, academics, governance, and operations. He also leads the Firm's extremely active higher education transactional practice. He and his colleagues have experience negotiating, documenting, and implementing merger, asset acquisition, stock acquisition, joint venture, and religious sponsorship and affiliation transactions for both nonprofit and proprietary higher education clients. In recent years, the practice has managed numerous non-traditional arrangements, as well, including for-profit to non-profit conversions and the acquisition of distressed institutions.

Aaron and his colleagues are valued for their deep understanding of the postsecondary regulatory framework, including requirements relating to the federal financial aid programs, incentive compensation, distance education, the Clery Act, FERPA, and Title IX, among others. In October 2017, Aaron was selected by the U.S. Department of Education to serve as one of 17 negotiators charged with overhauling the Department's complex and controversial "borrower defense" rule. The Department appointed him to negotiate on behalf of general counsels, attorneys, and compliance officers at postsecondary institutions nationwide.

Aaron routinely represents institutions in administrative proceedings before state licensing entities, accrediting agencies, and the U.S. Department of Education, including matters arising from audits, program reviews, and investigations of the Office of Inspector General. He assists with the management of regulatory and government agency relationships, policy creation and implementation, strategic planning, and compliance systems design. In support of institutional initiatives, Aaron drafts and negotiates a wide variety of agreements, including domestic and international articulation, consortium, licensing, marketing, and bundled service provider (OPM) contracts.

The host of the Firm's popular Higher Education Webinar Series, and editorial director of REGucation, the Firm's higher education law and policy blog, Aaron is a frequent writer and speaker on topics relating to higher

education policy and regulation. He is a member of the National Association of College and University Attorneys and of the American Bar Association.

Presentations

- Presenter, "The Federal Regulatory Outlook for Postsecondary Institutions," National Association of State Administrators and Supervisors of Private Schools – 2021 Virtual Conference (October 2021)
- Co-Presenter, "Incentive Compensation & Misrepresentation," The Postsecondary National Policy Institute - Higher Education Boot Camp on Program Integrity (October 2021)
- Co-Presenter, "Navigating Legal and Regulatory Issues Online," National Association of College and University Attorneys - Virtual Annual Conference (June 2021)
- Co-Presenter, "School Mergers & Acquisitions: Advanced Topics," Career Education Colleges and Universities - Annual Convention (June 2021)
- Co-Presenter, "Ownership Structures, Changes, and Mergers," National Association of State Administrators and Supervisors of Private Schools – Spring Regulator Workshop (April 2021)
- Co-Presenter, "Higher Education Transactions: Valuation & Structure," Thompson Coburn LLP - Webinar (February 2021)
- Co-Presenter, "Going Online: Top Regulatory and Operational Considerations for a Remote Model," EDUCAUSE– Annual Conference (October 2020)
- Co-Presenter, "Professional Licensure Notifications Now Required!" WCET-State Authorization Network – Webinar (August 2020)
- Co-Presenter, "Title IX Training Series," Thompson Coburn LLP - Six-Part YouTube Training Series (July 2020)
- Presenter, "State Authorization, Borrower Defense, and Gainful Employment," California Association of Student Financial Aid Administrators – Annual Conference (November 2019)
- Presenter, "Examining the USED Approval Process for Higher Ed Mergers and Acquisitions," Thompson Coburn LLP - Webinar (August 2019)
- Co-Presenter, "What General Counsel Should Know About the U.S. Department of Education's New Rules," National Association of College and University Attorneys – Annual Conference (June 2019)
- Co-Presenter, "The Role of Receiverships, Bankruptcies, and Other Restructuring Options in Higher Education," National Association of State Administrators and Supervisors of Private Schools – Annual Conference (April 2019)
- Panelist, "A Look at the U.S. Department of Education's Regulatory

Agenda," New York State Financial Aid Administrators Association – Podcast (March 2019)

- Presenter, "USED's Proposed Title IX Rules: A Detailed Examination," Thompson Coburn LLP - Webinar (November 2018)
- Presenter, "Update on Federal Regulation of Distance Education," Arizona State Authorization Reciprocity Agreement Council – Annual Forum (May 2018)
- Presenter, "Managing ADA Accommodations in the Clinical Setting," National Conference on Allied Health Education (March 2018)
- Presenter, "Consumer Information Boot Camp," Missouri Association of Student Financial Aid Personnel - Annual Conference (November 2017)
- Presenter, "The State of Gainful Employment: Current and Future Challenges for Schools," National Association of State Administrators and Supervisors of Private Schools – Annual Conference, (April 2017)
- Panelist, "Regulatory and Compliance Aspects of International Online and Continuing Education," University Professional & Continuing Education Association (February 2017)
- Co-Presenter, "FSA: The New Audit Guide," New York State Financial Aid Administrators Association (January 2017)
- Presenter, "Gainful Employment: Preparing for the Next Six Months," Kansas Board of Regents – Annual State Meeting (October 2016)
- Presenter, "Structuring International Recruiting and Marketing Arrangements," Association of Private Sector Colleges and Universities - Annual Conference (June 2016)
- Co-Presenter, "Federal Perspectives in Higher Education," United States Distance Learning Association National Conference (May 2016)
- Panelist, "The Promise (and Perils) of Competency-Based Education," University Professional & Continuing Education Association and Penn State University (September 2015)
- Presenter, "Title IX on the Christian Campus," Council for Christian Colleges and Universities – 39th Annual President's Conference (January 2015)

Publications

- Author, "Financial Responsibility Reporting Under the Borrower Defense to Repayment Rule," Thompson Coburn LLP - Compliance Guide (August 2021)
- Co-Author, "Institutional Loans: Compliance Considerations," Thompson Coburn LLP - Compliance Guide (July 2021)
- Author, "Maintaining Compliance with the Evolving 90/10 Rule," Thompson Coburn LLP - Compliance Guide (April 2021)
- Author, "Reporting Litigation and other Triggering Events to the U.S. Department of Education under the Borrower Defense to Repayment

(BDTR) Rule," *National Association of College and University Attorneys*
– *NACUANOTE* (February 2020)

- Author, "How to Project Gainful Employment Rates," Thompson Coburn LLP - Compliance Guide (March 2016)
- Co-Author, "Rethinking the Regulatory Environment of Competency-Based Education," *American Enterprise Institute's Center on Higher Education Reform* (May 2015)
- Author, "FERPA and Subpoenas for Student Records," *REGucation* (March 2015)