

Jacqueline Gharapour Wernz

ECR Solutions LLC

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Curriculum Vitae

EDUCATION

THE UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville, VA
J.D., top 25% of class, May 2007

- Full Merit Scholarship (Hardy Cross Dillard Scholar)
- *Virginia Law Review* (Editorial Board Member)
- Research Assistant (James E. Ryan, Education Law)

UNIVERSITY OF ARKANSAS LITTLE ROCK, Little Rock, AR
B.A. English, B.A. History, and B.A. French, *summa cum laude*, May 2004

- Full Merit Scholarship (Donaghey Scholars Program)

PROFESSIONAL EXPERIENCE

THE UNIVERSITY OF IDAHO, Moscow, Idaho (Remote)
Acting Director, Office of Civil Rights and Investigations, Title IX Coordinator, ADA Coordinator, March 2024–Present
Interim Director, Interim Title IX Coordinator, Interim ADA Coordinator (Contract through Thompson & Horton LLP), June 2023–March 2024

- Coordinate compliance with Title IX and other federal and state civil rights laws for the land-grant and primary research university in Idaho and its approximately 12,000 enrolled students and 2,300 employees.
- Oversee or conduct evaluations, investigations, and adjudications of all reports of sexual misconduct and protected class discrimination and harassment from intake to resolution
- Develop and implement or oversee the development and implementation of a case management plan for each reported matter, including recommending supportive measures, emergency removals, and administrative leaves

- Coordinate implementation of supportive measures and remedies in cases resolved through formal or informal resolution, including coordination with other offices and departments within the University
- Train and supervise both external and internal investigators, decision-makers, appellate decision-makers, and informal resolution facilitators in cases involving sexual misconduct, discrimination, harassment, and retaliation related to students, staff, faculty, or visitors in compliance with federal and state laws and University policies and procedures
- Oversee an electronic case-management system and ensure proper record retention
- Oversee proactive and preventative measures to mitigate the risk of civil rights violations and ensure ongoing compliance with federal and state civil rights laws, including Title IX, through written resources, training, audits/assessments, and data analysis
- Review and recommend updates to University policy for civil rights matters, including Title IX
- Collaborate and coordinate with campus partners to assist with other compliance requirements, including the Clery Act and accommodations for pregnancy and related conditions, disability, and religion
- Monitor and advise University leadership on civil rights laws and regulations, including but not limited to the Americans with Disabilities Act (ADA), Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, the Age Discrimination and Employment Act, the Vietnam Era Veteran's Readjustment Assistance Act, the Violence Against Women's Reauthorization Act (VAWA), and other state and federal civil rights legislation

ECR SOLUTIONS LLC, Dallas, Texas
Civil Rights Consultant, March 2024–Present

- Provide expert witness services for parties in litigation involving institutional responses to sex-based misconduct and other civil rights reports and complaints
- Consult with and counsel clients on individual education law and civil rights matters and policy and procedure development
- Conduct program audits, including proactive institutional-driven audits and externally mandated audits from agencies such as the U.S. Department of Education's Office for Civil Rights and the U.S. Department of Justice
- Conduct external investigations and facilitated resolutions between parties and provide decision-maker, hearing officer, appeal officer, and advisor services
- Provide training and other resources to facilitate the implementation of civil rights laws

THOMPSON & HORTON LLC, Dallas, Texas
Partner, 2021–March 2024

- Counsel educational institutions, including K-12 schools, colleges, and universities, regarding the full range of civil rights and equity legal issues facing schools, including discrimination, harassment, bullying, different treatment, and retaliation based on sex, gender, sexual orientation, and gender identity

- Guide and represent clients in all stages of civil rights and equity regulatory compliance, including preparation and revision of policies and procedures and counseling on responses to internal reports and complaints under Title IX of the Civil Rights Act of 1972
- Investigate high-profile, sensitive complaints of discrimination, including sexual harassment, sexual assault and violence, sex-based bullying, and equity in athletics, and retaliation under Title IX and other civil rights laws for schools, colleges, and universities
- Train school, college, and university administrators and employees across the country on regulatory compliance with Title IX and other state and federal laws, including training on industry practices for compliance with OCR guidance and rules, responses to internal reports and complaints, and investigation and decision-making processes
- Assist schools, colleges, and universities with general education, labor, employment, and other legal needs, gaining essential context about the interplay between civil rights and equity laws and other laws and rules governing educational institutions

