

Jeannette Cox

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ARTICLES

Pregnancy as “Disability” and the Amended Americans with Disabilities Act, 53 BOSTON COLLEGE LAW REVIEW 443 (2012).

Selected citation: Brief for American Civil Liberties Union et. al. as Amici Curiae Supporting Appellant, *Young v. United Parcel Service*, No. 11-2078 (4th Cir. Mar. 3, 2012).

Featured on Samuel Bagenstos’s Disability Law Blog (Jan. 10, 2012; Nov. 22, 2011).

Featured in print, online, and television outlets as described below in *Media Interviews and Coverage*.

Disability Stigma and Intraclass Discrimination, 62 FLORIDA LAW REVIEW 429 (2010).

Selected citations: GEORGE RUTHERGLEN AND JOHN J. DONOHUE III, EMPLOYMENT DISCRIMINATION: LAW AND THEORY, (2d ed. 2009) (2011 Supplement); MICHAEL J. ZIMMER, CHARLES A. SULLIVAN, & REBECCA HANNER WHITE, EMPLOYMENT DISCRIMINATION: SELECTED CASES AND STATUTES (7th ed. 2008) (2011 Supplement); Brief for National Employment Lawyers Association as Amicus Curiae in Support of Appellant, *Brian Wurzel v. Whirlpool Corp.*, No. 10-3629 (6th Cir. Jul 27, 2010).

Crossroads and Signposts: The ADA Amendments Act of 2008, 85 INDIANA LAW JOURNAL 187 (2010).

Selected citations: Nicole Buonocore Porter, *Martinizing Title I of the Americans with Disabilities Act*, 47 GEORGIA LAW REVIEW (forthcoming 2012); Bradley A. Areheart, *The Anticlassification Turn in Employment Discrimination Law*, 63 ALABAMA LAW REVIEW (forthcoming 2012); Alex B. Long, *Lawyers Intentionally Inflicting Emotional Distress*, 42 SETON HALL LAW REVIEW 55, 122 (2012); Sharona Hoffman, *The Importance of Immutability in Employment Discrimination Law*, 52 WILLIAM & MARY LAW REV. 1483 (2011); MICHAEL J. ZIMMER, CHARLES A. SULLIVAN, & REBECCA HANNER WHITE, EMPLOYMENT DISCRIMINATION: SELECTED CASES AND STATUTES (7th ed. 2008) (2011 Supplement); Kerri Stone, *Substantial Limitations: Reflections on the ADAAA*, 14 N.Y.U. JOURNAL OF LEGIS. & PUB. POL’Y 509 (2011); Bradley A. Areheart, *Disability Trouble*, 29 YALE L. & POL’Y REV. 347 (2011); Stacy A. Hickox, *The Underwhelming Impact of the Americans With Disabilities Act Amendments Act*, 40 UNIVERSITY OF BALTIMORE LAW REVIEW 419 (2011); Mark C. Weber, *A New Look at Section 504 and the ADA in Special Education Cases*, 16 TEX. J. ON C.L. & C.R. 1 (2010).

Featured on Larry Solum’s Legal Theory Blog (March 25, 2009).

Featured on Workplace Prof Blog (August 11, 2010; March 31, 2009).

“Corrective Surgery” and the Americans with Disabilities Act, 46 SAN DIEGO LAW REVIEW 113 (2009).

Selected Citations: MICHAEL J. ZIMMER, CHARLES A. SULLIVAN, & REBECCA HANNER WHITE, EMPLOYMENT DISCRIMINATION: SELECTED CASES AND STATUTES (7th ed. 2008) (2011

Supplement); GEORGE RUTHERGLEN AND JOHN J. DONOHUE III, *EMPLOYMENT DISCRIMINATION: LAW AND THEORY*, (2d ed. 2009) (2011 Supplement); Mark C. Weber, *Disability Rights, Welfare Law*, 32 *CARDOZO LAW REVIEW* 2483 (2011); Anastasia Niedrich, *Removing Categorical Constraints on Equal Employment Opportunities and Anti-Discrimination Protections*, 18 *MICHIGAN JOURNAL OF GENDER & LAW* 25 (2011); Charles A. Sullivan, *Raising the Dead?: The Lilly Ledbetter Fair Pay Act*, 84 *TULANE LAW REVIEW* 499 (2010).

Removed Cases and Uninvoked Jurisdictional Grounds, 86 *NORTH CAROLINA LAW REVIEW* 937 (2008).

