

# Rachel Insalaco

## Associate

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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

## Practices

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

Brooklyn-based law firm focusing on performing arts immigration.

Rachel is very active in her local community and the legal community. She serves on the Board of Directors of The Luzerne Foundation, a non-profit organization dedicated to enhancing the quality of life in Northeastern Pennsylvania. Further, she is a member of the Pennsylvania Bar Association's 2025-2026 Bar Leadership Institute class.

## Education

- Villanova University Charles Widger School of Law (J.D., *magna cum laude*, 2021)
- New York University (B.M., 2018)

## Admissions

- New York, 2022
- Pennsylvania, 2023
- U.S. District Court Eastern District of Pennsylvania, 2023
- U.S. District Court Middle District of Pennsylvania, 2023
- U.S. District Court Northern District of New York, 2024
- U.S. District Court Western District of New York, 2025

## Associations & Memberships

- Lackawanna Bar Association, Board of Directors of the Young Lawyers Division
- Pennsylvania Bar Association, Member, 2025-2026 Bar Leadership Institute Class
- The Luzerne Foundation, Board of Directors

## 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

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## Results

### Dismissal Affirmed by the Commonwealth Court of Pennsylvania

We successfully convinced the Commonwealth Court of Pennsylvania to affirm the Court

of Common Pleas of Wayne County's grant of our preliminary objections and dismissal of the plaintiff's complaint in mandamus. In its complaint in mandamus to the Court of Common Pleas, the plaintiff argued that our client's letter denying its plan and application for the development of solar panels was insufficient under the Municipalities Planning Code, thus entitling it to a deemed approval of its plan. We had successfully filed preliminary objections to the complaint on the grounds that the Township's letter, which identified the plan's defects with specific reference to provisions of the Municipal Planning Code that had not been satisfied, was sufficient under Section 508 of the Municipal Planning Code. This section requires that, when a municipality denies an application for approval of a development plan, "the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon." 53 P.S. Section 10508(2). The plaintiff appealed the decision, and we attended oral argument before the Commonwealth Court, following which the court affirmed the decision of the lower court on the same grounds.

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

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. While permitting some claims to proceed against CTC, the court dismissed all claims against the sending school districts on the grounds that the plaintiffs failed to demonstrate that any individual at any of the defendant-school districts had actual knowledge of the automotive technology instructor's conduct, and the instructor was not an employee, independent contractor or ostensible agent of any school district by virtue of his employment by CTC.

#### **Summary Judgment Granted in Sunshine Act Case**

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**

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. We argued that the officers' actions were reasonable under the circumstances because they were brief in duration, used techniques within the officers' training, caused no injury to the plaintiff, and

only occurred after the plaintiff repeatedly refused to walk to the holding cell on his own power. The jury returned a unanimous verdict in our client's favor after approximately an hour of deliberation.

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## Thought Leadership

July 8, 2026

**Legal Update for Special Education Law: Recent Positive Outcomes From the Group**

November 1, 2025

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

April 1, 2025

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

April 1, 2025

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

February 1, 2025

**Legal Update for Special Education Law – Updates from Office of Dispute Resolution**

October 1, 2024

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

September 1, 2024

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

August 1, 2024

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

March 1, 2024

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

March 1, 2024

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

January 3, 2024

**Third Circuit Clarifies Availability of Qualified Immunity for Police Officers**

**Accused of Deliberate Indifference to Arrestees' Need for Medical Care Following Ingestion of Narcotics**

October 25, 2023

**State Officials' ADA Liability Under the 11th Amendment**