

# FRANCZEK

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## JACKIE GHARAPOUR WERNZ

Partner

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Jackie represents educational institutions, including K-12 schools, colleges, and universities, in a wide range of education and employment law matters. She represents clients in all stages of proceedings in state and Federal court; in administrative hearings, including employee dismissal hearings and disability rights hearings; and in proceedings before agencies such as the U.S. Department of Education's Office for Civil Rights (OCR), the Illinois Department of Human Rights (IDHR), and the Equal Employment Opportunity Commission (EEOC).

From 2016 to 2018, Jackie was a Civil Rights Attorney in the Chicago office of OCR. Her experience in the agency both before and after the 2016 administration change gives her clients unique insight into some of the most politicized legal issues in education today, including most notably Title IX. Jackie uses this experience to provide engaging, practical training on civil rights fundamentals and investigation techniques and to conduct and counsel clients on internal investigations into complaints of student and staff misconduct, harassment, and discrimination.

Jackie crafts legally-compliant policies, procedures, handbooks, and webpage content for schools and regularly handles Freedom of Information Act (FOIA) and Open Meetings Act (OMA) issues for public-sector clients. She drafts, reviews, and negotiates a wide variety of contracts and agreements. Examples include contracts involving purchases of goods and services, employment, cooperative relationships, facilities use, data use, and privacy issues. Jackie has a passion for all things related to the law of education technology.

Jackie regularly speaks on education law topics at the national, state, and local level. She especially enjoys training administrators, staff, and students on topics such as disability accommodations, discrimination and harassment, bullying, sexual harassment and assault, student data privacy, and acceptable use of technology.

Jackie attended the University of Virginia School of Law, where she was a member of the editorial board for the *Virginia Law Review* and a recipient of the Dillard Scholarship, the Law School's premier

full merit scholarship. She is a *summa cum laude* graduate of the Donaghey Scholars honors program at the University of Arkansas at Little Rock.

Jackie is a former Chair (2009-2014) and Vice-Chair (2015-2016) of the Chicago Bar Association's Education Committee and is a member of the Iranian-American Bar Association. She is the founder of Lincoln Park Professional Moms, a group through which working moms find support for the challenges of balancing a professional career and a family. In her free time, Jackie enjoys running and spending time with her husband and two children.

## Education

- J.D., The University of Virginia School of Law, 2007
- B.A., *summa cum laude*, University of Arkansas at Little Rock, 2004 (English, History, and French)

## Bar & Court Admissions

- Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. Court of Appeals for the Seventh Circuit

## Representative Experience

- Member of school district trial team from discovery through trial in a class-action federal lawsuit alleging constitutional and civil rights violations against minority and limited English proficient ("LEP") students (*McFadden v. Board of Education for Illinois School District U-46*)
- Obtained dismissals of numerous complaints against national private research universities, including for defamation and breach of contract in Illinois court and for academic dismissal of a student under various legal theories in Federal court
- Successfully represented school district in several high-profile tenured teacher dismissal hearings related to student-on-student hazing
- Represented schools in high-profile complaints before the U.S. Department of Education's Office for Civil Rights (OCR), including one involving Title IX and transgender rights and another involving a school's response to student-on-student sexual assault
- Provided interactive, engaging training to hundreds of a school's employees on sexual harassment and bullying during back-to-school in-service training
- Obtained significant concessions from national student-information-system provider relating to

student data privacy and data breach protections

- Litigating novel Illinois Freedom of Information Act question involving the scope of the governmental function provision in FOIA.
- Counseled school districts on numerous uncertain constitutional questions, including a case involving discipline for student's off-campus, online misconduct

## Recognition

Jackie has been recognized as an Illinois Super Lawyers Rising Star in Schools & Education and an Emerging Lawyer in Education Law by Law Bulletin Publishing. Jackie received the Chicago Bar Association's David C. Hillard Award for Outstanding Committee Service for the 2013-2014 bar year for her work as a Chair of the CBA Education Committee.