Practicing Education Law

A Career Directory and Resource Guide

CREATED AS A RESOURCE FOR UNC LAW STUDENTS BY

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A Message from the Dean

Dear Carolina Law Students,

Education law can be a rewarding area in which to practice law. I know that truth first-hand. Over the decades, I’ve not only taught education law but have been fortunate to work with parents, teachers, school administrators, local educational agencies, legislative bodies, judges, and non-profits organizations, all of whom shared the goal of strengthening the education of our nation’s children. The stakes are enormous. In every generation, society must successfully transmit the vast learning of the past, provide crucial intellectual and economic skills, socialize students to its deepest values, and stimulate students’ imagination to innovate for the future. Schools literally must ‘re-create’ our society in the minds of each rising generation – or fail to do so – at the nation’s peril.

While the primary day-to-day role of education falls obviously upon teachers and educational administrators, lawyers have historically contributed in huge ways. It was legal reformers who effectively combated the broad discrimination that historically restricted the educational opportunities of many children – not only African Americans and Latinos but girls, children with disabilities, and immigrant children, among others. They have helped shape financial regimes to distribute of public funds for education to local school districts, even as other lawyers have brought school finance challenges to those systems, insisting that states more equally distribute those dollars. Lawyers have regularly asserted, and defended, student and teacher rights of free speech and religious expression in public schools. They have counseled school boards and teachers in disputes about teacher employment. They’ve helped bring bond issues and site new school construction projects. Lawyers have advised in creating modern ‘school accountability’ systems. It’s a fascinating and rewarding field for professional life.

Let me commend Rachel Nicholas and the Education Law and Policy Society, working with our dedicated Career Services Office, for producing this excellent new career directory in education law for Carolina Law students. It offers you an overview of the field, a roster of resources available to help you navigate your way in this area, profiles of alumni who have practiced education law, and a list of Carolina Law alumni whom you can contact. Best wishes to all of you who are exploring this wonderful area of legal practice.

Jack Boger, Dean (‘74)
Education Law Settings

Law Firms

Several private firms in North Carolina serve as general counsel for school boards, private and charter schools, and public and private colleges. These attorneys advise clients on an array of issues including student discipline, policy manual revisions, employment, sexual harassment, and special education. Services that are provided to clients include staff training, counseling, policy development, and representation in state, federal and administrative courts.

A smaller number of private firms provide representation for students who are suspended from public schools, and for students with disabilities who are not provided with special education services.

Higher Education Institutions: Professors and Administration

Higher education administration provides a unique opportunity for attorneys to make an expansive impact on education policy. Attorneys working in higher education may affect education law by serving as law professors or as law school administrators.

Law professors engage students in education issues through teaching courses which cover topics such as constitutional and juvenile law. Additionally, professors may direct clinical programs which provide juveniles with free representation. Serving as a law professor in education law provides a unique opportunity to impact education policy through oral and written advocacy. Education law professors are published scholars who spend a great deal of their career advocating their ideas for education reform, and advising legislative bodies on education policy.

While some professors enter the academy directly from judicial clerkships, many education law professors (and especially clinical professors) spend years refining their knowledge of education and child law issues through working in various careers such as criminal law, juvenile delinquency, and education policy. Sites for such careers include nonprofit organizations such as the Legal Defense Fund (LDF) of the National Association for the Advancement of Colored People (NAACP) and federal governmental agencies such as the U.S. Department of Justice.

Higher education administration includes positions such as law school dean, dean of student services, or an administrator of a university quasi-judicial system, career counselor, or pre-law advisor. This is a career option often built upon many years of practical experience in education law and advocacy.

Higher Education Institutions: University Counsel

Many institutions of higher education hire in-house counsel to advise the board of trustees and campus administrators on various issues of law and compliance including employment, taxation, healthcare, athletics and intellectual property. In addition to defending claims brought against the institution, university counsel advises the college or university administration in preventative strategies to protect the institution’s reputation.
Nonprofit organizations

From representing individual students in suspension hearings to engaging in broad-impact litigation, education attorneys within the nonprofit sector have the opportunity to effect education law and policy. Advocates in a more traditional role may litigate claims on behalf of individual students challenging a student’s expulsion, denial of enrollment, or denial of special education services. Attorneys within the nonprofit sector may also represent a group of students within a district, challenging a policy that contravenes constitutional rights. Both focuses have been integral to affecting education policy: individualized representation of students provides a more immediate resolution of a particular claim whereas broad-impact litigation shapes school policies that affect a large sum of students.

