

JANE R. WETTACH

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EDUCATION

UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW
J.D. With Honors, 1981
Staff member, North Carolina Law Review

UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
B.A. in Journalism, 1976

THE INSTITUTE FOR EDUCATIONAL LEADERSHIP
Education Policy Fellowship Program, 1994

PROFESSIONAL EXPERIENCE

DUKE UNIVERSITY LAW SCHOOL, Durham, N.C.
July 1994 - present

Clinical Professor of Law
Director, Children's Law Clinic.

Teaching responsibilities have included the following:

Education Law: Course covers the law and policy relating to public education (K-12) in the United States. It examines the authority of the state to compel school attendance, regulate the content of the curriculum and control the behavior of students and their teachers. It also covers school desegregation, school financing, and special education for the handicapped.

Children's Law Clinic: Clinical course in which students, under close faculty supervision, represent children and their parents in education-related cases, primarily school discipline and special education. Students are trained in the relevant law as well as in interviewing, client counseling, negotiation and administrative hearing representation.

AIDS Legal Assistance Project: Clinical course in which students represent persons with HIV/AIDS under clinical faculty supervision. Students are trained in estate planning, guardianship and Social Security disability law, as well as in clinical skills such as interviewing, client counseling, document drafting, and administrative trial skills.

Legal Analysis, Research and Writing: Course introduces first year law students to the various forms of legal writing and modes of legal research. Through an integrated approach to writing and research, the course begins by analyzing the components of judicial opinions and ends with the students independently researching and writing a sophisticated appellate brief. Students are provided significant individual feedback on written work throughout the course.

N.C. DIVISION OF AGING, Raleigh, N.C.
September 1994 - 2000

Consultant. Prepared extensive training curriculum for the Division's "Seniors Plus Program," an outreach project involving the participation of elderly persons in public government benefit programs. Trained more than 350 volunteers throughout North Carolina in multiple intensive, two-day sessions to counsel the elderly on topics covered.

EAST CENTRAL COMMUNITY LEGAL SERVICES, Raleigh, N.C.
November 1984 - July 1994

Senior Attorney. Advised and represented low-income clients in all phases of poverty law, with emphases in government benefit programs, education law, and employment law. Other areas of expertise include health law, consumer protection, and landlord-tenant relations. Directly supervised and managed the legal work of three staff attorneys. Litigated at all levels of court, including the United States Supreme Court (*Bowen v. Gilliard*, 483 U.S. 587 (1987)) and the United States Court of Appeals for the Fourth Circuit. Participated in the management of the entire 20-person office.

LEGAL AID SOCIETY OF NORTHWEST NORTH CAROLINA, Winston-Salem, N.C.
September 1981 - November 1984

Staff Attorney. Maintained a general civil caseload in government benefits, housing, employment and consumer law.

AWARDS

"Defender of Justice" awarded September 30, 2010 by the North Carolina Justice Center, honoring individuals and organization that have made significant contributions to improving the lives of poor and working North Carolinians.

"Margaret Herrington Award" awarded February 3, 2011 for volunteer service to The Augustine Project, a local project dedicated to providing free reading tutoring to struggling readers.

PUBLICATIONS & ARTICLES

Chapter 5, "The IEP" and Chapter 7 "School Discipline and Students with Special Needs" in Special

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Education Advocacy (Lexis Nexis 2011) (co-authored with Berlin & Waterstone)

“Let suspension ruling set a new school course,” *with Erwin Byrd & Lewis Pitts*, Raleigh News & Observer, December 2, 2010

“Legal Analysis of the Changes to the Wake County School Board’s Diversity Policy,” in “Updates in Public School Education: Discrimination, Diversity & Discipline,” 2010 Annual Meeting, N.C. Association of Women Attorneys, September 2010

“The Fundamental Right to Educational Opportunities: Two Students’ Attempt to Enforce Their Constitutional Rights” (with Erwin Byrd) *Trial Briefs*, North Carolina Advocates for Justice, August 2010

“Disproportionate Representation of Minority Children in School Discipline” North Carolina Bar Association (2010)

"Preparing for Special Education Mediation and Resolution Sessions: A Guide for Families and Advocates" Duke Children’s Law Clinic & The Advocacy Institute (2009)

“The Law School Clinic as a Partner in a Medical-Legal Partnership” 75 Tennessee Law Rev. 305 (Winter 2008)

“Federal Special Education Regulations Revised; North Carolina Law Revised” NC Bar Association Juvenile Justice & Children’s Rights Section Newsletter, November 2006

