



## **Mission Statement**

The central purpose of the University of Virginia is to enrich the mind by stimulating and sustaining a spirit of free inquiry directed to understanding the nature of the universe and the role of mankind in it. Activities designed to quicken, discipline, and enlarge the intellectual and creative capacities, as well as the aesthetic and ethical awareness, of the members of the University and to record, preserve, and disseminate the results of intellectual discovery and creative endeavor serve this purpose. In fulfilling it, the University places the highest priority on achieving eminence as a center of higher learning.

## Summary of Accomplishments – Jim Ryan

**I. Teaching** - Jim Ryan is an award-winning teacher. He is the recipient of UVA's All-University Teaching Award for 2010. As a visitor at the Yale Law School in 2002-2003, he was the runner-up as "Teacher of the Year," a rare feat for a visitor to the school.

Jim's teaching evaluations are astonishing. His numerical scores are off the charts. The Law School's course evaluation form asks students to rate various aspects of the course on a 5-point scale (5 = "outstanding," 4 = "above average," 3 = "average," 2 = "below average," 1 = "poor"). The final question asks students to provide an "overall" measure of whether "the instructor taught this course effectively." The mean response to this question across all courses taught by all members of the law school faculty varies somewhat from semester to semester, but in recent years it has been somewhere around 4.2 or 4.3. Jim Ryan's numerical rankings are *always* far above this average. In 14 classes over the last several years, his average overall rating was 4.9. In six out of those 14 classes he received a perfect score of 5. (See also the "Additional Documentation.") When Jim visited Harvard Law School in 2006, the students were likewise awed by his teaching. In one class, he measured an average of 4.8 out of 5, with 84% of the students giving him the highest rating possible; in his other class, his average was 4.89, with 91% of the students giving him the highest rating possible.

Numbers, of course, cannot tell the whole story. In addition to seeking numerical ratings, the Law School's evaluation forms invite students to offer qualitative comments. Below are excerpts from reviews of his course in Constitutional Law (See also "Additional Documentation"):

"Ryan is the perfect professor for Con Law. . . . This class challenged me almost daily and kept me thinking about the subject matter throughout the day—fantastic class!" "Prof. Ryan is the best instructor I have ever had, in college or law school." "By far the best professor I've ever had in law school or undergrad." "Ryan is without a doubt the best professor that I have ever had." "I don't know how there could be a better professor anywhere." "He came as close as possible to teaching a perfect class." "[T]his man is amazing." "[E]ncyclopedic sense of the subject matter, ability to handle all students' questions in stride, lots of meaty thoughts conveyed." "[O]ther professors should be encouraged (forced, in some cases) to observe Professor Ryan as a model for how a class lecture is to be structured and delivered." "This class was phenomenal. . . . I can't say enough good things about Prof. Ryan." "[H]e . . . is just shockingly good. In fact, he is the best professor I have ever had and this is probably the best course I will take in all of law school." "[F]abulous, fabulous, fabulous." "The class was superbly organized and taught." "Professor Ryan's preparation for each lecture was evident . . .—in turn, he motivated me to prepare for each class and pushed me to match his level of detail and inquiry. . . . [A]n amazing professor whose class is a true privilege." "Prof. Ryan is the single most genuine and caring professor I have ever had for any class." "A+."

Jim Ryan is a versatile teacher. He teaches a wide range of subjects—constitutional law, education law and policy, environmental justice, land use, local government law, and torts. And he also teaches every type of course imaginable. As **Law School Dean Paul Mahoney** put it when he nominated Jim Ryan for UVA's All-University Teaching Award: "[Jim Ryan] is the rare teacher who excels in every setting, whether the course is a large lecture or a small seminar, required or elective, introductory or advanced, broad or specialized. He has done each and been wildly successful at each."

As a teacher, Jim Ryan does more than convey substantive knowledge; he also guides his students' professional and personal development and this teaching does not end at the classroom door or at graduation. He does countless things for students that he is not obligated to do and for which he receives no official recognition. While there are not many ways to receive recognition for this, Jim did receive one honor that no doubt grew out of his presence in students' lives. A graduating class decided that they wanted to select a faculty member to provide a "Charge to the Class." Jim Ryan was the top of their list of faculty members they wanted to deliver this "charge" to them as they launched their lives in the profession.

The comments below speak to Jim Ryan's broad-based "teaching" of students.

**Chinh Q. Le ('01):** "Jim [Ryan] joined the Virginia faculty in my second year. . . . [S]hortly after his arrival, I drummed up enough courage to reach out to Jim cold, hoping that he would be willing to talk to me for just a few minutes about his experiences and about my aspirations to be a public interest lawyer. Even though I had not yet taken a course with him and he had no idea who I was, to my surprise, not only did Jim agree to meet, he immediately suggested that we have lunch at a nearby sandwich and wrap joint. . . . Over that first lunch, throughout the rest of my law school experience, and indeed, in the decade since, Jim has always been extremely generous in providing career advice, guidance, and mentorship to me. On numerous occasions, I came to him with underformed thoughts and ideas, and he took the time to talk me through them and to help me reach the right conclusions. It was thanks to Jim, for instance, that I was able to get my foot in the door for an interview with the NAACP Legal Defense & Educational Fund, the organization which ultimately sponsored my Skadden fellowship, and where I spent the first five years of my legal career. It was my dream job, and Jim helped me make that dream a reality. . . . When it came time for me to move on, I again picked up the phone and consulted with Jim, and he helped me walk through my career options. . . . Jim has always been a thoughtful and careful listener, a trusted advisor, and an inspiring role model."