Many education nonprofits also provide nontraditional legal opportunities for licensed attorneys. Aside from litigation, these organizations often engage in legislative and community advocacy. For example, nonprofit education attorneys regularly advocate education reform issues to state legislatures and educate the community on student rights through community trainings and written publications.

Government

Education attorneys may provide counsel and litigation services to governmental entities at the federal, state and local levels. On the federal level, the Office of Civil Rights within the U.S. Department of Education enforces several federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the Department of Education. These civil rights laws enforced by OCR – including 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 – extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries, and museums that receive U.S. Department of Education funds. The Office of General Counsel for the Department of Education advises the Secretary of Education on the Department’s education policies, represents the Secretary in administrative litigation, and manages the Department’s ethics program.

Attorneys within the State Board of Education Division of Legal Affairs provide legal counsel to North Carolina’s State Board of Education and Department of Public Instruction, and answer inquiries from agency staff and other state government entities. Attorneys with the Education Section of the North Carolina Attorney General’s Office represent The University of North Carolina and its constituent institutions, the State Board of Education, the Department of Public Instruction, the State Board of Community Colleges, the Department of Community Colleges, the North Carolina State Education Assistance Authority, and the North Carolina School of Science and Math. In the legislative arena, education attorneys may also serve as nonpartisan analysts, providing counsel to standing committees on education law and policy.

Although many school boards within North Carolina hire firms to provide legal counsel, other local school boards may employ in-house counsel. Attorneys may also serve in nontraditional roles within local public school districts such as heading a district’s department of human resources.
Resources at Carolina Law

Student Organizations and Programs

Career Services Office

The Career Services Office prepares students for a successful job search. From help with interviewing and resume preparation, to developing a job search strategy, CSO staff members are a valuable resource for students and alumni. The CSO also coordinates panel discussions and networking events to connect attorneys and students in specific practice areas, including education law. In addition, summer and permanent job opportunities in education law are advertised via Symplicity, the CSO’s online job bank and recruiting system.

Child Action

Child Action is a student organization at the School of Law devoted to recognizing the many legal needs of children, promoting child advocacy as a potential career path, and providing support to students who are interested in learning more about child advocacy law, current issues, and careers in the field.

Civil Legal Assistance Clinic

The Civil Legal Assistance Clinic is a two-semester clinic in which third-year students represent clients in civil matters related to employment, housing, education, and other areas of civil rights and poverty law practice.

Education Law and Policy Society

ELPS is committed to providing organized speaking events and discussions on a regular basis; to establishing pro bono opportunities in education law; to providing students with networking opportunities; and to connecting students with outside events and activities. The organization keeps members apprised of timely education policy news, volunteer opportunities, and community events through a listserv and Facebook group. ELPS also offers students tangible opportunities to explore extracurricular and career interests in education law while sharing their skills and contributions in the process.

Juvenile Justice Clinic

The Juvenile Justice Clinic is either a one or two-semester clinic in which third-year law students represent children accused of crimes and status offenses.

UNC Center for Civil Rights

The UNC Center for Civil Rights is committed to the advancement of civil rights and social justice, especially in the American South. It fosters empirical and analytical research, sponsors student inquiry and activities and convenes faculty, visiting scholars, policy advocates and practicing attorneys to confront legal and social issues of greatest concern to racial and ethnic minorities, to the poor and to other potential beneficiaries of civil rights advances. The Center's work focuses on education, housing and community development, economic justice and voting rights.
Courses Relevant to Education Law & Policy

Civil Rights Law

Education Law

Juvenile Courts and Delinquency

Law of Nonprofit Organizations

Legislative Process

Political and Civil Rights

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I graduated from UNC Chapel Hill in 2007 and from UNC Law School in 2010. Since high school, my advocacy work meant that I came to law school with a sense of wanting to do "something social justice-y" with my degree. As I learned and interned my way through law school, that translated into an intent to practice public interest law, specifically in civil rights advocacy.

