HOGAN MARREN BABBO & ROSE, LTD

Dennis M. Cariello

Dennis Cariello is a shareholder at Hogan Marren Babbo & Rose, Ltd. and the co-chairman of the firm's Education Practice. With more than 15 years of experience, he has created a diverse national law practice that allows him to provide a wide range of services to colleges and universities, student lenders, education investors and education technology and service providers. He counsels clients on matters that include education law and policy, corporate transactions, government and regulatory affairs, Title IX and civil rights matters, privacy law and litigation.

Mr. Cariello has advised a number of governmental and non-governmental regulators on higher education policy and process. Previously, he served as a non-federal negotiator on the U.S. Department of Education's (DOE) 2016 Negotiated Rulemaking Panel on "Borrower Defense to Repayment." In addition to serving as the Chair of Education Regulatory Compliance for an Am Law 100 firm, prior to joining HMBR, Mr. Cariello served at the DOE as Deputy General Counsel for Postsecondary Education and Regulatory Services. In this position, he played a key role in the development, implementation and oversight of education compliance and reform initiatives, which included:

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- Served as lead attorney and developer of the DOE's $150 billion loan programs under the Ensuring Continued Access to Student Loans Act, including the $40 billion Asset-Backed Commercial Paper Conduit Program.
- Supervised the Department's largest litigation unit, which covers administrative and civil matters related to postsecondary education.
- Advised the Secretary and Senate-Confirmed appointees on regulatory enforcement of lenders, guarantee agencies, loan servicers and schools and matters related to postsecondary education.

Prior to serving as Deputy General Counsel for the DOE, Mr. Cariello was a Deputy Assistant Secretary for Enforcement for the DOE, Office for Civil Rights, where he managed 12 regional civil rights enforcement offices and oversaw enforcement of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act of 1990. He also served as special counsel to the General Counsel of the DOE, where he oversaw the department's response to Congressional oversight requests and assisted the Office of Legislative and Congressional Affairs in communicating with Congress. Prior to his government service, Mr. Cariello was a litigator in New York.

PRACTICE AREAS

- Education Law
- Government Investigations and Regulatory Affairs
- Nonprofit and Tax-Exempt Organizations
- Corporate and Transactional

EDUCATION

- Fordham University School of Law (J.D.)
- Stony Brook University (B.A. in History and minor in Political Science)

ADMISSIONS

- New York (1999)
- United States Supreme Court (2007)
- Second Circuit Court of Appeals (2006)
- Central District of Illinois (2006)
- Eastern District of New York (2003)
- Southern District of New York (2003)

MEMBERSHIPS/AFFILIATIONS

- National Association of College and University Attorneys (Member)
- Center for Education Reform (Current Board Member)
- Association of the Bar of the City of New York (Member)
- Cahn Fellows Program for Distinguished NYC Principals (Former Board Member)

PUBLICATIONS

- Revised: “Title IX and Claims of Sexual Harassment and Sexual Violence in Higher Education,” Practicing Law Institute, Higher Education Law 2015: Current Issues and Recent Developments (March 2015).
- “A Review of the Office for Civil Rights Recent Title IX Cases,” with Rebecca Smoack, Practicing Law Institute, Higher Education Law 2015: Current Issues and Recent Developments (March 2015).
- “Title IX and Claims of Sexual Harassment and Sexual Violence in Higher Education,” Practicing Law Institute, Higher Education Law 2014: Current Issues and Recent Developments (February 2014).
- “The New Age of Accreditation,” Today’s Campus (June 2013).
- “Department of Education’s Office for Civil Rights Issues Controversial Guidance on Rights of Disabled Students to Participate in Extracurricular Activities,” BNA Americans with Disabilities Act & United States Law Week (March 2013).
- Cover Story: “Regulations 2012: Where Are We and What to Look Forward To,” Today’s Campus (August 2012).
- “Program Reviews: How to Prepare and What to Expect,” (with Patricia Edelson), Beauty Link, (March 2012).
- “The Naughty List: Assessing Institutions with Compliance Challenges on the Basis of Default Rate Differential,” Career College Central Magazine (March/April 2010).

- “Student Loan Bankruptcy Case Could Wreak Havoc for Loan Holders,” Bloomberg Bankruptcy Law Report (November 17, 2009).

EVENTS

- Presenter, “Title IX and Claims of Sexual Harassment and Sexual Violence in Higher Education,” Practicing Law Institute, Higher Education Law 2015: Current Issues and Recent Developments (May 2015).
- Presenter, “Consumer Financial Services Institute: Student Lending,” Practicing Law Institute (April 2015).
- Panelist, “Restructuring Concerns for Title IV Schools,” Carl Marks Education Conference (March 2015).
- Presenter, “The Department of Education and Third-Party Servicers: An Evolving Landscape,” National Council of Higher Education Resources Legal Conference (February 2015).
- Presenter, “ADA Compliance for Non-public, Title IV Institutions,” PCCS Regional Conferences (2015).
- Presenter, “Converting a For-Profit School to a Nonprofit School,” PCCS Regional Conferences (2015).
- Presenter, “Title IX and Claims of Sexual Harassment and Sexual Violence in Higher Education,” Practicing Law Institute, Higher Education Law 2014: Current Issues and Recent Developments (May 2014).
- Presenter, “Program Review Preparation and Response,” PCCSA Regional Conferences (2014).
- Presenter, “How to use Modern Marketing and Stay in Compliance: The Impact of the New TCPA Rules on Lead Generation and Customer Contact,” Accrediting Council for Independent Colleges and Schools (November 2013).
- Presenter, “Breaking New Ground in Title IX Sexual Assault and Harassment Investigations and Resolutions? The University of Montana Case and Its Implications,” National Association of College and University Attorneys (June 2013).
- Presenter, “Responding to a Program Review – What to do When There Are Findings!,”Southern Association of Student Financial Aid Administrators (February 2013).
- Presenter, “The Impact of the New Cohort Default Rates Calculations on Community Colleges,” Association of Community College Trustees (October 2012).
- Presenter, “Qui Tam & Consumer Litigation Update for Student Lenders and Schools,” Education Finance Council and National Council of Higher Education Loan Programs, Legal Meeting (August 2012).
- Presenter, “Program Integrity Rules: Misrepresentation, Incentive Compensation, Credit-Hours, State Authorization, Oh My!,”National Association of College and University Attorneys (June 2012).
- Guest Lecturer, “Federal Civil Rights Law in the Education Context,” Education and the Law, SUNY New Paltz, (October 2011).
- Webinar, “The Implications of Gainful Employment,” Today’s Campus (August 2011).