**Jeree Harris (Current student):** "I cannot count the number of times I've come to his office to talk with him about everything from paper topics and public service courses to pop culture. No matter the topic, he always made me feel welcome to share my thoughts. He was my Constitutional Law professor, one of the most difficult courses initially for a first year minority law student. He did an incredible job of making sure the discussion in Constitutional Law was both insightful and inclusive of different perspectives. . . . [Professor Ryan] is willing to forge mentor relationships that are based on him truly wanting to get to know students and have students get to know him. He remains the only professor I've had at the law school to ask students to write him a one-page autobiography in the beginning of the semester so that he could know something about each and every student. Little gestures like asking for an autobiography and being so enthusiastic when we take him out for a professor lunch are the things that make him stand out . . ."

**Tom Coatsworth ('09):** "Professor Ryan takes special interest in students and helping them succeed academically, professionally and personally. . . . I can say this from personal experience. I had some significant problems my first year of law school and of all the professors I talked to Professor Ryan showed the most kindness, compassion, and interest in helping me work through it. I was incredibly lucky to have him as a Professor and as a mentor."

**Kate Monahan ('07)** (discussing Jim Ryan's "Charge to the Class"): "Professor Ryan gave an address to the graduating class of 2007 that was about practicing law and also about the

importance of noticing opportunities to make choices about who to be and how to spend time in our lives. . . . Students who were there that day sent the school's audio recording of the address to alumni and to students in other programs at the University, and those students sent it on to others. There are people out there who did not even know him or take a class from him but who were spellbound by what he had taken the time to teach us."

**II. Discovery** - Jim Ryan is a pioneering, prolific scholar of law and educational opportunity. He has published dozens of articles in the most prestigious law journals in the country (Harvard Law Review, Michigan Law Review, Stanford Law Review, Yale Law Journal, Virginia Law Review) and authored book chapters in several collections. His latest work is his book, *FIVE MILES AWAY, A WORLD APART* (Oxford, Summer 2010).

Jim Ryan is an award-winning scholar.

- In 2004, Jim Ryan received the Law School's McFarland Prize for Outstanding Faculty Scholarship. This is a biennial award given to a junior faculty member for outstanding research.
- In 2008, Jim Ryan received the Steven S. Goldberg Award for Distinguished Scholarship in Education Law. The award, given by the Education Law Association, is presented annually to recognize a single scholarly work that meets the standard of "scholarly excellence" in the field of education law. Jim Ryan won for *Standards, Testing, and School Finance Litigation*, 86 Texas Law Review 1223 (2008). When the award was announced, Professor Philip T.K. Daniel, William and Marie Flesher Professor of Educational Administration at the Ohio State University explained: "*Standards, Testing, and School Finance Litigation* by James Ryan exceedingly meets the criteria for the Goldberg Award. It is a well researched article combining the education finance issues of adequacy, equity, comparability, and the academic standards requirements of No Child Left Behind. The reader is presented with a very clear picture that standards can be manipulated and have little place in determining whether students are receiving an appropriate education, and more, whether the state is financially supporting its responsibility for such an education. It is ground-breaking research!"

Jim Ryan is an influential scholar. In a study assessing the scholarly impact of the top 25 law faculties, Leiter's Law School Rankings identified Jim Ryan as one of the most-cited members of the UVA Law School faculty. The quotes below also testify to the importance of his scholarship:

**Michael Heise, Professor of Law, Cornell Law School:** "Professor Ryan is easily this generation's most important, influential, and creative law and education scholar. Jim's scholarly contributions are immense and his footprint in the research literatures will assuredly grow over time. Professor Ryan's scholarship is noted among his peers for its careful attention to detail, rigor, persuasiveness, and fair-minded treatment of competing theories and counterarguments. Moreover, Jim's scholarly contributions engage critical public issues. By creatively analyzing vexingly complex social problems, Jim's scholarship contributes to the profession partly by engaging directly and constructively with critical public issues."

**Aaron Saiger, Professor of Law, Fordham Law School:** "All of us who think and write about education law owe an enormous debt to Jim Ryan, whose work has defined and shaped the field for a generation of scholars. For many of us, that debt is doubled, in that he has also shaped a generation of scholars in the field."

**Jennifer L. Hochschild, Professor of African and African American Studies, and Harvard College Professor, Harvard University:** "Americans seem to concur that school desegregation is the right and just policy, and also that we will do nothing to pursue it. We also don't talk or think about it--until a book such as *Five Miles Away* comes along. Jim Ryan has produced just the right mix of case study and rigorous analysis to both help us grapple with an issue that most people would rather ignore, and to prod us into realizing the urgent need to do so. The focus on urban/suburban boundaries is exactly targeted and the attention to politics and the law, as well as to real children, is essential."

**Derek W. Black, Associate Professor of Law and Director, Education Rights Center:** "Jim Ryan's new book captures the heart of over a half a century of education litigation and reform. Looking back at decades of desegregation cases and policy, he indicates that we never really tried to desegregate schools, other than for a two or three year period at the end of the 1960's. Since then, every major education reform effort has been premised on the acceptance or maintenance of racial isolation and, for that very reason, each has failed. He offers a few solutions that very well could overcome these past failures. The most striking and admirable aspect of Ryan's text, however, may not be its substance. It may be its form. . . . [T]he book's neutrality is so rarely seen in the world of education reform that, on some points, it is as likely to draw criticism from the left as from the right. . . . Most often, the text presents itself as a comprehensive set of informative facts rather than a series of arguments, and these facts sometimes cut in two different directions. . . . The beauty of the book is its devotion to nuance and fairness, both of which reveal details that have been so long forgotten or overlooked that they are now more akin to secrets. In these respects, Ryan's book serves more than just education reform. It serves the academy and its students with a prime example of how to perform a reasoned evaluation of complicated issues."