“Long-term disasters for youth” Op-ed article, Raleigh *News & Observer*, Nov. 28, 2005

Seniors’ Plus Program Training Manual , Division of Aging, North Carolina Department of Human Resources, 1995, with updates through 2000

A Consumer’s Guide to Health Insurance and Health Programs in North Carolina, (with Pam Silberman), North Carolina Primary Health Care Association, 1995

"Medicaid for the Aged, Blind and Disabled," chapter in North Carolina Elder Law and Medicaid Planning, Clearwater Information Systems, Inc., 1994

The Advocate's Guide to Assistance Programs in North Carolina: A Complete Reference for the Professional to Help the Poor, the Elderly and the Disabled Get the Benefits They Need (East Central Community Legal Services) 1991, 1993, 445 pp.

"Female Lawyers Face Unique Hurdles," North Carolina Lawyer, September/October 1990

"Women in the Practice: The Struggle Continues," The North Carolina State Bar Quarterly, Summer 1990

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"The Effect of Money Awards on Recipients of Public Benefits," Bar Notes, February/March 1985 (with Pam Silberman)

"Specific Performance of Separation Agreements: Is the Remedy Enforceable?" 58 N.C.L. Rev. 867 (1980).

"Survey of Developments in North Carolina Family Law," 58 N.C.L. Rev. 1054 (1980)

RECENT LECTURES AND PROFESSIONAL PRESENTATIONS

2011

Faculty member and presenter, 2011 Special Education Hearing Officer & Mediator Training, The National Academy for IDEA Administrative Law Judges and Hearing Officers, San Diego, CA, March 24-25, 2011

Introductory Remarks, Duke Forum for Law & Social Change Symposium on "The Collateral Consequences of Juvenile Adjudications" February 18, 2011

Presenter, "Special Education Law," Orange County Guardians ad Litem, Chapel Hill, NC, February 8, 2011

2010

Presenter, "Special Education Law," NCCAN Social Work Training Workshop, Duke Medical Center, November 4, 2010

Presenter, Public School Forum of North Carolina, "Research on the Efficacy and Effects of School Suspension," September 2010

Presenter, NC Association of Women Attorneys, Annual Meeting, "Legal Analysis of the Changes to the Wake County School Board's Diversity Policy," September 2010

Presenter, "Knowing Your Rights in the Education System" Durham Department of Social Services Conference, Support for Grandparents Helping to Raise Children, September 9, 2010

Presenter & Author, "Ethical and Effective Supervision of Legal Interns," on-line seminar and manual for Legal Aid of North Carolina, June 3, 2010

Radio show guest, "Valued Voices," *The State of Things*, WUNC, Durham, NC April 29, 2010

Presenter, "Disproportionate Representation of Minority Children in Child Welfare, Juvenile Justice and School Disciplinary Systems: Tools for Attorneys" North Carolina Bar

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Association, 2010 Juvenile Justice & Children's Rights Annual Meeting, Cary, NC, March 26, 2010

Guest lecturer, "Special Education Law," Duke ADHD Program, Durham, NC, March 19, 2010

Presenter, "Special Education Law," Training Program for Wake County Guardians Ad Litem, Raleigh, NC, March 5, 2010

2009

Guest lecturer, "The School Discipline Process," UNC School of Law, November 9, 2009

Presenter, "Special Education Law," Carolina Outreach, Durham, NC, October 14, 2009

Guest lecturer, "Special Education Law," Duke ADHD Program, Durham, NC, April 20, 2009

Presenter, "The Impact of Suspension and Expulsion on Students," 2009 School Law Academy for N.C. School Administrators sponsored by the N.C. School Boards Association, Hickory, NC, March 26, 2009

2008

Presenter, "Helping Families Prepare for Mediation and Resolution Sessions," national on-line webinar sponsored by The Advocacy Institute, November 18, 2008

Guest lecturer, "Special Education Law," UNC School of Law, November 3, 2008

Presenter, "Special Education Law," Raleigh Foster Parents Association, Raleigh, NC, September 20, 2008

Presenter, "Special Education Law: Basic Issues," Special Education Law Academy, LexIS Services, Durham, NC, March 11, 2008

Presenter, "The Legal Rights of Disabled Children in School," Annual Conference of the NC Branch of the International Dyslexia Association, Cary, NC, March 7, 2008