FRANCZEK P.C., Chicago, Illinois

Associate, 2009–2014, Partner, 2015–2016, 2018–2021

- Counseled educational institutions, including K-12 schools, colleges, and universities, regarding the full range of civil rights and equity legal issues facing schools, including discrimination, harassment, bullying, different treatment, and retaliation based on sex, gender, sexual orientation, and gender identity
- Guided and represented clients in all stages of civil rights and equity regulatory compliance, including preparation and revision of policies and procedures and counseling on responses to internal reports and complaints under Title IX of the Civil Rights Act of 1972
- Investigated high-profile, sensitive complaints of discrimination, including sexual harassment, sexual assault and violence, sex-based bullying, and equity in athletics, and retaliation under Title IX and other civil rights laws for schools, colleges, and universities
- Trained school, college, and university administrators and employees across the country on regulatory compliance with Title IX and other state and federal laws, including training on industry practices for compliance with OCR guidance and rules, responses to internal reports and complaints, and investigation and decision-making processes
- Assisted schools, colleges, and universities with general education, labor, employment, and other legal needs, gaining essential context about the interplay between civil rights and equity laws and other laws and rules governing educational institutions

U.S. Department of Education, Office for Civil Rights (OCR), Chicago, Illinois

Civil Rights Attorney & Investigator, 2016–2018

- Timely managed a large, diverse caseload of complaints alleging discrimination and retaliation under federal civil rights laws, including handling a large caseload of

Title IX cases addressing responses of schools, colleges, and universities to complaints of discrimination, including sexual harassment, sexual assault and violence, sex-based bullying, and equity in athletics, and retaliation under Title IX and other civil rights laws for schools, colleges, and universities

- Assisted parties regarding the nature of their rights and the OCR investigation process, including assisting complainants in understanding pertinent legal standards and possible remedies, describing to complainants what information OCR needs to open an investigation of an allegation, and crafting and refining complaint allegations with complainants
- Evaluated, investigated, negotiated resolution of, prepared letters of findings for, and monitored educational institutions' compliance with agreements resolving complaints in cases

Winston & Strawn, Chicago, Illinois
Associate Attorney, 2008–2009

- Participated in complex commercial litigation defense at trial and appellate levels
- Served on the firm's higher education committee

Hogan & Hartson (now Hogan Lovells), Washington, D.C.
Associate Attorney, 2007–2008

- Completed rotations in education practice group, appellate, and labor and employment groups, and community services division (CSD)
- Participated in complex commercial and educational litigation defense at trial and appellate levels, including a class-action lawsuit under Title VI of the Civil Rights Act of 1964

EXPERT WITNESS EXPERIENCE

I have served as an expert witness in the fields of school administration and school compliance with the requirements of Title IX in the following Federal litigation:

- *Smith v. Brown University, et al.*, Case No.: 1:22-cv-00329 (D.R.I.)
- *Balatico v. State of Hawaii, Department of Education*, Case No.: 1:22-CV-00415 (D.Haw.)
- *Doe v. Richland County School District Two*, Case No.: 3:22-cv-00515-MGL (D.S.C.)
- *Doe #1, et al. v. Montgomery County Board of Education, et al.*, Case No: 8:21-cv-00356-PJM *et al.* (D.Md.)
- *Jane Doe v. Board of Trustees of Sublette County School District No. 9 et al.*, Case No. 21-cv-106-ABJ (D.Wyo.)
- *Jane Doe No. 1 v. Great Falls Public Schools*, Case No. CV-21-09-GF-BMM (D.Mont.)
- *Forth v. Laramie County School District No. 1*, Case No. 20-CV-00053-ABJ (D.Wyo.)
- *Jane Doe v. Board of Trustees of the Teton County School District No. 1*, Case No. 20-CV-110-S (D.Wyo.)

I have also served as a consulting expert in other Federal litigation involving Title IX, school administration, and other civil rights issues.

