

## RACHEL INSALACO

ASSOCIATE



### AREAS OF PRACTICE

Employment Law  
School Leaders' Liability  
Public Entity & Civil Rights Litigation

### CONTACT INFO

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### ADMISSIONS

New York  
2022

Pennsylvania  
2023

U.S. District Court Middle District  
of Pennsylvania  
2023

U.S. District Court Eastern District  
of Pennsylvania  
2023

### EDUCATION

Villanova University Charles  
Widger School of Law (J.D.,  
*magna cum laude*, 2021)

New York University (B.M., 2018)

### ASSOCIATIONS & MEMBERSHIPS

Lackawanna Bar Association,  
Board of Directors of the Young  
Lawyers Division

### YEAR JOINED

2023

### OVERVIEW

Rachel is a member of the Professional Liability Department, where she focuses her practice in the areas of employment law, civil rights, and education. As to the latter, Rachel handles special education matters arising under the IDEA and Section 504 of the Rehabilitation Act at both the administrative and federal district court levels. She has also litigated Title IX claims and presented to local school districts on their Title IX obligations.

In 2021, Rachel graduated *magna cum laude* from the Villanova University Charles Widger School of Law and was inducted to the Order of the Coif legal honor society. She was a recipient of the Dorothy Day Award, which recognizes students who have completed fifty hours or more of pro bono service during their time in law school.

As a law student, Rachel was involved in numerous extracurricular activities. She was a Staff Writer and Managing Editor of Student Works for the *Jeffrey S. Moorad Sports Law Journal*, as well as a member of Villanova's National Trial Team. She also worked as a research assistant in the areas of both sports law and tax law, conducting research into such varied topics as the impact of name/image/likeness legislation on college athletics, the sports industry's response to the COVID-19 pandemic, and the relationship between the income tax system and executive compensation.

In addition, Rachel held multiple internships and volunteer positions during her time at Villanova, working as a summer clerk in the United States District Court for the Eastern District of Pennsylvania, a Legal Services Coordinator for Philadelphia Volunteer Lawyers for the Arts, and a Student Attorney for the Villanova University Clinic for Law & Entrepreneurship.

After graduating, Rachel was a law clerk for The Honorable Terrence R. Nealon in the Lackawanna County Court of Common Pleas, and later an Associate Attorney with a Brooklyn-based law firm focusing on performing arts immigration.

## THOUGHT LEADERSHIP

### Legal Update for Special Education Law – Updates from the U.S. Department of Education

Scranton  
School Leaders' Liability  
October 1, 2024

On September 12, 2024, the U.S. Department of Education and Office for Civil Rights released two new resources to help schools comply with the recent amendments to Title IX regulations, which became effective on August 1, 2024. Legal Update for Special Education Law – October 2024 is prepared by Marshall Dennehey to provide information on recent legal developments of interest

### Let The Sunshine In: Exploring the Impact of Pennsylvania's Sunshine Act on School Board Decision-Making

Scranton  
School Leaders' Liability  
September 1, 2024

### Legal Update for Special Education Law – Case Law Update

Scranton  
School Leaders' Liability  
August 1, 2024

Third Circuit remands matter to the district court to conduct a factual analysis as to whether the school district had violated its Child Find obligations under Section 504. Legal Update for Special Education Law – August 2024 is prepared by Marshall Dennehey to provide information on recent legal developments of interest

### Legal Update for Special Education Law – Case Updates Regarding Section 504 of the Rehabilitation Act

Scranton  
School Leaders' Liability  
March 1, 2024

Third Circuit affirms lower court finding that a school district did not violate the IDEA or Section 504 of the Rehabilitation Act. Legal Update for Special Education Law – March 2024 is prepared by Marshall Den

### Legal Update for Special Education Law – Updates from the Pennsylvania Department of Education

Scranton  
School Leaders' Liability  
March 1, 2024

Governor Josh Shapiro recently announced that the proposed 2024-2025 budget for the Pennsylvania Department of Education includes a \$1,436,815,000 special education appropriation. Legal Update for Special Education Law – March 2024 is prepared by Marshall Den

## PUBLISHED WORKS

"Let the Sunshine In: Exploring the Impact of Pennsylvania's Sunshine Act on School Board Decision-Making," COUNTERPOINT Pennsylvania Defense Institute Publication, September 2024

"Making the Extraordinary Ordinary: Examining the Impact of Shifting Immigration Policies on Professional Athletics in the United States," (*Jeffrey S. Moorad Sports Law Journal*, Volume XXVIII, Issue 1)

"Advice to the Sinners and Denial by the Saints: The New Orleans Saints' Uncertain Role in the Roman Catholic Church's Child Abuse Scandal," *The Jeffrey S. Moorad Center for the Study of Sports Law* (blog), Spring 2020

"The National Football League's Blind Side: Why the League's Efforts to End Violence Against Women Should Be Aimed at Personnel as Well as Players," *The Jeffrey S. Moorad Center for the Study of Sports Law* (blog), Fall 2019

## RESULTS

### Summary Judgment Obtained in Complicated Case Brought Against Two Pennsylvania School Districts

**School Leaders' Liability**  
**September 27, 2024**

We obtained summary judgment on behalf of two school districts in a matter brought by various plaintiffs against the Career and Technology Center of Lackawanna County (CTC) and four of its sending school districts. The plaintiffs had asserted claims under Title IX, the 14th Amendment, and Section 8542(b)(9) of the Pennsylvania Political Subdivision Tort Claims Act based on their sexual abuse by an automotive technology instructor at CTC.

### Summary Judgment Granted in Sunshine Act Case

**School Leaders' Liability**  
**February 28, 2024**

We obtained summary judgment in a Sunshine Act case in the Luzerne County Court of Common Pleas. The plaintiff alleged that the school district violated the law by temporarily requiring school board meeting attendees to show photo identification to gain entry without holding a public vote prior to implementation of the measure. The court determined that this security measure did not constitute a policy requiring a public vote and that the plaintiff was not prevented from attending school board meetings because he possessed a valid driver's license and chose not to produce it.

### Unanimous Defense Verdict in Excessive Force Jury Trial

**Public Entity & Civil Rights Litigation**  
**September 13, 2023**

We achieved a defense jury verdict in a 4th Amendment civil rights trial in the U.S. District Court for the Middle District of Pennsylvania. The plaintiff alleged that two officers of our Northeastern Pennsylvania Police Department client used excessive force to transfer him from the police station's processing room to a holding cell.