Faculty member and presenter, "Review of Basic Special Education Case Law" as part of The National Academy for IDEA Administrative Law Judges and Hearing Officers, Basic Special Education Law for Special Education Hearing Officers, sponsored by Seattle University School of Law and Washington College of Law at American University, Washington, D.C., January 17-18, 2008

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2007

Panelist and participant, University of Tennessee College of Law Legal Clinic 60th Anniversary Celebration and Symposium: Looking Forward to the Next Sixty Years of Clinical Legal Education, "Education Advocacy: Past, Present, and Future" Knoxville, TN, September 14-15, 2007

Guest Lecturer, "Special Education Law," North Carolina Central University School of Law, Durham, NC, June 2007

Presenter, "Helping Parents Prepare for Mediation and Resolution Sessions," Office of Special Education Programs, Technical Assistance Conference, South Padre Island, TX, May 2007

Presenter, "The Legal Rights of Disabled Children in School," Annual Conference of the NC Branch of the International Dyslexia Association, Cary, NC, March 2007

Presenter, "Dyslexia, ADHD, and the Law," The Key Learning Center, Asheville, NC, February 2007

2006

Presenter, North Carolina House Select Committee on the Education of Students with Disabilities, Raleigh, NC, October 2006

Lecturer, "Special Education Law," Duke ADHD Clinic, Department of Psychiatry, Duke University Medical Center, Durham, NC, May 2006

Commentator, "Board of Education v. Lindsay Earls," Distinctive Aspects of American Law DVD Series, recorded in Durham, NC, April 2006

Panelist, "The Leandro Case: What Does it Mean for NC's Children?" NC Bar Association, Juvenile Justice and Children's Rights Section Annual Meeting, Raleigh, NC, March 2006

Panelist, "The Leandro Effect: Breathing New Life into Due Process in-School Suspension Cases," Legal Aid of North Carolina, 2006 Legal Services Statewide Conference, Cary NC, March

Guest Lecturer, "The Individuals with Disabilities Education Act," N.C. State University, The Graduate School, Raleigh, NC, March 2006

Presenter, "Legal Issues in Special Education," International Dyslexia Association, N.C. Chapter annual meeting, Cary, NC, March 2006

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Presenter, "The Individuals with Disabilities Education Act," Durham Mental Health System of Care, Durham, NC, March 2006

Convenor, Special Education Law Roundtable, Duke Law School, Durham, NC March 2006

Panelist, "Reducing School Suspensions, Gang Involvement, and Youth Incarceration," Lost Generation Task Force Town Hall Meeting, Raleigh, NC January 2006

2005

Presenter, "Special Education," Orange County Department of Social Services, Chapel Hill, NC, December

Presenter, "The Individuals with Disabilities Education Act," Durham Mental Health System of Care, Durham, NC, October

Panelist, "Education Rights of Children with Disabilities" National Lawyer's Guild Southeastern Conference, UNC School of Law, Chapel Hill, NC, May

Presenter, "Special Education and School Discipline for Children with Disabilities" Caring Family Network, Burlington, NC, April

Presenter, "The Legal Rights of Disabled Children in School," International Dyslexia Association, NC Chapter Annual Meeting, Charlotte, NC March

Presenter, "Handling School Suspension Hearings," Juvenile Justice & Children's Rights Section Annual Meeting, North Carolina Bar Association, Cary, NC, March

Presenter, "Handling School Suspension Appeals to Superintendents, School Boards, and Court," Education Law Task Force Meeting, Legal Aid of North Carolina, Raleigh, NC March

Presenter, "Education as a Civil Right," Education 1705, Duke University, Durham, NC February

2004

Presenter, "Advocating for Children in the Special Education System," A New Day, Durham, NC, February

Presenter, "The Educational Rights of Children in School," Juvenile Law Clinic, UNC School of Law, Chapel Hill, NC, September

Presenter, "The Individuals with Disabilities Education Act," Education Law Class, N.C. Central School of Law, Durham, NC, September

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Presenter, "Rights of Disabled Children to Special Education" Durham County Mental Health, Durham, NC, August

Radio show guest, "School Discipline," *Legal Eagles*, WNCU, Durham, NC, May

Presenter, "School Discipline for Disabled Children," Special Needs Federation Conference, Reauthorization and Reform: A Conference About the Education of Students with Disabilities, Chapel Hill, NC May

Presenter, "Legal Writing for Non-lawyers," Legal Aid of North Carolina Statewide Meeting, Cary, NC April

Radio show guest, "Corporal Punishment, Suspensions, and other School Discipline," *The State of Things*, WUNC, Chapel Hill, NC April

