

Josie Foehrenbach Brown
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(803)777-6963

EDUCATION

J.D. 1985 Harvard Law School (magna cum laude)
Finalist and Oralist, Ames Moot Court Competition
· Research Assistant for Judge A. Leon Higginbotham
· Research Assistant for Professor Christopher Edley
· Student Attorney, Legal Services Center of Boston, representing indigent tenants in housing disputes

B.A. 1982 University of Notre Dame (summa cum laude)
Government and International Relations
Phi Beta Kappa

CLERKSHIP

1985-1986 Law Clerk to the Honorable James B. McMillan
U.S. District Court for the Western District of North Carolina
Charlotte, North Carolina

EMPLOYMENT

August, 2004 to Present Associate Professor, University of South Carolina School of Law
(Promoted 2013)

Courses Taught: Constitutional Law; Family Law; Religion and the Constitution; Constitutional Issues in Public Education; Women and the Law; Race, Education and the Constitution: A Legal History of Brown v. Board of Education; Employment Discrimination.

Advisor, USC American Constitution Society Chapter (2009 to present)
Advisor, Carolina Equality Alliance (2011 to present)
Organizer, Supreme Court Talks Series (Fall 2006 to present)
Law School Representative, USC Faculty Senate, 2008-2010

1998-2004 Adjunct Professor, University of South Carolina School of Law

Teaching Constitutional Issues in Public Education, Women in Law, and Race, Education and the Constitution: A Legal History of Brown v. Board of Education

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- 1990-1995 Litigation Associate (1990-1991) and Associate Counsel (1991-1995)
Hill & Barlow , Boston, Massachusetts
- General litigation practice in firm of 100 lawyers, working on a variety of complex cases involving election law, energy regulation, product liability, legal malpractice, securities fraud, and Chapter 11 reorganization.
- 1989 Adjunct Professor, American University School of Law
Taught seminar, Children and the Law
- 1988-1989 Director, Homeless Families Legal Assistance Project
Legal Clinic for the Homeless, Washington, D.C.
- Provided individual representation and trained volunteer attorneys to represent families in the D.C. shelter system on housing, benefits, and educational issues; engaged in legislative and administrative advocacy on behalf of homeless families.
- 1987-1988 Staff Attorney
Center for Law and Social Policy, Washington, D.C.
- Provided research assistance and litigation support to Legal Services attorneys on child support enforcement, benefits litigation, and welfare reform initiatives, particularly those with educational components; conducted training for Legal Services programs on these topics.
- 1986-1987 Recipient, Harvard Fellowship in Public Interest Law
Virginia Poverty Law Center, Richmond, Virginia
- Served as co-counsel in Hartmann v. Lukhard, a class action seeking to enforce Virginia's obligations to indigent women and children under the child support enforcement provisions of the Social Security Act; provided litigation support and research assistance to Virginia Legal Services lawyers in public benefits cases and conducted training on benefits and child support enforcement issues; engaged in legislative advocacy relating to health care for the state's poor.

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PUBLICATIONS

Inside Voices: Protecting the Student-Critic in Public Schools, 62 American U. L. Rev. 253 (2012)

Developmental Due Process: Waging a Constitutional Campaign to Align School Discipline with Developmental Knowledge, 82 Temp. L. Rev. 929 (2009)

Representative Tension: Student Religious Speech and the Public School's Institutional Mission, 38 J. L & Educ. 1 (2009)

Escaping the Circle by Confronting Classroom Stereotyping: A Step Toward Equality in the Daily Educational Experience of Children of Color, 6 Afr.-Am. L.& Pol'y Rep.134; 11 Asian L.J. 216; 15 Berkeley La Raza L.J. 7, Berkeley Women's L. J. 335 (2004)

"Preparing for Learnfare: Setting the Conditions for a Questionable Experiment," 22 Clearinghouse Review 1060-73 (Feb. 1989).