As the Educational Advancement and Fair Opportunities Attorney Fellow at the UNC Center for Civil Rights, I serve communities of need across the state to advocate for high quality and diverse education for all students.

Much of our work takes us to communities across eastern North Carolina, where a quality education, especially for minority or low-income students, has to overcome the challenges of rural poverty, low or decreasing populations, and underdevelopment.

North Carolina is also an example of a "spectrum" of segregation and resegregation - from counties whose long-standing district lines or assignment plans translate into a daily racially segregated student experience, and districts still under federal desegregation orders, to districts who returned to racially and economically segregative practices after successful voluntary or court-ordered integration. The Center's education and community development work also continues to highlight the overlapping layers of exclusion faced by communities of need: lack of beneficial economic development; segregationist school district boundaries and student assignment; environmental hazards; inadequate housing; and restrictions on political participation. Each of these represents the day-to-day challenges on a child's opportunity to obtain an enriching education.

By far, the best parts of my job are my clients and my colleagues. The civil rights and education justice community in North Carolina and nationwide is made up of passionate people - parents, students, advocates, and attorneys - who show an unwavering commitment to bringing education quality and equality to every child. Moreover, this equity advocacy makes us part of an inspiring legacy of people who fought the hardest legal, social, and moral battles. It is an honor to continue the struggle.

Practicing civil rights law is a test in patience and persistent hard work, starting with a difficult job search in a narrow field. It took me one year after graduating from law school - filled with several contract and even unpaid volunteer positions - to find a full time position in the area of law I wanted to make my long-term career. Staying committed through the frustration, staying flexible, and taking the initiative to learn and work, has not only put me on an ideal career path but given me the skills needed for my day-to-day work.
SCHWARTZ & SHAW, PLLC
G iovanni Wade '08: Associate Attorney
R aleigh, NC

When I applied for law school, my goal was to become a family law attorney. I could not see myself doing anything else. I credit Dean Boger for opening my mind to other possibilities. He taught my 1L Constitutional Law class, and his passion for education-related cases was contagious. He motivated me to pursue an internship with the Education section of the UNC Center for Civil Rights. My work with the Center was exciting and increased my desire to learn more about education law. During my 3L year, I took an Education Law class with Dean Boger, which confirmed my desire to enter this practice area.

I am now an associate at Schwartz & Shaw, an education law firm in Raleigh, North Carolina. We represent K-12 school boards throughout the state. While I am on the opposite side of the law in comparison to my time with the Center, I have learned that, for the most part, all parties involved are interested in doing what is best for the children.

I recommend that all students interested in practicing education law set up “informational interviews” with attorneys in the field, because it is a broader practice area than most realize. Education law attorneys may represent K-12 school boards, charter schools, colleges and universities, students, or teachers. There are opportunities to work in-house and for private firms and agencies. Meeting with professionals in the field will help you figure out what you want to do and will connect you to people that can help you get there.
I am a 2009 graduate of UNC School of Law, and I am currently serving as a Program Officer at the Southern Education Foundation (SEF) in Atlanta, GA. SEF is an historic civil rights organization that works to improve educational opportunities for low income students and students of color in the South. My work primarily involves research and advocacy to influence policies and practices at the local, state, and federal levels. When I entered UNC Law, I was interested in a career in social justice and was curious about the best strategies to make change. I wasn’t specifically focused on education, but a variety of experiences at UNC led me to believe that working to improve education was the best way to address the injustices I was concerned about – poverty, access to housing, access to food, civic participation – all of these issues could be affected by whether or not a person had access to a quality education during his or her life.

Knowing I was interested in education, but unsure of the most effective way for me to make an impact, I took advantage of opportunities at UNC to gain more experience: pro bono work, an independent study in education policy, and courses outside of the law school – education law at Duke and a family and child policy course at the School of Government. All of these experiences led me to want to work on systemic issues at the policy level. I received a two-year fellowship at SEF, and have stayed on as staff. The strategies that we use and the issues on which we focus vary at SEF, but always with the lens of fairness and opportunity for our most vulnerable youth. My work has included issues such as fair school discipline policies, improved education in juvenile justice facilities, effective federal education initiatives, and quality state-funded Pre-K programs. I’ve also been heavily involved in work to reform Georgia’s tax credit scholarship program, which diverts state revenues to private schools and has been widely abused.