Presenter, "Rethinking the Constitutionality of School Suspensions," Law and Policy Society Seminar, UNC School of Law, Chapel Hill, NC March

Presenter, "The Legal Rights of Children with Disabilities" International Dyslexia Association, NC Chapter Annual Meeting, Atlantic Beach, NC March

Presenter "The Legal Rights of Children with Disabilities" Area Services & Programs, Durham, NC March

Presenter, "The Individuals with Disabilities Education Act," Disability Law Class, UNC Law School, Chapel Hill, NC February

Presenter, "Resolving Special Education Disputes," Autism Society of NC- Durham Chapter, Durham, NC February

2003

Presenter, "Individualized Education Plans for Special Education Students," Education Law Task Force, Legal Services of North Carolina, Cary, NC December

Presenter, "Education Law-A Supreme Court Update," N.C. Assn. of Women Attorneys Annual Meeting, Wrightsville Beach, NC October

Presenter, "School Discipline – Advocating for Children with Disabilities," Education Training Advocacy Workshop, Rocky Mount, NC September

Presenter, "School Discipline," Caring Family Network workshop for therapeutic foster parents, Durham, NC July

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Presenter, "The Rights of Disabled Children under the IDEA," The Autism Society and the ARC of Durham, Durham, NC March

Presenter, "The Children's Education Law Clinic," Center for Child and Family Health, Durham, NC March

Presenter, "In re Roberts and Its Implications for School Discipline in North Carolina," Education Task Force, Legal Services of North Carolina, Greensboro, NC March

Presenter, "The IDEA: Special Education and School Discipline for Disabled Children," Orange County Department of Social Services, Chapel Hill, NC February

2002

Presenter, "Discipline for Disabled Children," OPC Area Program, Carrboro, NC November

Presenter, "Disability and Education Law," Equal Justice Works national conference, Washington, D.C. October

Presenter, "School Suspensions and Analysis of In re Roberts," Education Law Task Force, Legal Aid of North Carolina, Raleigh, NC September

Presenter, "The Legal Rights of Disabled Children in School: Special Education and School Discipline," N.C. Foster Parent Association, Durham, NC November

Presenter, "The Legal Rights of Disabled Children in School," Orange County Health Department, Hillsborough, NC April

Presenter, "Discipline for Special Education Students," Parent Education Studies Program, Education and Law Project of the N.C. Justice Center, Oxford, NC April

Presenter, "The Legal Rights of Disabled Children in School," Orange County Health Department, Hillsborough, NC April

Presenter, "The Legal Rights of Disabled Children in School," Public Education Workshop, North Central Legal Assistance Program, Durham, NC, May

Presenter, "The Legal Rights of Disabled Children in School," Juvenile Court Counselors, 14th Judicial District, Durham, NC February

2001

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Presenter, "Government Benefits for Persons with HIV," HIV Support Group, Wake County Health Department, Raleigh, NC August

Presenter, "Medicaid, Social Security and Supplemental Security Income for Persons with HIV," Conference for AIDS Patients, New Hanover County Hospital, Wilmington, NC, February

2000

Presenter, "Troubleshooting and Advocating," Benefits Task Force, Legal Services of North Carolina, Raleigh, NC August

Presenter, "Legal Issues for People Living with HIV Disease," Living in Hope Conference, Metrolina AIDS Project, Raleigh, NC June

PROFESSIONAL ASSOCIATIONS

North Carolina State Bar, admitted 1981

Member, the United States Supreme Court

Member, The United States Court for the Fourth Circuit

Member, Federal District Court for the Eastern, Middle, and Western districts of North Carolina
North Carolina Association of Women Attorneys, Past President (1987), Past

Member of the Board of Governors

North Carolina Bar Association, Council Member, Section on Administrative Law (2010-2013)
and Juvenile Justice and Children's Rights (2003 - 2006)

American Bar Association

Education Law Association

Council of Parent Attorneys and Advocates

Clinical Legal Education Association

Special Needs Federation

Education Law Task Force, Legal Aid of North Carolina

COMMUNITY ACTIVITIES

Member, Board of Directors, The Achievement Academy (2011 -2013)

Member, Board of Directors, The Augustine Project, a reading tutoring project (2004-2010)

Elder, Clerk of Session, First Presbyterian Church (2001-2003; 2008-2011)

Board of Directors, Genesis Home (1999 - 2001)

Habitat for Humanity volunteer (various times)