Selected Citation: Vickie Enis, *Yours, Mine, Ours?: Renovating the Antiquated Apartheid in the Law of Property Division in Native American Divorce*, 35 *AM. INDIAN L. REV.* 661 (2011).

Featured in the *Federal Civil Practice Bulletin* (Oct. 3, 2007).

Featured in the *Civil Procedure & Federal Courts Blog* (Oct. 1, 2007).

Note, *Information Famine, Due Process, and the Revised Class Action Rule: When Should Courts Provide a Second Opportunity to Opt Out?*, 80 *NOTRE DAME LAW REVIEW* 377 (2004).

Selected Citations: *ANNOTATED MANUAL FOR COMPLEX LITIGATION* (4th ed. 2012); Vince Morabito, *Group Litigation in Australia*, available at <http://globalclassactions.stanford.edu>; Vince Morabito, *An Australian Perspective on Class Action Settlements*, 69 *THE MODERN LAW REVIEW* 347 (2006); Debra Lyn Bassett, *Class Action Symposium: the Twentieth Anniversary of Phillips Petroleum Co. v. Shutts: The Defendant's Obligation to Ensure Adequate Representation in Class Actions*, 74 *UNIVERSITY OF MISSOURI-KANSAS CITY LAW REVIEW* 511, 541 (2006); Brief for Appellants J. Scott Mattei and James E. Mattei, *Denney et al. v. Deutsche Bank Securities et al.*, No. 05-1275-CV(L)05-1279 (2nd Cir. 2005); Brief for the Appellees Federated Department Stores et.al, *Wilkinson et al. v. Federated Department Stores, Inc., et al.*, No. 05-15847, 05-16600 (9th Cir. 2006); Brief for the Appellant Kamela Wilkinson, *Wilkinson et al. v. Federated Department Stores, Inc., et al.*, No. 05-15847, 05-16600 (9th Cir. 2006).

INVITED PUBLICATIONS

Individualized Inquires: The Law of Intellectual Disability, in *PSYCHIATRY OF INTELLECTUAL DISABILITY: A PRACTICAL MANUAL* (Julie P. Gentile and Paulette M. Gillig, eds., John Wiley & Sons, 2012).

Disability Law Should Cover Pregnant Workers, CNN.com, January 10, 2012 (invited op. ed.).

May Federal District Courts Hear Terminated Federal Employees' Equitable Constitutional Claims?, 41 *PREVIEW OF UNITED STATES SUPREME COURT CASES* 5 (2012).

When Are Employers Liable for Termination Decisions Made by Unbiased Managers But Prompted by Biased Managers?, 38 *PREVIEW OF UNITED STATES SUPREME COURT CASES* 2 (2010).

When an Employment Examination Has an Unlawful Disparate Impact, May Plaintiffs Wait Until Hiring Occurs to File Charges?, 37 *PREVIEW OF UNITED STATES SUPREME COURT CASES* 5 (2010).

When Must an Employer Prove that Age Was Not the Deciding Factor in an Employment Decision?, 36 *PREVIEW OF UNITED STATES SUPREME COURT CASES* 6 (2009).

Ordinances Targeting Pit Bull Dogs Must Be Drafted Carefully, No. 106, *LOCAL GOVERNMENT LAW*, UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT (2004).

PRESENTATIONS

Pregnancy, Disability, and the ADA, Webcast, Southeast ADA Center (formerly the Southeast Disability and Business Technical Assistance Center), Atlanta, Georgia, scheduled July 18, 2012.

Obesity Stigma and Disability Law, Tenth Annual Conference on Health, Disability and the Law, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, scheduled May 21, 2012.

History, Pregnancy, and Disability, University of Dayton Women and Gender Studies Program, Dayton, Ohio, March 15, 2012.

Pregnancy as “Disability” and the Amended ADA, Florida State College of Law Faculty Workshop, Tallahassee, Florida, February 20, 2012.

Pregnancy as “Disability” and the Amended ADA, University of Dayton School of Law Diversity Week, Dayton, Ohio, February 17, 2012.

Pregnancy as “Disability” and the Amended ADA, New Voices in Gender Studies, American Association of Law Schools Annual Meeting, Washington, D.C., January 5, 2012.

Pregnancy as “Disability” and the Amended ADA, University of Dayton School of Law Alumni Continuing Legal Education Program, Dayton, Ohio, November 11, 2011.