**III. Integration of Knowledge** - As Academic Associate Dean of the Law School from 2004-2009, Jim Ryan was a driving force behind the expansion of clinical programs. In clinical classes, students represent actual clients under the close supervision and guidance of a faculty member. Students are required to translate what they have learned about an area of law into the specific context of advancing the interests of a client; law clinics can thus be considered an *ideal* way to integrate knowledge. Under Ryan's leadership, the Law School created and/or expanded clinical offerings in five areas.

In his own teaching, Jim Ryan has shaped the curriculum in other ways that promote knowledge integration.

- He is a pioneer in the design and teaching of law and education courses. Such courses are taught at very few law schools in the country and, before Jim Ryan's arrival, had not been taught at UVA Law. The general education law course he teaches, called "Schools, Race, and Money" is a course that he created from scratch. In the class, students not only study education law, but they study, more broadly, the law and politics of educational opportunity. This is exactly what Jim Ryan's scholarship addresses.
- Jim Ryan recently designed and co-taught a course on education law and disability and he is working on such issues in his current scholarship. (One of his current papers is called "Poverty as Disability.")

Jim Ryan's scholarship analyzes and evaluates the complex path of "school finance" litigation in the state courts. While at the Yale Law School, Jim Ryan designed a seminar on school finance litigation in which students researched and wrote publishable case studies about state school

finance litigation. These were later published in a Yale law journal.

- When Jim noticed that the Law School curriculum did not have a course that would introduce students to legal scholarship, he designed and taught seminars on classics in legal scholarship and the scholarly process. In the latter seminar, the student/would-be legal scholars learned how execute a successful scholarly project.
- Jim teaches and writes in constitutional law; he also helped create and teaches in the Law School's Supreme Court Litigation Clinic. In this clinic, students, under the supervision of faculty, represent clients who seek Supreme Court review of an adverse judgment in the lower courts. To do this successfully, the students must translate their knowledge of the law into legal advocacy at the very highest levels demanded by the legal profession. Jim Ryan is one of their teachers and advisors in this endeavor. On October 4, 2010, Jim Ryan will argue before the US Supreme Court itself on behalf of a Clinic client.

Jim Ryan's teaching is closely connected to his scholarship and his scholarship is fundamentally interdisciplinary. **Michael Heise, Professor of Law at Cornell Law School** described his scholarship this way. "By drawing on insights from an array of related though distinct scholarly disciplines and seamlessly integrating them into coherent legal argument, Jim's scholarship gains in persuasion and broadens its access and appeal. Most notable in this regard involves Jim's seminal work located at the intersection of race, socio-economic status, and educational opportunity. By leveraging quantitative and qualitative educational research, sociology, and political science, Prof. Ryan deepens his understanding of the complex legal issues incident to our collective aspirations for greater equality of educational opportunity. In addition, the multi-disciplinary approach that favorably distinguishes Jim's scholarship also marks his teaching and pedagogy to the benefit of his students."

**IV. Service** - The activities below describe Jim Ryan's service to his institution, profession, community, and greater society.

Jim Ryan has served the Law School and the University from the moment he arrived at the Law School. He has served on important committees every year, has twice served on Dean Search committees, and has chaired several hiring committees. His most significant service came when he became Academic Associate Dean of the Law School and served in that capacity from 2004 to 2009. The Associate Dean is the second-in-command academic officer at the Law School, second only to the Dean. The Academic Associate Dean develops the Law School's curriculum, supervises the registrar and the dean of students, and serves on the faculty hiring committees. It is a job that must be held by someone who commands the respect and admiration of those within the institution. That Jim Ryan was asked to serve in this position only 6 years after joining the faculty (two years after receiving tenure) says a great deal about the depth of that admiration.

Jim Ryan devised and directs a new program at the Law School devoted to assisting students who are interested in pursuing careers in public service. Below are two descriptions of his work in this area by colleagues:

**Paul Mahoney, Dean, UVA Law School:** "Throughout his academic career, Jim has been a mentor and advocate for students who plan careers in public service. He was the principal architect of, and now directs, the Law School's Program in Law and Public Service, which provides curricular and extra-curricular offerings tailored to students who plan to pursue careers in federal, state, or local government or in non-profits. The program includes

specialized courses, summer job opportunities, and mentoring from alumni who work in public service positions. Jim also led an effort, coincident with the creation of the Program in Law and Public Service, to expand eligibility for the Law School's loan forgiveness program, under which the Law School covers student loan payments for graduates working in low-paying positions in public service or in private practice in underserved areas of the Commonwealth. Jim did not get any "credit" in material terms for either of these undertakings—he did them because they were ways to serve our students and the public."

**Anne Coughlin, Lewis F. Powell, Jr., Professor of Law, UVA Law School:** "[I]t was Jim who recognized that this group of students needs more than a great general education, . . . He saw that these students also need to have a specialized curriculum that will prepare them for the unique professional challenges that they will encounter when they arrive at their jobs. He developed his vision for the Program after having countless conversations with current and former students who described the kinds of training that would best prepare them for the real problems that they will face as contemporary public service lawyers. The Program is a testament to Jim's determination to satisfy the actual needs of this group of students and to the whole range of clients whom they will serve down the road. I predict that the Program will be emulated by other top law schools, but our students have something that the other schools don't: Jim Ryan and his boundless creativity, energy, and commitment to their education and professional welfare."

Finally, Jim Ryan serves the profession by teaching teachers.