PUBLICATIONS

Jackie's recent publications include:

- Sole blogger for the *Civil Rights Insights* blog, www.educationcivilrights.com/blog (March 2021–Present)
- Principal blogger and editor of the *Title IX Tips* blog, available at www.titleIXtips.com (October 2021–March 2021)
- Principal blogger and editor of *Title IX Insights* blog, available at www.titleIXinsights.com (October 2019–July 2021)
- “Guest Post: Title IX- Navigating Delays from State Lawsuit Victories,” AASA, the School Superintendents’ Association (June 2024)
- “The Case of the Profane Cheerleaders: The lessons of Mahanoy and student speech,” *American School Board Journal* (August 2022)
- “Top Five Things Superintendent Should Know About the Proposed Title IX Rules,” *The Leading Edge Blog: Policy and Advocacy*, AASA, the School Superintendents’ Association (July 2022)
- “K–12 Timing of Cases: A Special Guest Blog by Jackie Gharapour Wernz,” *Association of Title IX Administrators (ATIXA) Blog* (June 2022)
- “It’s Time for Title IX: New Rule, New Regime,” *Illinois Bar Journal* (September 2020)
- “Shield and Sword: The Law as a Driver for Educational Equity,” *American School Board Journal* (April 2020) (with Franczek Partner Jennifer Smith).

Jackie is a regular contact for national reporters covering Title IX, civil rights, and equity issues. She has been quoted in NBC News online, *Bloomberg Law*, *Education Dive*, *Reason Magazine*, the *Center Square*, *JD Supra’s Beacon Insights*, and the *Chicago Tribune*.

SPEAKING AND PUBLIC APPEARANCE HISTORY

Jackie's speaking engagements include:

- “Bridging the Gaps: Navigating Title IX's Intersection with HR, Special Education, and Beyond in K-12 Schools,” ATIXA Annual Conference (October 2024)
- “Land of Confusion,” *The Title IX and Civil Rights Podcast*, Dan Schorr LLC (July 2024)
- “Injunction Junction, What's Your Function?,” *The Title IX and Civil Rights Podcast*, Dan Schorr LLC (June 2024)
- “The Tortured Title IX Department: The ‘New’ 2024 Title IX Rule,” *ECR Solutions LLC* (April 2024)
- “Title IX and Special Education: Consultation for the Win,” *Texas Council of Administrators of Special Education Great Ideas* (February 2023)
- “The Essential Federal Guidance and Regulatory Update for School Leaders,” *American Association of School Administrators School Superintendents Association’s National Conference on Education* (February 2023 – prepared written materials)

- “Plenary Panel: Title IX at 50: Past, Present, and Future,” Education Law Association Annual Conference (November 2022) (panelist)
- How Can We Get More Participation in our Informal Resolution Programs?” New Era ADR Webinar (October 2022) (panelist)
- “Title IX Redesigned, Again!” North Dakota School Boards Association (October 2022)
- “Title IX Compliance Certification Training,” Oregon School Personnel Association Fall Summit (October 2022)
- University of Texas 37th Annual School Law Conference, “Title IX: The First 50 Years” (February 2022)
- Minnesota School Law Conference, “Free Speech Doesn’t Mean Hate Speech – Preventing Harassment and Bullying” (November 2021)
- Education Law Association 67th Annual Conference, “Title IX and Educator Misconduct” and “Diversity, Equity, Inclusion, and Belonging and ‘CRT’ Laws” (October 2021)
- Oregon School Personnel Association Title IX training (10 hours of training completed annually since 2020 at the annual conference for OSPA)
- Chicago Bar Association Education Committee Annual Seminar—“The New Title IX: Considerations for Education Attorneys” (March 2021)
- Ankura Webinar, “Advisors in Title IX Investigations: Legal, Regulatory, and Public Policy Considerations” (July 2020)
- Illinois Association of School Personnel Administrators (IASPA) Annual Conference, “Title IX Fundamentals for K-12 Personnel Administrators” (January 2020)
- ATIXA West Coast Annual Conference—“Title IX and Employee Rights: The Hidden Risks Every Administrator Should Know” (October 2019)
- ED-RED Meeting, “Title IX Legal Overview” (June 2019)
- Title IX T.E.A.M. (Title IX Educational Administrators Meetup)—founder and host of Franczek P.C.’s monthly meetup for Title IX leaders and administrators to discuss pressing Title IX issues (July 2020–July 2021).

Jackie is the go-to resource for the National School Attorneys Association (NSAA) when it seeks training on Title IX in the realm of K-12 education. Recent presentations include:

- NSAA Webinar—“The New Title IX Rules – Investigation Process and Hypothetical Examples” (May 2024)
- NSAA Webinar—“The New Title IX Rules” (April 2024)
- NSAA First Annual Conference—Title IX, the New Regulations, and Tips on Responding to a Title IX Lawsuit (October 2023).

Before becoming a founding board member of NSAA in 2023, Jackie was a frequent speaker at the National School Boards Association and its national Counsel of School Attorneys (COSA), which supports school attorneys in their representation of public school boards by providing leadership in legal advocacy for public schools.

