RESUME OF PAUL L. TRACTENBERG

**PROFESSIONAL DATA:**

Current Position:

President, Center for Diversity and Equality in Education, March 1, 2016 to present

Professor Emeritus, Rutgers Law School, January 1, 2016 to present

Prior Academic Positions:

Board of Governors Distinguished Service Professor and Alfred C. Clapp, Jr. Distinguished

Public Service Professor of Law, Rutgers University School of Law, 123 Washington

Street, Newark, New Jersey 07102, July 1, 1970 to December 31, 2015.

Founder and Director or Co-Director, Rutgers-Newark Institute on Education Law & Policy, July 1,

2000 to December 31, 2015.

Co-Director, Newark Schools Research Collaborative (based at Rutgers-Newark),

September 1, 2008 to December 31, 2015.

Courses or Seminars taught:

Education Law and Policy, New Jersey Supreme Court, Contracts, Rutgers Law School Centennial, Alternative Dispute Resolution, Client Interviewing and Counseling, Negotiations, Legislative Process, Local Government Law, Children and the Law, Business Associations and Antitrust Law.

Other Professional Academic Assignments:

Visiting Professorial Scholar, University of Helsinki School of Law and School of

Education, April-June 2014 (research and lecturing).

Visiting Professorial Scholar, Tel Aviv University School of Law and School of Education,

January-April 2014 (research and lecturing).

Visiting Professorial Scholar, Haifa University School of Law and School of Education,

January-April 2014 (research and lecturing).

Visiting Scholar, University of Toronto School of Law and Ontario Institute for Studies in

Education (school of education), September-October 2013 (research and lecturing).

Resident Fellow, Rockefeller Foundation’s Bellagio Center, Bellagio, Italy, July-August

2009 (working on books).

Visiting Scholar, NCJW Institute on Innovation in Education, Hebrew University,

Jerusalem, Israel, February-April 2007 (research and lecturing).

Visiting Scholar, School of Education, Tel Aviv University, Tel Aviv, Israel, February-

April 2007 (research and lecturing).

Visiting Professorial Scholar, Institute of Education, University of London, April-May

2007 (research and lecturing).

Visiting Professorial Scholar, Institute of Education, University of London, January-

December 2003 (research and lecturing).

Visiting Professor of Law, University of California, Hastings College of the Law, January-

December 1996 (research and lecturing).

Visiting Scholar, Public Policy Institute of California, January-December 1996 (research

and writing).

Visiting Professor of Law and Parsons Scholar, University of Sydney Law School

(Australia), September-December 1989 (research and lecturing).

Visiting Professor of Law, Tel Aviv University (Israel) Law School, February - June 1989

(research and lecturing).

Visiting Parsons Scholar, University of Sydney (Australia) Law School, Summer 1987

(lecturing and assisting with development of dispute resolution curriculum).

Visiting Professor of Law, University of Colorado, Summer 1985 (teaching Client

Counseling and Negotiations Seminars).

Visiting Professor of Law, Hebrew University (Israel), 1980-81 (research and faculty

lectures).

Member, New Jersey Department of Education Council on Education Equity and Diversity, October

2009 and ongoing.

Member, NJ Commissioner of Education’s Working Group on State Takeover, August

2002 to December 2006.

Member, Governor-Elect James McGreevey’s Education Transition Team, December 2001

to January 2002.

Member, New Jersey Commissioner of Education’s Advisory Committee, June 1999 to

December 2000 (implementing Abbott v. Burke educational reforms).

Master of the Bench and program committee member, Justice Marie L. Garibaldi American

Inn of Court for Alternative Dispute Resolution, May 1998 to May 2000 (mentoring

young lawyers; first Inn in the country to focus on ADR).

Member and program chair, Committee for N.J. Alternative Dispute Resolution Super

Conference II, January to June 1998 (organizing major statewide conference).

Member, Little Hoover Commission Advisory Council (Commission on California State

Government Organization and Economy), December 1996 to June 1997 (school finance

study).

Consultant, California Department of Education, April 2000 to April 2002 (advising about

legal issues related to a new High School Exit Examination).

Consultant, Montclair School District, May 2000 to September 2000 (preparing a report and

consulting with district staff about legal strategies to increase state aid for desegregation

activities).

Consultant, Florida Department of Education, October 1998-June 1999 (preparing a paper

and consulting with department staff about legal issues related to the Florida

Comprehensive Assessment Test).