- Current colleague, **Professor Jon Cannon** co-taught a course with Jim Ryan and had this to say: "I came to the law academy in 1998, after almost a quarter century in private law practice and government. Jim is twenty years my junior and had started his own law teaching career only a short time before I did, but he has been a model and mentor ever since I arrived. . . . It became clear very early in the seminar that Jim had a wonderful intuitive touch with students . . . . I internalized [Jim's] pattern of preparation not only for [one course] but for all my lecture courses, and my own teaching benefitted measurably."
- Former colleague and mentee **Professor Michael Doran** (now a Professor of Law at Georgetown law school) had this to say: "Jim is the Platonic form of the mentor. He carefully and thoughtfully advised me on every question that I brought to him, whether on teaching or on scholarship. He read drafts of every paper that I worked on during my time at the law school, and he regularly gave me the most searching and most thoughtful comments that I received. On two occasions, I fundamentally restructured papers in response to his excellent comments, and both papers were considerably more successful as a result. I consider his mentorship to be one of the most valuable of the many valuable experiences I had at the law school. I'm happy to say that, at his urging, I continue to send him drafts and continue to benefit from his close reading and brilliant mind."
- Jim Ryan has always devoted a good portion of his professional time to pro bono activities that contribute to individual clients, the public, and the progress of the law. (See CV and final section). As **Doug Kendall, President, Constitutional Accountability Center** explained: "Jim Ryan . . . has donated hundreds and hundreds of hours of free time to the two non-profit organizations I have directed over the past 13 years, serving on Community Rights Counsel's board of directors, helping write books, reports and legal briefs, and advising me informally whenever I asked for his help. . . . His writing illuminates the law and forms the basis for legal arguments that convince judges and thereby moves the law in a better direction."

### **Personal Statement – Jim Ryan**

I love the study and practice of law. In my view, law is as intellectually stimulating as any field of study. But it also intensely practical, and I find teaching law rewarding precisely because of this combination. I am especially interested in the way that law structures opportunities for individuals and institutions, and I try to remind students in class that we are not simply debating abstract principles but rather rules that affect how people live their lives. Last, it is my belief that public service is the very highest calling for lawyers to pursue. My three main activities as a professor—teaching, scholarship, and service—reflect and are organized around these core interests and beliefs. But what keeps me most engaged are the students themselves, and the opportunity I have as a teacher to help them shape their own futures.

#### Teaching Interests

I have been lucky to be able to teach a variety of courses, which correspond to my interests in both the intellectual and practical sides of law. At one end of the spectrum, I have taught very “academic” courses, including a course on classic articles in American legal literature and a course on the scholarly process. At the other end of the spectrum, I have been an instructor in the Supreme Court litigation clinic, which offers students hands-on experience in preparing and briefing cases before our nation’s highest court. In between these poles, I have taught constitutional law, land-use law, local government law, and a course on law and education. The last is the course I most enjoy teaching, because it combines deep questions about equality and opportunity with very practical considerations of law, politics, and policy. My aim in the course is to ignite both curiosity and passion: curiosity over the intellectual puzzles the material presents and a passion to solve them in ways that might improve the educational opportunities available to students.

#### Scholarship

My scholarship focuses primarily on law and educational opportunity. I am interested in the ways that court decisions and legislative choices structure educational opportunity, which has led me to study school desegregation, school finance, school choice, standards and testing, and the intersection of religion and education. While the intellectual aspects of this study never fail to intrigue me, what motivates me even more is a desire to contribute to the public discussion and consideration of these important issues. I know firsthand the power of education to change someone’s life, and I remain driven by the hope that my own work, in some small way, might increase the number of children who have a similar experience. I recently completed a book on the topic, entitled *Five Miles Away, A World Apart*, in which I tried to tell the story of law and educational opportunity through two actual schools—one in the city of Richmond, and one five miles away in a nearby suburb. Grounding the broader national story in the experience of two schools was difficult at times, but I would not have written the book any other way. And what I learned from spending time in the two schools, hopefully some of which I successfully passed along in the book, I could not have learned in any other way.

#### Service

I have been privileged to be involved within the law school and outside of it on a number of interesting and fulfilling service projects. The two endeavors that have meant the most to me were serving as academic associate dean and starting the program in law and public service. In the former capacity, I was especially interested in helping to expand the clinical offerings at the law school and in increasing the loan forgiveness program to enable more graduates to pursue public service without being overwhelmed by educational debt. When I stepped down from that position, I created, with permission and support from the Dean, the program in law and public service. This program is designed to give intensive and focused training to students who plan to pursue a career in public service, broadly defined to include prosecution, international human

rights work, and everything in between. In these endeavors, I did not work alone and could not have succeeded without the help of many others, but it is my sincere hope that they have made the law school a better place generally and, in particular, have helped those interested in pursuing a career in public service.

### Teaching Philosophy

If I had to identify the one key principle that guides my teaching, it is trust. When I started teaching over ten years ago, I was eager to earn the students' respect, which was due in part to the fact that I was inexperienced and not much older than the students I was teaching. Respect is obviously important, and it is related to trust, as it is difficult to trust someone you do not respect. But I have come to believe that respect alone it is too narrow a goal, leaving little room for student input, taking chances, and making mistakes. My goal now, in every class, is to generate a sense of trust among the students, on several levels.

At the most basic level, I want the students to trust that I know the material and can teach it in an organized, coherent, and clear fashion. I spend a great deal of time preparing for each class, which involves not simply learning the material inside and out, but thinking long and hard about the best way to present it. In this sense, earning trust and earning respect are inextricably linked.

But I also try to make the students sufficiently comfortable with me and their classmates to take risks. I expect students to be prepared for every class, but I also want them to reach in class for arguments that might not succeed, to question their own assumptions and presuppositions, and to remain open to having their minds changed. To encourage this behavior, I try to model it: I do not take myself too seriously; I point out flaws in my own arguments; and I tell students when I have changed my mind about an issue.