In the lead-up to the issuance of the 2024 Title IX rule on April 19, 2024, AASA, the School Superintendent’s Association, chose to partner with Jackie over other much larger national

organizations because of her unique expertise with K-12 Title IX issues. Jackie regularly presents on Title IX topics through AASA:

- AASA Podcast—“PEP Talk Episode 31: The 2024 Title IX Regulations” (June 2024)
- AASA Webinar—“Everything You Need to Know about New Title IX Regulations” (May 2024)
- AASA Webinar—“The School Administrator’s Title IX Gameplan for the New School Year” (July 2023)
- AASA & ASBO Legislative Advocacy Conference, “The Administrator’s Essential Guide to the Current State of Title IX” (July 2023)
- AASA National Conference on Education, “The Essential Federal Guidance and Regulatory Update for School Leaders” (February 2023).

Jackie also is a regular presenter for the American Association of School Personnel Administrators, including:

- AASPA Annual Conference—“Get Your Training On! Required Training Under the New Title IX Rules” (October 2024)
- AASPA Annual Conference—“Investigation Nation: How to Nail Your Next Personnel Investigation” (October 2024)
- AASPA Webinar—“The 2024 Title IX Rules for Personnel Administrators” (May 2024)
- AASPA Annual Conference—“What You Don’t Know Might Hurt You: Essential Title IX Updates for School Personnel Administrators” (October 2023)
- AASPA Annual Conference—“ADA Update: What Employers Need to Know in 2023” (October 2023)
- AASPA Personnel Administrator Boot Camp—“Transgender Rights: Tips, Tricks, and Traps for School Personnel Administrators” (August 2023)
- AASPA Personnel Administrators Boot Camp & Virtual Legal Summit—“My Employee Did What? Employee Discipline” (February 2023)
- AASPA Annual Conference—“Staff, Sex, and Schools: Hot Legal Issues Involving School Personnel Sexual Harassment” (October 2022)
- AASPA Diversity, Equity & Inclusion Summit, “Getting It Right: Avoiding Legal Pitfalls in DEI Implementation” (April 2022)
- AASPA Webinar—“The New Title IX: Unexpected Consequences for K-12 Labor & Employment” (June 2020)
- AASPA Annual Conference—“Too Close For Comfort? Risky Relationships in Schools” (October 2019)
- AASPA Annual Conference—“Top Legal Trends and Sticky Human Resources Situations to Know in 2019” (October 2019).

Jackie is a regular presenter at LRP Publications’ national conferences, including:

- LRP Special Education School Attorney Conference—“Changes Ahead: The Impact of Regulatory Developments on the Practice of Special Education Law” (May 2024)

- LRP National Institute on Legal Issues of Educating Individuals with Disabilities Kentucky International Convention Center—“The Impact of Title IX on Special Education” (April 2022)
- LRP Special Education School Attorneys Conference—“Breaking Bad: Ethically Dealing With ‘Bad’ Behavior During Special Education Disputes” (February 2022)
- LRP Special Education School Attorney Conference—“The New OCR: Update on a Different Approach to Disability Cases” (February 2022)
- LRP National Institute—“The First 90 Days of the Biden/Harris Administration and the Future of Special Education” (April 2021)
- LRP National Institute—“Technology & Special Education” (May 2020)
- LRP National Institute—“Attorney Ethics in Investigations” (May 2020)
- LRP Attorney Conference—“Social Media and Special Education” (January 2016).

This is not an exhaustive list of Jackie’s speaking events and appearances, which is too long to include and includes numerous Thompson & Horton, Franczek P.C., and other webinars on Title IX, civil rights, and equity issues.

PROFESSIONAL SERVICE

Jackie has served on the following boards and committees:

- National School Attorneys Association (NSAA)—Founding Board Member (2023–Present)
- School District Attorney Committee (SDAC) for AASA, the School Superintendents’ Association—Chair (2024–Present). The SDAC is an initiative created to enhance its work to shape federal education policy and provide additional legal resources for superintendents and their teams. The SDAC, comprised of premier school district attorneys who specialize in a variety of areas of legal expertise and are located across the country, operates as an advisory committee on behalf of AASA’s advocacy and policy team.
- National School Board’s Association (NSBA) Council of School Attorneys (COSA) Board of Directors—Board Member (2022–2024 Term)
- Education Law Association—Conference Committee Member (2022)
- Chicago Bar Association, Education Law Committee—Founding Co-Chair and Chair (2010–2014), Vice Chair (2015).