

**JAMES EDWARD RYAN**  
William L. Matheson and Robert M. Morgenthau Distinguished Professor  
Academic Associate Dean  
University of Virginia School of Law

## **EDUCATION**

**UNIVERSITY OF VIRGINIA SCHOOL OF LAW, J.D., May 1992.**

Graduated first in class.

Traynor Award, given to two graduates who have produced the best written work.

Thomas Marshall Miller Prize, given by faculty to an “outstanding and deserving” graduate.

Dillard Scholar (recipient of full, three-year, merit scholarship).

**YALE UNIVERSITY, A.B., with distinction, May 1988.**

*Summa cum laude*; Phi Beta Kappa.

## **EMPLOYMENT**

**UNIVERSITY OF VIRGINIA SCHOOL OF LAW, 1998-Present**

Academic Associate Dean since September 2004.

McFarland Prize for Outstanding Faculty Scholarship, May 2004.

Black Law Students Association Outstanding Service Award, May 2004.

William L. Matheson & Robert M. Morgenthau Distinguished Professor since May 2003.

Professor since September 2002; Associate Professor, 1998-2002.

Teaching areas: law and education; constitutional law; land use law; torts; local government law;  
and environmental justice.

**HARVARD LAW SCHOOL, Visiting Professor, Fall 2006.**

**YALE LAW SCHOOL, Visiting Professor, 2002-03.**

**GIBBONS FELLOWSHIP IN PUBLIC INTEREST AND CONSTITUTIONAL LAW, Newark, New Jersey.**

October 1995 to November 1997. Admitted to practice in New Jersey; United States District Court for the District of New Jersey; United States Court of Appeals for the Third Circuit.

**IRAN-U.S. CLAIMS TRIBUNAL, The Hague, The Netherlands.** Legal Assistant to the Honorable Charles T. Duncan, United States Arbitrator. September 1994 to October 1995.

**THE HONORABLE WILLIAM H. REHNQUIST, Chief Justice of the United States.** Law Clerk. 1993-94.

**THE HONORABLE J. CLIFFORD WALLACE, Chief Judge, United States Court of Appeals for the Ninth Circuit.** Law Clerk. August 1992 to July 1993.

**OFFICE OF THE SOLICITOR GENERAL OF THE UNITED STATES.** Summer Intern. June to August 1992.

## JOURNAL ARTICLES AND ESSAYS

- Standards, Testing, and School Finance Litigation*, 86 TEX. L. REV. \_\_\_\_ (forthcoming 2008).
- Charter Schools and Public Education*, 4 STAN. J. CIV. R. CIV. L. \_\_ (forthcoming 2008).
- The Supreme Court and Voluntary Integration*, 121 HARV. L. REV. 131 (2007).
- Does It Take a Theory? Originalism, Active Liberty, and Minimalism*, 58 STAN. L. REV. 1623 (2006).
- A Constitutional Right to Preschool?*, 94 CALIF. L. REV. 49 (2006).
- Voluntary Integration: Asking the Right Questions*, 67 OHIO ST. L.J. 328 (2006).
- Brown, School Choice, and the Suburban Veto*, 90 VA. L. REV. 1635 (2004).
- Foreword to Symposium on School Finance Litigation: Emerging Trends or New Dead Ends?*, 22 YALE L. & POL'Y REV. 463 (2004) (with Thomas Saunders).
- The Perverse Incentives of the No Child Left Behind Act*, 79 N.Y.U. L. Rev. 932 (2004).
- The Limited Influence of Social Science Evidence in Modern Desegregation Cases*, 81 N.C. L. REV. 1659 (2003).
- Race Discrimination in Education: A Legal Perspective*, 105 TEACHERS COLL. REC. 1087 (2003).
- The Political Economy of School Choice*, 111 YALE L.J. 2043 (2002) (with Michael Heise).
- A Political History of the Establishment Clause*, 100 MICH. L. REV. 279 (2001) (with John C. Jeffries, Jr.).
- The Supreme Court and Public Schools*, 86 VA. L. REV. 1335 (2000).
- The Influence of Race in School Finance Reform*, 98 MICH. L. REV. 432 (1999).
- Schools, Race, and Money*, 109 YALE L.J. 249 (1999).
- Sheff, Segregation, and School Finance Litigation*, 74 N.Y.U. L. REV. 529 (1999).
- "Paying" for the Change: Using Eminent Domain to Secure Exactions and Sidestep Nollan and Dolan*, 81 VA. L. REV. 1801 (1995) (with Douglas T. Kendall).
- Note, *Smith and the Religious Freedom Restoration Act: An Iconoclastic Assessment*, 78 VA. L. REV. 1407 (1992).