PROFESSIONAL ACTIVITIES

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| Fall, 2011 | Served as Peer Reviewer for Yale Law Journal |
| Spring, 2009 | Served as Peer Reviewer for Harvard Law Review |
| 2008 to present | Member of Panel of Judges for the Gregory J. Joseph Award Prize awarded for outstanding law student paper on education law |
| October, 2007 to September, 2012 | First Amendment Law Prof blog http://lawprofessors.typepad.com/firstamendment/ Part of Law Prof Blog Network Provide posts on recent legal developments and scholarship addressing freedom of speech and religion issues |
| January 2006 to present | Co-Executive Editor, Journal of Law and Education Review and select submitted manuscripts for publication in four annual Journal volumes, supervise student editors in preparation of articles for publication |

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- January 2005 to December 2005 Associate Executive Editor, Journal of Law and Education
Assisted Prof. Eldon Wedlock in supervision of the Journal
- January 2007 to present Member, AALS Education Law Section
- October, 2005 Organizer, Symposium - The Promise of Voter Equality: The Voting Rights Act at 40

PRESENTATIONS

- September, 2010 Presenter, Third National People of Color Legal Scholarship Conference, Seton Hall Law School, Newark, New Jersey
The Variants of Post-Racialism
- March, 2010 Panelist, Southeast/Southwest People of Color Legal Scholarship Conference, Columbia , S.C.
Supreme Court Update - The Roberts Court and the Realities of Differentiated Citizenship
- December, 2009 Panelist, Columbia Urban League Town Meeting on Racial Profiling
- July, 2009 Presenter, Washington & Lee Junior Faculty Workshop
- October, 2009 Commentator/Moderator, Panel on Government Speech, USC Law Review Fourth Circuit Symposium
- November, 2008 Presenter, Education Law Association Annual Conference
San Antonio, Texas
- September, 2008 Addressed Meeting of the South Carolina Chapter of the ACLU
Review of the 2007-2008 U.S. Supreme Court Term
- May, 2008 Presenter, Law and Society Conference, Montreal, Canada
- March, 2008 Presenter, American Psychology and Law Society Annual Meeting
Paper Selected Through Peer Review Submission Process

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- February, 2008 Presenter, University of South Carolina School of Law
Law Review Symposium on The Roberts Court and Equal Protection,
Race Panel
- January, 2008 Presenter, AALS Annual Meeting, Education Law Section Session
New York City, New York
Paper Selected Through Call For Papers
- November, 2007 Presenter, Education Law Association Annual Conference
San Diego, California
- August, 2007 Addressed Meeting of the South Carolina Chapter of the ACLU
Review of the 2006-2007 U.S. Supreme Court Term
- July, 2005 Presenter, New Scholars Forum, Southeastern Association of Law
Schools, Hilton Head, South Carolina
- February, 2005 Commentator, Emory Law School Thrower Symposium on the Family in
the 21st Century
- November, 2003 UC Berkeley Boalt Hall Center for Social Justice Symposium,
“Rekindling the Spirit of Brown v. Board of Education”, panel
moderator and presenter addressing “Barriers to Equal Educational
Opportunity for Children of Color”.

BAR MEMBERSHIPS

Massachusetts; Virginia; Washington, D.C.

OTHER EXPERIENCE

- 2002-4 A.C. Moore Elementary PTO Board Member
- 2000-2 A.C. Moore Elementary School Improvement Council,
Government Relations Representative

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- 1989-1996 Pre-law tutor, North House, Harvard College
(Resident 1989-1993, Non-resident 1993-1996)
- Provided advice to undergraduates about the law school application process and wrote letters of recommendation to accompany their applications.
- 1990 Co-author with Professor Kathleen Sullivan of record for semi-final round of Ames Moot Court Competition at Harvard Law School
- 1990 Co-counsel at Supreme Court briefing phase of Sullivan v. Stroop, 496 U.S. 478 (1990)
- Class action challenging the federal government's refusal to apply the AFDC child support disregard provision to Title II child insurance benefits
- 1986-1988 Member, Governor's Commission on Child Support Guidelines for the State of Virginia
Appointed by Governor Gerald Baliles