In addition, I would like the students to be respectful of others but nonetheless inquisitive and demanding. I teach classes that cover sensitive topics like race and sex discrimination, religion, and abortion. My aim is to create a classroom environment where differences of opinion can be explored openly, honestly, and vigorously, but without rancor. Again, to encourage this behavior I try to model it. I do not hesitate to press students to separate their personal views from their legal analyses, which is notoriously difficult to do in constitutional law, one of the classes I regularly teach. I challenge them to think through the logical implications of their arguments, to reconcile seemingly inconsistent positions, and to try to articulate general legal principles that can be applied in a series of cases. I embrace unpopular views in order to encourage those who disagree to defend their views, and to make those who agree comfortable enough to voice their opinions.

Above all else, it is my hope that students will come to trust that I have their best interests at heart, and they will come to trust in the good faith of their peers—and to recognize that those who harbor different opinions are still decent and thoughtful people. If and when this happens, and this level of trust is established, the class sings. I am able to press students, sometimes aggressively, to think harder. I am able to poke fun, gently, at some student comments and at my own. I can generate not simply interest in the material but genuine excitement, because the students trust each other enough to show rather than hide their curiosity and passion about a topic. I can be provocative without causing offense, and the students can do the same. In short, real thinking and real learning can take place.

If and when students come to know and trust that I care about them, they also feel comfortable seeking my advice and assistance outside of class. I am happy to provide it, as I do not believe teaching only occurs within the classroom, nor do I believe that my role as a teacher is fulfilled solely by ensuring that students understand the material I teach. I believe my role as a teacher is to help prepare students for life after law school, whatever it might bring. And fulfilling that role successfully requires, above all else, trust: students must trust that I am sincerely interested in them and their futures, as indeed I am. It is why I teach.

**JAMES EDWARD RYAN**

William L. Matheson & Robert M. Morgenthau Distinguished Professor  
University of Virginia School of Law

**SELECTED EMPLOYMENT**

UNIVERSITY OF VIRGINIA SCHOOL OF LAW, 1998-

All-University Teaching Award, Spring 2009

Director, Program in Law and Public Service, September 2009-

Academic Associate Dean, September 2004-September 2009

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; local government law

UNIVERSITY OF AUCKLAND SCHOOL OF LAW, Auckland, New Zealand

Inaugural Cameron Fellow and Visiting Professor, Spring 2009

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

Pro Bono Fellow, 1995-97

CHIEF JUSTICE WILLIAM H. REHNQUIST, United States Supreme Court

Law Clerk, 1993-94

**EDUCATION**

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

Alumni Award for Academic Excellence, given to student who graduates first in class

Dillard Scholarship, three-year merit scholarship covering full tuition and expenses

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

*Summa cum laude*; Phi Beta Kappa

**SELECTED PUBLICATIONS**

FIVE MILES AWAY, A WORLD APART: ONE CITY, TWO SCHOOLS, AND THE STORY OF EDUCATIONAL OPPORTUNITY IN MODERN AMERICA (Oxford University Press 2010)

*The Real Lessons of School Desegregation*, in FROM SCHOOLHOUSE TO COURTHOUSE: THE JUDICIARY'S ROLE IN AMERICAN EDUCATION (Brookings Press 2009)

*Standards, Testing, and School Finance Litigation*, 86 TEX. L. REV. 1223 (2008) (recipient of Education Law Association's Steven S. Goldberg Award for Distinguished Scholarship)

*The Supreme Court and Voluntary Integration*, 121 HARV. L. REV. 131 (2007)

*Does It Take a Theory?* 58 STAN. L. REV. 1623 (2006)

*A Constitutional Right to Preschool?* 94 CALIF. L. REV. 49 (2006)

*Brown, School Choice, and the Suburban Veto*, 90 VA. L. REV. 1635 (2004)

*The Perverse Incentives of the No Child Left Behind Act*, 79 N.Y.U. L. REV. 932 (2004)

*Federalism as Libertarian Fantasy*, in REDEFINING FEDERALISM (Env'tl Law Institute 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)

*The Limited Influence of Social Science Evidence in Modern Desegregation Cases*, 81 N.C. L. REV. 1659 (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)

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

*In re Damchoe Gyaltzen* (Sept. 2005) (successfully represented Tibetan Monk seeking political asylum)

*Lingle v. Chevron USA, Inc.*, 544 U.S. 528 (2005) (co-authored amicus brief for the National Conference of State Legislatures, et al., in support of petition for certiorari in takings case)

*Paynter v. New York*, 797 N.E.2d 1225 (N.Y. Ct. App. 2003) (authored amicus brief for Rochester Teachers' Association in case seeking recognition of state constitutional right to integrated schools)

Board Member, Maya Angelou Charter School, Washington, D.C., 2010-

Board Member, Legal Aid Justice Society, Charlottesville, VA, 2008-

Past Board Member: Community Rights Counsel, 1998-2005; Council on African-American Affairs, 2001-04; Century Foundation Task Force on the Common School, 2001-02; Virginia State Bar Board of Governors, Education for Lawyers Section, 2000-02; 2003-06. Selected Participant, U.S.-China Young Leaders Forum, 2005-07

### **Letters of Support (Excerpted)**

- “Simply put, on a faculty that prides itself on having some of the best teachers in legal academia, there is none better than Jim. . . . Jim's popularity with the students is legendary—he could teach virtually any course in the curriculum and it would get a heavy enrollment regardless of subject matter. . . . Jim's standing with our students also reflects the fact that he cares deeply about them. . . . He demands a lot of them but evinces a deep obligation to help them succeed in the classroom, in the profession, and in life. His students feel entirely comfortable stopping by his office at any time for advice or intellectual interchange. . . . Jim also contributes immensely to our students' education by consistently sending the message, by word and example, that law is a service profession. He designed and leads our Program in Law and Public Service and has long acted as an informal advisor and mentor to students who seek careers in the public or non-profit sectors. . . . Jim is a highly-respected researcher and has taken on substantial administrative tasks. He would be a prominent and valued member of our faculty were his teaching merely average. That he has never settled for that speaks volumes about his commitment to teaching.”