Pregnancy as “Disability” and the Amended Americans with Disabilities Act, Sixth Annual Employment and Labor Law ScholarsøForum, Seton Hall Law School, Newark, New Jersey, October 28-29, 2011.

Pregnancy as “Disability” and the Newly Amended ADA, Sixth Annual Colloquium on Current Scholarship in Labor and Employment Law, UCLA, Southwestern, and Loyola Law Schools, Los Angeles, California, September 16-17, 2011.

Pregnancy as “Disability” and the Amended ADA, Faculty Colloquium Series, University of Dayton School of Law, Dayton, Ohio, September 7, 2011.

Pregnancy Accommodations and the Amended Americans with Disabilities Act, Ohio Legal ScholarsøWorkshop, Cleveland-Marshall College of Law, Cleveland, Ohio, June 23, 2011.

The Next Step for the ADA: Realigning “Impairment” with the Social Model, øBeyond Access: From Disability Rights to Disability Justice,ø Society for Disability Studies Conference, San Jose, California, June 17, 2011.

Pregnancy and the Social Model of Disability, Ohio Legal ScholarsøWorkshop, Capital University Law School, Columbus, Ohio, February 5, 2011.

Disentangling Age and Disability Discrimination, Ohio Legal ScholarsøWorkshop, University of Toledo College of Law, Toledo, Ohio, June 25, 2010.

Disability Stigma and Intraclass Discrimination, øReimagining Disability Rights Law for a Global World: Disability in the Geo-Political Imagination,ø Society for Disability Studies Annual Conference, Institute on Disabilities, Temple University, Philadelphia, Pennsylvania, June 5, 2010.

The Americans with Disabilities Act: New Amendments and New Challenges, Human Rights Speakers Series, University of Ottawa Faculty of Law and Human Rights Research Center, Ottawa, Ontario, March 25, 2010.

Intraclass Discrimination and the Americans with Disabilities Act, Fourth Annual Colloquium on Current Scholarship in Labor and Employment Law, Seton Hall Law School, Newark, New Jersey, September 26, 2009.

Intraclass Discrimination, Ohio Legal Scholarsø Workshop, Ohio Northern University Claude W. Pettit College of Law, Ada, Ohio, June 26, 2009.

Crossroads and Signposts: The ADA Amendments Act of 2008, Law and Society Annual Meeting, Denver, Colorado, May 31, 2009.

Crossroads and Signposts: The ADA Amendments Act of 2008, Conference on Disability Studies and Law, Syracuse University, Syracuse, New York, May 2, 2009.

Looking Forward: The ADA Amendments Act of 2008, Faculty Colloquium Series, University of Toledo College of Law, Toledo, Ohio, January 27, 2009.

The ADA and Title VII: Bridging the Conceptual Divide, Ohio Legal Scholarsø Workshop, The Ohio State University Moritz College of Law, Columbus, Ohio, January 24, 2009.

Law, Disability, and the Human Person, Fifth Annual Conference on Christian Legal Thought, San Diego, California, January 10, 2009.

The ADA Amendments Act: Moving the ADA Away from Title VII?, Central States Law School Association Conference, Southern Illinois University School of Law, Carbondale, Illinois, October 25, 2008.

Compulsory Mitigation and the Social Model of Disability, Ohio Legal Scholarsø Workshop, University of Dayton School of Law, Dayton, Ohio, June 20, 2008.

Retain the Case or Retain the Rule that Parties must Invoke Jurisdiction?, Ohio Legal Scholarsø Workshop, Capital University Law School, Columbus, Ohio, June 23, 2007.

Anxiety Disorders and the Americans With Disabilities Act, University of North Carolina School of Government Public Employment Law Conference, Chapel Hill, North Carolina, May 23, 2005.

HONORS & RECOGNITION

Named as one of two relatively new scholars in disability law who will continue to influence our thinking by Nicole Buonocore Porter in *Martinizing Title I of the Americans with Disabilities Act*, GEORGIA LAW REVIEW (forthcoming 2012), available at <http://ssrn.com/abstract=2007160>.

Selected from a national call for papers for participation in New Voices in Gender Studies, American Association of Law Schools Annual Meeting, Washington, D.C., January 5, 2012.

SSRN Top Ten Download for Discrimination, Law & Justice eJournal (Jan. 2012).

SSRN Top Ten Download for Labor & Employment Law (Jan. 2012).