Consultant, Florida Department of Education, February-May 1995 (preparing a paper and

consulting with department staff about legal issues related to competency testing of

limited English proficient students).

Consultant, Florida Department of Education, May to September 1993 (preparing a paper

and consulting with department staff about the legal requirements of the federal

Americans with Disabilities Act).

Consultant and member of the faculty, National Judicial College, January 1985 to October

1992 (training judges in settlement techniques).

Consultant, Governor's (N.J.) Study Commission on Discrimination in Public Works

Procurement and Construction Contracts, May 1990 to April 1992 (preparing a report

and offering testimony on historic discrimination in public education against minorities

in New Jersey).

Special Editor, New Jersey Lawyer (publication of State Bar Association), May 1992 to

July 1993 (developing special issue on public education law).

Member, Urban Education Consortium, September 1990 to present (Rutgers-based

interdisciplinary group of urban education experts).

Consultant, Bond University Dispute Resolution Centre (Australia), September-December

1989 (providing training to lawyers and law firms).

Consultant, Pre-Negotiation Project, Davis Institute on International Relations, Hebrew

University, February 1989 to January 1991 (developing training materials, conducting

training programs and providing general advice about improving diplomatic

negotiations).

Planner and moderator, New Jersey Department of the Public Advocate's Center for Public

Dispute Resolution, December 1988 to January 1989 (panel discussion for New Jersey

governmental officials on the settlement of the L'Ambience Plaza controversy).

Consultant, Center for Public Dispute Resolution, December 1985 to September 1986

(assisting with settlement in City of Camden v. CCMUA).

Member, Center for Public Dispute Resolution's pool of independent mediators/facilitators,

May 1985 to present.

Arbitrator, American Arbitration Association's Commercial Panel, September 1985 to

present.

Consultant, Institute of Judicial Administration, May 1984 to June 1990 (study of the role

of lawyers in formulating school desegregation remedies).

Consultant, New Jersey State Department of Education, September 1984 to September

1985 (preparation of a school district guide for development of Codes of Student

Conduct).

Consultant, New Jersey Commissioner of Education, August 1982 to December 1982 (pupil

testing and urban education issues).

Consultant, New Jersey Assembly Education Committee, November 1982 to January 1983

(pupil testing bill).

Consultant, Israeli Ministry of Education and Culture, January 1981 to June 1982 (legal

implications of minimum competency testing).

Consultant, South Carolina Educator Improvement Task Force, April 1980 to August 1981

(legal implications of new teacher certification and evaluation system).

Consultant, New Jersey State Board of Education, February 1980 (reviewing State Board's

four-year evaluation of the Public School Education Act of 1975).

Consultant, National Center for Research in Vocational Education, September 1979 to

July 1980 (legal implications of performance testing).

Consultant, New York State Regents, June 1979 to July 1980 (legal implications of

designating teaching as a profession).

Consultant, Chicano Education Project, June 1979 to June 1983 (drafting a model minimum

competency statute).

Consultant, Education Commission of the States, June 1979 to August 1981 (legal

implications of pupil performance standards).

Consultant and official field reader, National Institute of Education, April 1974 to June

1980 (advising on directions in legal research).

Founder and director, Education Law Center, November 1973 to August 1976.

Consultant, Mayor's Education Task Force (Newark), June 1971 to June 1975 (overall legal

framework for Newark schools).

Consultant, N.J. Permanent Commission on State School Support, September 1971 to July

1974 (restructuring school finance laws).

Consultant, Special Task Force on the Board of Examiners, New York City, November

1972 to December 1974 (developing a plan for a new selection process).

Director, New Jersey Educational Seminars, December 1972 to December 1973 (informing

educational decision-makers about significant current issues).

Consultant, Ford Foundation, October 1971 to January 1973 (monitoring the

Environmental Defense Fund).

Consultant, Newark Educational Decision-Making Project, October 1970 to June 1972

(legal framework of education decision-making).

Consultant, Rutgers Advanced Management Program, October 1971 to June 1972 (judicial

process).

Consultant, United Progress, Inc., Trenton, New Jersey, October 1970 to June 1971

(educational voucher project).

Special Counsel, New York City Commission on Human Rights, November 1970 to May

1971 (selection of teachers for New York City Schools).