#### **Paul Mahoney, Dean, University of Virginia School of Law**

- “Jim Ryan is very likely the most popular teacher in the Law School — and for all the right reasons. . . . Jim is dedicated to the intellectual understanding of his students *and* to their personal and moral development. . . . Both by precept and by example, Jim teaches that lawyers must be professionally skilled and hard-working; that they must be ethically punctilious in their relations with clients, courts, and others; and that they have obligations of service to the society at large. No one who learns what Jim Ryan teaches will see the law as merely an avenue for personal advancement. . . . On the contrary, his students will see the law as an opportunity for leadership and service . . . The most distinguishing feature of Jim Ryan's personality, both in and out of the classroom, is joy. . . . The pleasure he derives in others is infectious and reciprocated. He is, in consequence, beloved by students and for far more than the precedents and principles they learn in the classroom. For them, he embodies the rare confluence of professional achievement and personal fulfillment. He is perfectly balanced. In short, Jim Ryan is who our students most want to be.”

#### **John C. Jeffries, Jr., Former Dean, University of Virginia Law School**

- “I have earned three degrees from the University of Virginia (CLAS '98, Curry '01, Law '08), and was fortunate to study with many outstanding professors, including University legends[.] . . . Even so, I can say with full confidence and without hesitation that Professor Ryan is the finest professor from whom I have ever had the privilege of learning. . . . Like an expedition leader, Professor Ryan taught us how to navigate . . . concepts and to discern patterns from seemingly disparate legal rulings. He began each constitutional law class with a chalkboard outline of the day's objectives, but he also fostered dialogue and debate about the cases we had read. Although in a class of sixty would-be lawyers this approach could have led to diversion and confusion, Professor Ryan guided us masterfully, always managing to bring us to the end of the outline with a clear understanding of what we had just learned. . . . Professor Ryan is one of those rare instructors whose popularity is universal. Getting a seat in his courses is difficult, at best; former students clamor to study with him again, while others try not to miss out on the Professor Ryan experience. . . . On an even more personal level, Professor Ryan was consistently there to help me as I failed and then succeeded in obtaining a judicial clerkship following graduation. Not only did he write on my behalf, but, as importantly, he was generous with his time, his empathy, and his encouragement. It was a difficult period for me, but even

when I doubted myself most, I always took comfort (and pride) in the fact that Professor Ryan was in my corner. . . .”

**Ross Goldman, UVA Law School ('08)**

● “. . . I am forever privileged to have been taught by Professor Ryan at the law school . . . Professor Ryan is a dedicated and brilliant classroom teacher. His syllabi were precise and his lectures were the consummation of conscientious preparation — they were as tightly woven as finely honed written prose. . . . In exchanges with us, Professor Ryan stretched us to what felt like the breaking point and emboldened us to weather such challenges. . . . Professor Ryan made us think harder, think further, and think deeper, ever unsettling us all the while leaving us standing. . . . Professor Ryan . . . changed my life. I had withdrawn from law school and begun working in Charlottesville when Professor Ryan sought me out. He lent compassion and encouragement, and he delivered it with tenacity and determination. From then on, he unfailingly inquired how I was, patiently listened to me, and kept the faith when I got disheartened. My work as an attorney today is undeniable proof of Professor Ryan's grace, power, generosity, and perseverance for a student of his. . . . [W]hile Professor Ryan's love for his chosen path is central to what makes him magnificent at it, it does something else important. It provides a model. A majority of graduates of the University's law school accept jobs that pay handsomely but too seldom ratify creativity. It appears imprudent to reject such lucrative offers and brave doing what one loves. No one taught by Professor Ryan misunderstands the conclusion he drew — everyone realizes that the articulate, gifted, and accomplished man leading from the front of the room could lead an administration or corporation, author voluminous texts or publications, or make law from the bench. Instead he chose us, and we knew it.”

**Sarah D. Anthony, UVA Law ('01)**

● “The best thing that happened to me as a student at U.Va. Law was having Professor Jim Ryan as both a teacher and mentor. . . . My first day in his Constitutional Law class, it became clear why he was one of the most beloved professors of the Law School. In his affable, often hilarious way, he helped us divorce ourselves from our preconceptions to engage difficult topics of constitutional law. He elicited our input by remaining committed to the intellectual process—he quickly guided us away from "political" debates and into the analysis of complicated logic—and also was willing to admit his own struggles with difficult issues. Such humility by a person so accomplished signaled that it was okay for us to be confused, as long as we did not give up grappling with the material. His teaching style enabled him to nimbly walk political minefields like anti-terrorism laws and abortion restrictions, getting students of all opinions to weigh in, and guiding us as we struggled through the implications of our ideas. What we learned from Professor Ryan—a sense of humbled moderation and a respect for all sides of a debate—to me epitomizes a successful legal education. . . . I earned the envy of many classmates when he chose me to be his research assistant that summer. They were right to bemoan the lost opportunity: helping to research the history of desegregation in Richmond-area schools. Part of that work involved traveling with him to some of those schools to interview their principals. During those trips, we were able to drop pretenses and chat, not as peers, but certainly as people. We talked about everything from the possibility that college admissions processes could create incentives for residential desegregation to laughably bad roommate pairings (my own), and I realized that, similar to his teaching style, Professor Ryan takes people on their own terms and engages them with his characteristic wit and thoughtfulness. . . .”