SSRN Top Ten Download for Women, Gender & the Law eJournal (Jan 2012).

SSRN Top Ten Download for Law & Society: Discrimination Law eJournal (Dec. 2011).

SSRN Top Ten Download for Social Insurance Research Network (Dec. 2011).

SSRN Top Ten Download for Discrimination Law (Dec. 2011).

SSRN Top Ten Download for Employment Statutes (Dec. 2011).

SSRN Top Ten Download for Disability Income & Work Injury Compensation eJournal (Nov. 2011).

SSRN Top Ten Download for Disability Studies eJournal (Nov. 2011).

Selected from a national call for papers for participation in Sixth Annual Employment and Labor Law Scholars Forum, Seton Hall Law School, Newark, New Jersey, October 28-29, 2011

“The structure of the Forum is intensive, devoting 90 minutes to each paper, with each of the senior scholars providing reactions to the work in progress. Jeannette presented *Pregnancy as “Disability” and the Amended Americans with Disabilities Act*, and we were all impressed not only with the quality of the draft she submitted but also with her ability to respond so effectively to as wide a range of perspectives as the legal academy has to offer.” Letter from Charles A. Sullivan, Professor of Law, Seton Hall University, to Paul E. McGreal, Dean, University of Dayton School of Law.

SSRN Top Ten Download for Disability Studies eJournal (Dec. 2010).

SSRN Top Ten Download for Political Process (Dec. 2010).

SSRN Top Ten Download for Race, Gender, Disability (Dec. 2010).

SSRN Top Ten Download for Legislation (Private Law - Discrimination) (Dec. 2010).

Nominated for American Law Institute Young Scholars Medal, 2010.

Featured in Alumni Spotlight on Notre Dame Law School’s Website, 2008-present.

Dean Joseph O’Meara Award for Outstanding Academic Achievement, Notre Dame Law School, 2005.

Notre Dame Fellow (full tuition scholarship based on academic merit), 2002-2005.

Henry C. Long Citation (top female student), Hanover College, 2001.

John Livingston Lowes Award (highest English Department honor), Hanover College, 2001.

John E. Horner Scholar (full tuition scholarship based on academic merit), Hanover College, 1997-2001.

MEDIA INTERVIEWS AND FEATURES

Radio Interviews:

WGN Chicago with Mike McConnell (Jan. 11, 2012).

Friendly Fire on Newstalk 1010 (Canada’s largest news talk station) (Jan. 9, 2012).

“The Takeaway” National Public Radio Morning News Program, (co-produced by *The New York Times*, the British Broadcasting Corporation, Public Radio International, and WNYC (Jan. 6, 2012).

WVXU-FM, Cincinnati Public Radio (Jan. 4, 2012).

Television Interviews and Features:

“The Doctors” national television program (Jan. 24, 2012).

WCHN-TV Channel 4 News (NBC Affiliate) - Columbus, Ohio (Jan. 4, 2012).

WHIO TV Channel 7 News (CBS Affiliate) - Dayton, Ohio (Jan. 4, 2012).

WDTN-TV Channel 2 (NBC Affiliate) - Dayton, Ohio (Jan. 3, 2012).

Print Features and Selected Online Features:

Claire Gordon, *How Employers Get Away With Firing Pregnant Women – Legally*, AOL JOBS.COM (April 5, 2012).

Amelia Robinson, *Protecting pregnant women in the workplace: UD law professor documenting incidents of discrimination*, DAYTON DAILY NEWS, SPRINGFIELD NEWS SUN, HAMILTON JOURNAL NEWS (March 17, 2012).

Jessica Samakow, *Amy Zvovushe, Pregnant Woman, Asked To Resign Instead Of Take Maternity Leave*, THE HUFFINGTON POST (Feb. 7, 2012).

Suzanne Lucas, *Should pregnancy be considered a disability?*, CBSNEWS.COM (Feb. 1, 2012).

Rachel Emma Silverman, *Should Pregnancy Be Treated as a Disability?*, THE WALL STREET JOURNAL ONLINE (Jan. 25, 2012).

Should pregnancy be labeled a disability?, YAHOO! NEWS (Jan. 12, 2012).

Owen Rust, *Pregnancy Should Not Be Considered a Disability*, YAHOO! NEWS (Jan. 12, 2012).

Disability Law Should Cover Pregnant Workers, CNN.COM, January 10, 2012 (invited op ed).