While I love my job, it’s certainly a challenging time to be working in education in the South. We’ve seen reduced state and local budgets for public education, and a growing movement to privatize public education. At the same time, it’s motivating to work in a region of the country where effective advocacy is really important and needed. The South is the first region of the country with a majority of low income students and a majority of students of color, and these changing demographics inform much of our work.

I think it’s important to determine the issues on which you’d like to work, and to then realize that this work often necessarily entails a combination of strategies in order to bring about change. Figuring out your strengths and where you would be most effective is important, and using your time in law school to develop those strengths is also important. You may end up involved in impact litigation, direct service, policy work, advocacy, community organizing – each of these roles is crucial in the work that we do to improve education, and we often collaborate to fight an issue from different angles. Think broadly about ways to be a ‘change agent.’ (I also shouldn’t forget to mention to apply to SEF’s Southern Education Leadership Initiative – our summer internship program!)

I’ve also found it important to continue learning from others in the field and to seek inspiration. For me, talking to and reading about leaders in the Civil Rights movement – who have overcome such huge obstacles and still inform strategies used today in different social justice movements – has been informative. Reaching out to others in the public interest sector to hear about their career paths and perspectives is helpful. I also make sure to stay involved in direct service work, like taking pro bono cases through the Truancy Intervention Project, to get to work with students and see the motivation to fight for systemic changes to improve their chance at a good education. This all helps keep me creative and encouraged. In the end, while public interest work might be a sacrifice in some ways, doing something that I love and working to make an impact every day is something that I wouldn’t trade.
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Internet Resources

Education Law Association

The Education Law Association (ELA) is a national, nonprofit member association offering unbiased information to its professional members about current legal issues affecting education and the rights of those involved in education in both public and private K-12 schools, universities, and colleges.

Website: [www.educationlaw.org](http://www.educationlaw.org)

NC Bar Association Education Law Section

The Education Law Section values the perspective of both management and public education employee representatives. The section focuses on issues including the Excellent Schools Act, education financing, and employment. The section is developing programs to reach out to higher education attorneys.

The section, currently with 235 members, sponsors CLE programs and services; provides members with a substantive newsletter; and helps mold the association's legislative agenda for presentation to the N.C. General Assembly. The newsletter, Education Law, offers an index of its articles and CLE topics.

Website: [www.educationlaw.ncbar.org](http://www.educationlaw.ncbar.org)

Idealist

This is an online search database of nonprofit job opportunities.

Website: [www.idealista.org](http://www.idealista.org)

National Association for Law Placement (NALP)

Founded in 1971 as the National Association for Law Placement, NALP — The Association for Legal Career Professionals — is a nonprofit educational association established to meet the needs of all participants in the legal employment process (career planning, recruitment and hiring, and professional development of law students and lawyers) for information, coordination and standards. NALP’s membership includes virtually every ABA-approved law school in the US, Canadian law schools and hundreds of legal employers from both the public and private sectors. NALP is dedicated to continuously improving career counseling and planning, recruitment and retention, and the professional development of law students, lawyers, and its members.

Website: [www.nalp.org](http://www.nalp.org)

Martindale.com

Martindale.com is an online search database for various firms and law organizations.

Website: [www.martindale.com](http://www.martindale.com)
PSJD

PSJD - formerly PSLawNet - is a unique online clearinghouse for law students and lawyers to connect with public interest job listings and career-building resources. As a collaborative project among over 200 American and Canadian law schools, PSJD is a free resource for law students and alumni of our subscriber schools to search among thousands of public interest job opportunities and employer profiles. Employer organizations may also post job opportunities for free. In addition to its database, PSJD offers an online library of educational and career-building resources for those interested in pursuing a career in public service. These resources are publicly available to all website visitors.

Website: [www.psjd.org](http://www.psjd.org)

USA Jobs

USA Jobs is an online database of jobs for federal government.

Website: [www.usajobs.gov](http://www.usajobs.gov)