**John Kabealo, UVA Law ('07)**

- “It has been said that with the passage of time we are able to see things we never noticed before. But in Jim Ryan's case, his extraordinary talents as a teacher and mentor were just as evident when I was his student as they are now that I am more than five years out of law school. He was, and remains, the best professor I ever had. . . . I first met Jim when he was a visiting professor at Yale Law School. His skill in the classroom was evident from the start. In discussing controversial issues at the intersection of law and policy, he was masterful at getting students to challenge their own assumptions. This was no small feat in an area like education law where so many students arrive with fixed ideas, but with a gentle hand and incisive questions Jim would invariably manage to make everyone see the subject afresh. He would do so, moreover, not in the guise of someone with all the answers just waiting for his students to see what he did, but as someone who was right there with us, always questioning his own views and genuinely interested in learning from his students. . . . Jim's creativity as a teacher also stood out. In his land use class, he had each of us go into one of the surrounding communities and attend a local planning meeting. Just a few hours spent at that meeting took the abstract concepts we had been learning in the classroom and brought them down to earth. The enthusiasm when students returned with the insights they had gained was infectious and enriched the rest of the semester. . . . Jim was just as creative in his year-long school finance litigation symposium. Rather than having us all go our separate ways at the end of the course and write research papers that only he would read, Jim set an ambitious goal: He challenged the class to produce a publishable collection of case studies. . . . Every student selected a state to study and sought out new information that would shed light on its experience with school finance litigation. With Jim's encouragement and guidance the students conducted original interviews, tracked media coverage of the cases, and dug through court papers never before examined from an academic perspective. . . . Jim then continued to work with a core group of *students* to achieve the original goal, a collection of four case studies that was published in 2004. This never would have been possible without the high expectations Jim set and his tireless dedication to helping his students rise to the challenge. . . . Jim's door was always open to his students, and his patience made him a popular source of career advice and a reliable sounding board for new ideas. Jim is a teacher in the truest sense of the word and the highest traditions of the profession . . .”

**Tom Saunders, Yale Law School ('04)**

- “[W]hat I remember most is that he routinely stayed around after class to discuss the material for as long as we wanted. Whenever I emailed him questions, he would respond immediately with thorough answers, and whenever I stopped by his office, he would take a break from what he was doing to continue the discussion. . . . During my second year, he led me through the process of writing a student note. . . . His help and encouragement made it possible for me to publish the note in the *Virginia Law Review*. I felt like he had treated me as a colleague and respected my opinions[.] . . . I have no doubt that I would not have enjoyed law school as much or be clerking at the Supreme Court today if it were not for Professor Ryan. Even though I did not make the highest grades in his classes, he was my biggest supporter. He wrote letters of recommendation for me, helped with my clerkship applications, and went through interview questions with me. On the day I received an interview, he made sure a letter from the Dean was faxed to the Justice that afternoon. He is a mentor and a role model not only because of his professional success and teaching ability, but because of the values he embodies: he is kind, thoughtful, and devoted to his family, friends, and students. He is what makes UVA special.”

**Katherine Twomey, UVA Law ('08)**

## Additional Documentation – Jim Ryan

The additional documentation presented below is organized by the categories addressed in the earlier materials.

### **Teaching**

The tables below list the courses and seminars that Jim Ryan has taught over the past several years, their enrollments, the percentage of enrolled students who submitted evaluations, and the average “overall” rating.

Course	Term	Enrollment	Response Rate	Overall Rating
<i>Torts</i>	Fall 2003	31	23%	4.86
<i>Schools, Race, &amp; Money</i>	Spring 2004	64	56%	4.86
<i>Constitutional Law</i>	Spring 2005	60	67%	4.92
	Spring 2006	63	78%	4.98
	Spring 2007	69	41%	5.00
	Spring 2009	63	48%	4.80
<i>Special Education Law</i> (co-taught)	Jan. 2008	25	88%	5.00
	Jan. 2009	27	100%	5.00

Seminar	Term	Enrollment	Response Rate	Overall Rating
<i>Classics in American Legal Thought</i>	Spring 2008	10	50%	5.00
<i>Supreme Court: October Term 2008</i> (co-taught)	Fall 2009	12	92%	4.82
<i>Seminar in Ethical Values</i> (co-taught)	2003–2004	12	25%	4.67
	2005–2006	12	33%	4.75
	2007–2008	12	17%	5.00
	2008–2009	12	17%	5.00

Below are additional excerpts from student evaluations in courses Jim Ryan has taught over the past five years:

### **Special Education Law**

“Amazing class.” “Incredible class.” “[F]antastic course.” “Terrific class.” “Fabulous class! Really intellectually stimulating.” “This . . . course was absolutely wonderful.” “I loved it!” “The class was outstanding.” “Really awesome.” “Among the best organized and best used reading material I have seen in any class.” “I wish all classes in law school could be taught like this.” “This was THE perfect course.” “As always Ryan is a great professor.” “This is the best course I have ever taken.”

### **Supreme Court: October Term 2008**

“[T]his is the best class I’ve taken at UVA.” “[A]n excellent class—one of the best I’ve ever taken.” “I learned more about legal reasoning and legal argument in this class than I have in almost any other class.” “[L]ike a light bulb went on and I saw the world in a different way.” “This course was awesome! I learned more in this class than I did in my first year of law school.” “Amazing seminar course.”

## **Schools, Race, & Money**

“This was a spectacular course.” “Ryan has the rare ability to stimulate discussion in a large lecture class. . . . He is unspeakably brilliant . . . .” “This was certainly one of the most thought-provoking classes I’ve ever taken.” “Ryan has done a superb job selecting the readings for the course.” “[T]he class discussions in this class were more effective and more interesting than in any other class at the law school. . . . [H]e responded better to comments, and pressed students more, than any other professor.” “[A] very compelling lecturer . . . .” “[A] superb teacher.” “Fantastic mastery of material!” “My favorite law school class.” “This is one of the best classes I’ve ever taken.” “I absolutely LOVED this class—in large part because of Professor Ryan’s extraordinary teaching ability.”