Should pregnancy be labeled a disability?: An Ohio professor argues that expectant moms need legal protection so the strains of pregnancy don't cost them their jobs, THEWEEK.COM (Jan. 9, 2012).

Dave McGinn, *Should pregnancy be considered a disability?*, THE GLOBE AND MAIL ONLINE (Jan. 6, 2012).

Pregnancy As Disability: Professor Wants Coverage Under American With Disabilities Act, THE HUFFINGTON POST (Jan. 6, 2012).

TEACHING EXPERIENCE

Teaching Interests

Disability Law

Civil Procedure (have taught at Dayton and Notre Dame)

Complex Litigation (have taught at Dayton)

Employment Discrimination (have taught at Dayton)

Statutory Interpretation, Legislation (have taught at Dayton and Notre Dame)

Course Development Activities Focused on Providing Students Ongoing Feedback

Ryan C. Harris University of Dayton E-Learning Fellow, 2011-2012

Designed writing assignments, online self-assessment tools, and Camtasia screen capture videos to augment traditional first-year doctrinal course.

Ryan C. Harris University of Dayton "Writing Across the Curriculum" Program, 2008

Designed writing assignments to augment traditional first-year doctrinal course.

Related Experience

Teaching Assistant to the Honorable Diarmuid F. O'Scannlain, United States Circuit Court Judge, for course taught at Lewis & Clark Law School, 2006

Torts Teaching Assistant, Notre Dame Law School Academic Support Program, 2003-2005

Literacy Program Director, full-time AmeriCorps post at Earlham College, 2001-2002

Tutor, Hanover College Writing Center, 1998-2001

ACADEMIC APPOINTMENTS

University of Dayton School of Law
Associate Professor, 2009-present (promotion to professor effective fall 2012)
Assistant Professor, 2006-2009

Notre Dame Law School
Visiting Assistant Professor of Law, 2008

FEDERAL APPELLATE CLERKSHIP

United States Court of Appeals for the Ninth Circuit
Clerk to The Honorable Diarmuid F. O'Scannlain, United States Circuit Court Judge, 2005-2006

EDUCATION

Notre Dame Law School, J.D., *summa cum laude*, 2005
Article Editor, *Notre Dame Law Review*
Research Assistant, Professors Thomas L. Shaffer and Patricia L. Bellia
Student Note: *Information Famine, Due Process, and the Revised Class Action Rule: When Should Courts Provide a Second Opportunity to Opt Out?*, 80 NOTRE DAME LAW REVIEW 377 (2004).
Invited Article: *Ordinances Targeting Pit Bull Dogs Must Be Drafted Carefully*, 106 LOCAL GOVERNMENT LAW, UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT (2004).

Hanover College, B.A., English, *summa cum laude*, 2001
Editor-in-Chief, Student Newspaper
Research Assistant, Frank S. Luttmer
Senior Thesis: *"There Is a Devilish Mercy in the Judge": Justice and Mercy in the Reigns of Shakespeare's Duke Vincentio and England's James I*, HANOVER COLLEGE IS 01-7 (2001).
Invited Article: *The Dream of the Rood and the Image of Christ in the Early Middle Ages*, 6 HANOVER HISTORICAL REVIEW 26 (1998).

PROFESSIONAL SERVICE

Law School Service
Academic Affairs Committee, 2008-present
Faculty Colloquium Committee, 2009-present
Faculty Advisor, Disability Law Association, 2008-present
Online Learning Committee, 2011-present
Catholic and Marianist Tradition Committee, 2006-2007
Summer Judicial Externship Supervisor, 2007
Moot Court Team Practice Judge, 2006-present
Law Review Comment Faculty Advisor, 2006-present
Co-Chairperson, James J. Gilvary Symposium on Law, Religion and Social Justice, 2008
Co-Chairperson, Eleventh Annual Ohio Legal Scholarsø Workshop, 2008
Deanø Faculty Advisory Council (elected by faculty), 2007-2008, 2010-2011

University Service

Faculty Board, Law School Representative (elected by faculty), 2010-present

Faculty Board Benefits Subcommittee, 2010-present

Academic Senate Voting Rights Committee, 2011-2012

Advisor, School of Business "Walk the Talk" Ethics Program, 2010-present

Association of American Law Schools

Women in Legal Education Section, Call for Papers Selection Committee, 2012-2013

Section on Disability Law, Executive Committee, 2007-2008, 2008-2009