## BOOK CHAPTERS

*A Legal Perspective on Performance-Based Pay for Teachers*, in PERFORMANCE INCENTIVES: THEIR GROWING IMPACT ON AMERICAN K-12 EDUCATION (forthcoming 2008).

*Federalism as Libertarian Fantasy*, in REDEFINING FEDERALISM (2004).

*The 10<sup>th</sup> Amendment and Other Paper Tigers: The Legal Boundaries of Educational Governance*, in WHO'S IN CHARGE HERE? THE TANGLED WEB OF SCHOOL GOVERNANCE AND POLICY (2004).

## NEWSPAPER AND MAGAZINE ARTICLES

*Say Something! College Presidents and Public Education*, EDUC. WEEK, Jan. 23, 2008.

*Originalist Sins: The Faux Originalism of Justice Clarence Thomas*, SLATE, Aug. 1, 2007 (with Doug Kendall).

*Taking Back the Constitution*, THE NEW REPUBLIC, Aug. 6, 2007 (with Doug Kendall).

*State Must Better Prepare Its Students*, RICHMOND TIMES DISPATCH, Jan. 21, 2004.

*The Neutrality Principle*, 4 EDUC. NEXT 28 (Fall 2003).

*Taking School Choice to the Suburbs*, WASH. POST, July 3, 2003 (with Michael Heise).

*Sit in For School Equality*, WASH. POST, May 19, 2003.

## WORKS IN PROGRESS

SUBURBAN VETO: THE LAW AND POLITICS OF EDUCATIONAL OPPORTUNITY (forthcoming Oxford University Press, 2009).

*Poverty as Disability*

*What Do School Finance Plaintiffs Really Want?*

## SELECTED PRESENTATIONS AND PUBLIC SPEECHES

Faculty Workshops at UVA, University of Michigan, Harvard, Cornell, Cardozo, Yale, U.C. Davis, Stanford, University of Chicago, Villanova, Case Western.

Charge to University of Virginia Law School Class of 2007, April 2007.

*A Constitutional Right to Preschool?*, Child Advocacy Conference, Harvard Law School, March 2007.

*Brown, School Choice, and The Suburban Veto*, Symposium in Honor of 50<sup>th</sup> Anniversary of *Brown*, University of Virginia Law School, Feb. 2004.

*Political Progressives and School Choice*, AALS Conference, Atlanta, GA, Jan. 2004.

*The Prospects for Voluntary Integration*, NAACP Legal Defense Fund Conference, Airlie, VA, Fall 2002.

*The Limited Influence of Social Science Evidence in Modern Desegregation Cases*, The Resegregation of Southern Schools Conference, University of North Carolina, August 2002.

*The Future of Vouchers*, Address to State and Federal Judges, University of Virginia School of Law, July 2002.

*Beyond School Finance Litigation*, Separate But Unequal: The Status of America's Public Schools Conference, University of Michigan Law School, February 2002.

*School Choice and Racial Integration*, The End of School Desegregation? Conference, Boulder, CO, October 2000.

*School Choice, Libertarians, and the Institute for Justice*, Panel on School Choice, University of Virginia School of Law, February 1999.

*School Choice and the Suburbs*, Equal Education Under Law Symposium, University of Virginia School of Law, February 1998.

#### **PRO BONO ACTIVITIES AND COMMUNITY SERVICE**

*In re Damchoe Gyaltzen* (successfully represented Tibetan Monk seeking political asylum).

*Lingle v. Chevron USA, Inc.*, No. 04-1963, Sept. 2004, Brief *Amicus Curiae* of the National Conference of State Legislatures, et al., in Support of Petition for A Writ of Certiorari (co-authored) (cert. granted).

*Paynter v. New York*, 797 N.E.2d 1225 (N.Y. Ct. App. 2003), Brief *Amicus Curiae* of Rochester Teachers' Association.

*Palazzolo v. Rhode Island*, 533 U.S. 606 (2001), Brief *Amicus Curiae* of The American Planning Association, et al. (co-authored).

*Vinson v. Virginia*, 258 Va. 459, 522 S.E.2d 170 (Va. Nov 05, 1999) (co-authored brief for post-conviction review in capital case).

Consultant to Legal Aid attorneys investigating legal and factual bases for possible school funding lawsuit in Virginia. 2002-04.

Member, School Redistricting Committee, Albemarle County, Virginia, 2004-05.

Board Member, Community Rights Counsel, 1998-2005.

Board Member, Council on African-American Affairs, 2001-04.

Board Member, Century Foundation Task Force on the Common School, 2001-02.

Vice-Chairman, American Bar Association's Committee on Public Schools, 1997-99.