Special Counsel, Community School Board #9, Bronx, New York, August 1970 to

November 1970 (performance contracting project).

Special counsel, New York City Board of Education, August 1968 to June 1970

(decentralization).

Program chairman, Practicing Law Institute, New York City, 1970 (current school

problems).

Faculty member, Practicing Law Institute, New York City, Spring 1972, Fall 1972 and

Spring 1976 (schools and the Supreme Court; and legal problems in public education).

Lecturer and professional trainer on alternative dispute resolution, mediation,

negotiation, client interviewing and counseling, and related professional skills for law

schools, continuing legal education programs, bar associations, conflict resolution organizations,

law firms, and others.

Lecturer, National Institute of Education, Education Commission of the States, Center for

Urban Education, Public Education Institute, City University of New York, University of

Pennsylvania Graduate School of Education, New York University Graduate Schools of Public

Policy and Education, Woodrow Wilson School of Princeton University, Harvard Law School,

Harvard University Graduate School of Education, Cornell Labor Management Center, Rutgers

Graduate School of Education, New Jersey Association of School Psychologists, Public Education

Association, New Jersey School Administrators Conference, American Jewish Congress,

American Educational Research Association, and many others on education law matters.

Counsel, plaintiff urban school children in Abbott v. Burke (current New Jersey school

finance case; presented arguments before New Jersey Supreme Court on 14 occasions between

May 1994 and April 2008); Englewood School District in Englewood Cliffs v. Englewood v.

Tenafly School Districts (major school desegregation and district regionalization case); amici

curiae in Robinson v. Cahill (original New Jersey school finance case); participant in Alcantara v.

State of New Jersey (challenge to funding of Lakewood School District); plaintiffs (Sterns)

in Baby M (surrogate parenting contract case); lay advocate Marilyn Arons (seeking

protective order against a school board seeking to depose her about confidential

information provided by parents of a handicapped child she was representing in a

proceeding before the Office of Administrative Law); plaintiffs in Public Funds for

Public Schools of New Jersey v. Marburger (suit invalidating state aid to nonpublic

schools); plaintiffs in Zvi D. v. Ambach (suit seeking funding for special educational

placement pending resolution of parental challenge), and many other education law

cases.

Legal adviser, Schering-Plough Corp. (major contract law dispute; participated with three

other contract law experts in preparing legal opinion); Steven Hyman (alternative dispute

resolution strategies regarding real estate contract dispute); New Jersey Education

Association (implementation of Abbott v. Burke).

Expert witness, Green v. Kaye Scholer (suit seeking damages for legal malpractice relating

to contract construction; expert witness for the plaintiff [report and deposition]);

Waterview Associates v. DeMatteis, et al. (suit seeking damages for breach of fiduciary

obligation and legal malpractice; expert witness for the plaintiff [report and deposition]);

Caulfield v. Board of Educ., City of New York, E.D.N.Y. (suit seeking to invalidate

school system's teacher selection procedures; expert witness for the plaintiffs [report,

deposition and trial testimony]); Q Capital Corporation, et al. v. Wilmington Trust

Company, et al. (suit challenging termination of plaintiffs’ contract rights; expert witness

for the plaintiffs [report]); 570 Escuela Partners, LLC v. State-Operated School District

of the City of Newark and McManimon & Scotland, LLC (suit seeking contract damages

from the school district and malpractice damages from the law firm; expert witness for

the defendant law firm [report, deposition and trial testimony]).

Invited speaker and participant at many conferences and programs on school choice, school

finance reform, school desegregation, equal educational opportunity, rights of students to

an appropriate education, state intervention in local school districts, educational

accountability minimum pupil performance standards, credentialism, law and public

policy, negotiations, dispute resolution and lawyering skills, and related subjects.

Honors, Awards and Grants:

Selection as Rockefeller Foundation Resident Fellow for the Bellagio Center, Bellagio,

Italy, 2009.

Designation as Board of Governors Distinguished Service Professor (new professorial

category), 2000.

Designation as Alfred C. Clapp, Jr. Public Service Professor of Law, 1998 (and as Alfred C.

Clapp, Jr. Distinguished Public Service Professor of Law, 2001).

Rutgers Law School Distinguished Service Award, 2016 and 2012.

NAACP Oranges and Maplewood Unit, 2016 Education Award, 2016.

Morheuser Humanitarian Award, Education Law Center, 2015.