Finally, **Angela A. Ciolfi ('03)**, former student and now education lawyer, provides one more testimonial about Jim Ryan’s teaching.

“Long before I met Jim, I learned of his reputation as an outstanding teacher from my undergraduate English professor at William & Mary. He is just that good. In fact, his “Schools, Race, and Money” course was so popular that one of my impatient classmates aggressively fought for permission to take the upper-level course as a first-year law student. She is now a trial attorney in the Education Division of the Office of Civil Rights at the U.S. Department of Justice. . . . The concepts learned in his courses far outlast the final exam and influence his students’ worldviews, approaches to lawyering, and even career choices. Were it not for Jim, I would not have found a career that so perfectly marries law, policy, and individual advocacy as the one I have found at JustChildren.”

## **Discovery**

Quoted below are additional reviews of Jim Ryan’s new book:

**Martha Minow, Dean, Harvard Law School:** “More than 50 years after *Brown v. Board of Education*, educational opportunity remains dramatically unequal across the United States—often, as James Ryan illuminates, in schools that are a few miles away but still a world apart. Filled with vivid case studies and concrete reform proposals, this important and vibrant book demonstrates the role of law in perpetuating rather than reforming educational inequality.”

**“Required,” Editorial Page, Richmond Times Dispatch (Sept. 5, 2010):** “A new addition to the required reading list is particularly appropriate for the opening of the school year. The title catches the eye, and provokes questions: *Five Miles Award, A World Apart* . . . Richmond is the city, Douglas Freeman and TeeJay the schools. . . [The book] ‘tells the story of how law and politics have structured educational opportunity in this country for the last half century.’ The story does not induce sleep; rather, it keeps the reader not only awake but also fully engaged. . . . It [book] raises issues many Americans—particularly those living in suburbs, but also urbanites of a certain disposition—prefer not to raise. His conclusions and recommendations defy ideological categorization. Indeed, the blurbs on the jacket represent as [sic] variety of philosophical inclinations . . . Regarding education, the country is neither living up to its ideals nor meeting the needs and aspirations of young people. Many students prosper, of course; many do not. Ryan asks why. His answers command respect.”

## **Knowledge Integration**

Jim Ryan integrates knowledge by sharing his expertise and perspective on the law with those

outside the legal academy. To do this successfully, he must be able to present his specialized knowledge to a more general audience than other legal academics who work in law and education. Jim Ryan excels at this. Below is a list of some of the writing and speaking he has done, followed by a rave review of one of those lectures.

- Jim Ryan has written occasional pieces and/or op-eds for the following publications: Phi Delta Kappan, Education Week, Slate, The New Republic, the Richmond Times-Dispatch, Education Next, and the Washington Post. He also frequently speaks with reporters, education policy professionals, and researchers in other fields who seek his expertise.
- He has delivered many lectures and speeches to audiences outside of the Law School, including the following: Public Lecture on the “Lawyers, Guns, and Money: The New Originalism” (Auckland Law School, Spring 2010); “Voluntary Integration and Affirmative Action,” The Japanese-American Legal Society (Tokyo, Sept. 2008); “The Old Chief,” the Virginia Bar Association (Jan. 2006); “The Prospects for Voluntary Integration,” NAACP Legal Defense Fund Conference (Oct. 2002); guest lecturer in classes in education law at the Curry School of Education at UVA; “Beyond School Finance Litigation,” Conference on the Resegregation of Southern Schools, UNC (Aug, 2002).
- **Paul Rishworth, Professor and Dean of Law at the University of Auckland**, attended Jim Ryan’s lecture in Auckland in the spring of 2010. The speech was to law school community and practicing lawyers from the bar. Rishworth had this to say: “Jim Ryan’s public lecture on “Lawyers, Guns and Money” (speaking about the new form of originalism in constitutional interpretation advanced by the left) was an outstanding performance combining erudition, humour, real world examples, and a marvellous sense of humility, which – for such an accomplished person – rapidly builds a rapport with the audience. People wanted to hear more of him and his lecture is still talked about.”

## **Service**

Aside from the pro bono activities listed earlier in the Summary of Accomplishments and abbreviated CV, Jim Ryan also co-authored petitions or briefs in three cases: *Va Lerie v. U.S.*, 548 U.S. 903 (U.S. Supreme Court, 2006) (co-authored petition for certiorari); *Palazzolo v. Rhode Island*, 533 U.S. 606 (2001) (co-authored amicus brief for The American Planning Assn. and others in a takings case); *Vinson v. Virginia*, 258 Va. 459, 522 S.E.2d 170 (Va. 1999) (co-authored brief seeking post-conviction review in capital case).

Jim Ryan is a teacher of teachers. **Aaron Saiger, Professor of Law at Fordham**, reported the following: “I first met Jim at the Supreme Court of the United States in 2001, when he came to introduce the University of Virginia School of Law to my cohort of clerks at the Court. . . . I was trying at the time to scope out an academic market that still seemed mysterious, and wondering if education law might be the sort of murky backwater into which a candidate for the legal academy might slide, or even sink. Jim’s view was direct, forceful, and came as both relief and inspiration: if this is what you want to do, do it upfront, with pride and excellence; it is work that needs doing. I was converted on the spot into a unapologetic education-law scholar. . . . Since that first meeting, Jim has read, commented, and helped me to improve every manuscript I have sent him. . . . I have thought of Jim Ryan as my teacher, notwithstanding never having sat in one of his classrooms, since I read his first extraordinary and compulsively readable law review articles while still a law student myself, in 1999 and 2000. But it has been a special privilege to be able to continue to benefit from his teaching as a colleague. He has taught me through his writing, through his unwavering and helpful counsel, and through example.”