Selection as inaugural Miller Family International Initiative Scholar, Rutgers Law School, 2013.

Selection as inaugural scholar of the Philip Shuchman Empirical Research Fund, Rutgers Law

School, 2002.

Who's Who in American Law.

Who's Who in the East.

Directory of American Scholars.

Roger N. Baldwin Civil Liberties Award (on behalf of Education Law Center), 1997.

Special commendation of Newark Municipal Council for representing the children of

Newark before the NJ Supreme Court, 1997.

Grants from the Ford Foundation, Fund for New Jersey, Mills Foundation and individual donors to

support the Morris school district project and the establishment of the Center for Diversity and

Equality in Education, 2015-2016.

Rutgers University SROA (start-up funding) grants to establish an Institute on Education

Law & Policy (IELP), 2000 and 2001.

Cornwall Center grant to assist in establishment of IELP, 2000.

Fund for New Jersey grant to IELP to assist with a national invitational conference on “The

Impact of Choice on Urban Education,” 2001

New Jersey Department of Education contract with IELP to study state takeover, 2001.

Cornwell Center grant to study “Pockets of Educational Excellence in Newark,” 2001

Pew Charitable Trusts grant to IELP to assist with a national invitational meeting to explore

the role of litigation in promoting expanded early childhood education opportunities,

2001.

Pew Charitable Trusts grant to support IELP work in compiling a complete compendium of

state laws and regulations relating to early childhood education.

Grants from the Fund for New Jersey, Prudential Foundation, Schumann Fund of New

Jersey, Geraldine R. Dodge Foundation and MCJ Foundation to support IELP’s school

choice project.

University of South Carolina's Center for Law, the Legal Profession and Public Policy grant

to support a year-long research project on improving the competence of newly-admitted

lawyers, especially those entering sole or small firm practice, 1993-1994.

Rutgers Council for Instructional Development grant to develop innovative teaching

techniques in Negotiations Seminar, 1982-83.

Ford Foundation grant to support research and writing, 1978-80.

Faculty merit awards, Rutgers University, annually 1993-94 to present.

Professional service award, New Jersey Association for Children with Learning

Disabilities, 1975.

Ford Foundation grant to establish and support Education Law Center, Inc., 1973 to 1986.

**PUBLICATIONS**:

Books:

Courting Justice: Ten New Jersey Cases that Shook the Nation (editor and chapter

author), Rutgers Press, New Brunswick, N.J., 2013.

A Centennial History of Rutgers Law School in Newark: Opening a Thousand Doors, The

History Press, Charleston, South Carolina and London, 2010.

New Jersey Dispute Resolution: A Lawyer's Guide to State and Federal Court Programs,

New Jersey Law Journal Books, Newark, N.J., 1994.

Testing the Teacher, Agathon Press, New York, 1973.

Selection of Teachers and Supervisors in Urban School Systems, Agathon Press, New

York, 1972.

Current School Problems, Practicing Law Institute, New York, 1970.

Reports:

Remedying School Segregation: How New Jersey’s Morris School District Chose to Make Diversity

Work. The Century Foundation, 2016 (co-author).

**New Jersey’s Apartheid and Intensely Segregated Urban Schools: Powerful Evidence of an**

**Inefficient and Unconstitutional State Education System,** Rutgers-Newark Institute on

Education Law and Policy, 2013 (co-author with Civil Rights Project, UCLA).

**A Status Quo of Segregation: Racial and Economic Imbalance in New Jersey Schools,**

**1989-2010,** Civil Rights Project, UCLA, 2013 (co-author).

Governance and Urban School Improvement: Lessons for New Jersey from Nine Cities,

Rutgers-Newark Institute on Education Law and Policy, 2010 (co-author).

Don’t Forget the Schools: Legal Considerations for Tax Reform, Rutgers-Newark Institute

on Education Law and Policy, 2006 (co-author).

Don’t Forget the Schools: Fiscal, Budget and Policy Considerations for Tax Reform,

Rutgers-Newark Institute on Education Law and Policy, 2006.

Tough Choices: Setting the Stage for Informed, Objective Deliberation on School Choice,

Rutgers-Newark Institute on Education Law and Policy, 2004 (co-author).

Developing a Plan for Reestablishing Local Control in the State-Operated School Districts

(final report), New Jersey Department of Education, Trenton, N.J., 2002 (principal

draftsman).

Developing a Plan for Reestablishing Local Control in the State-Operated School Districts

(preliminary report), New Jersey Department of Education, Trenton, N.J., 2001 (principal

draftsman).

The Impact of Unconstitutional Public Education on the Ability of New Jersey's Minority

Citizens to Compete for Public Contracts: The Case for Carefully-Tailored Affirmative

Action and Set-Asides, Governor's Commission on Discrimination, 1992.

A Report on Equitable Trusts, The Ford Foundation, New York, 1988.

The Administration of the Public School Education Act of 1975: An Assessment, School

Watch, Inc., Trenton, N.J., 1982 (co-author).

Equal Employment Opportunities and the New York City Schools, New York City

Commission on Human Rights, New York, 1971.

Articles, Book Chapters, Reviews and Essays:

Entry, “Education: Legal and Public Policy Perspectives,” in The Child: An Encyclopedic Companion (Ed. in Chief Richard A. Schweder, University of Chicago Press (2009)

Chapter, “Putting ‘Thorough’ in the Right to an Education,” in “You Can Tell it to the

Judge”…and other True Tales of Law School Lawyering (Ed. Frank Askin), Vandeplas   
 Publishing (2009).

Article, “Beyond Educational Adequacy: Looking Backward and Forward Through the

Lens of New Jersey,” IV Stanford J. of Civil Rights & Civil Liberties 411 (2008).

Chapter, “Education,” in State Constitutions for the Twenty-First Century: The Agenda for

State Constitutional Reform (Eds. G.Alan Tarr & Robert F. Williams), State University of

NY Press (2006).

Book Review (Segal, Battling Corruption in America’s Public Schools), 108 Teachers

College Record 912 (2006).

Article, “Using Law to Advance the Public Interest: Rutgers Law School and Me,” 51

Rutgers L. Rev. 1001 (1999) (Special Symposium on Rutgers School of Thought).

Article, “The Evolution and Implementation of Educational Rights under the New Jersey

Constitution of 1947,” 29 Rutgers L.J. 827 (1998) (Special Issue on N.J. Constitution’s 50th Anniversary).

Article, “A Clear and Powerful Voice for Poor Urban Students: Chief Justice Robert

Wilentz's Role in Abbott v. Burke,” 49 Rutgers L. Rev. 719 (1997) (Special

Commemorative Issue).

Article, “Fairness Requires Limits,” USA Today, p. 10 A Col. 1 (Sept. 14, 1995).

Article, Myriad Court Plans Put the C in CDR, 137 N.J.L.J 1645 (Aug. 15, 1994, Special

Supplement).

Article, "Is Advice About ADR an Ethical Duty," 134 N.J.L.J. 1356 (Aug. 16, 1993 Special

Supplement).

Special Editor, Education Law Issue, 154 N.J. Lawyer: The Magazine 3-47 (July 1993).

Chapter, “State Takeover,” in Better Schools, The Fund for New Jersey Issue Report

(2001) (with Daniel Gutmore).

Chapter, "The View from the Bar: An Examination of the Litigator's Role in Shaping Educational Remedies," in Justice and School Systems: The Role of the Courts in Education Litigation (Ed. Barbara Flicker), Temple Univ. Press (1990).

Article, "A Constitutional Commitment to Education," 125 N.J.L.J. 1664, 1678 (June 21,

1990).

Article, "Court-Appointed Mediators or Special Masters: A Commentary", 12 Seton Hall

Legisl. J. 81 (1988) (Special Symposium).

Article, "The Role of Lawyers in School Desegregation Litigation", Institute of Judicial

Administration (1987).

Article, "Rutgers Internship Program: A Model for the Nation," Spectrum (Fall 1985).

Article, "Training Lawyers to be More Effective Dispute Preventers and Dispute Settlers,"

1 Univ. of Missouri Journal of Dispute Resolution 87 (1984).

Article, "School Finance Reform Through the Courts," 1 N.J.A.S.A. Perspective 7 (Winter

1983).

Chapter, "Legal Implications of Performance Testing in Vocational Education: An

Overview," in Performance Testing: Issues Facing Vocational Education (Ed. Janet E.

Spirer), National Center for Research in Vocational Education (1980).

Article, "School Finance Reform, Pupil Competency Testing and Teacher Evaluation:

Related Aspects of Improving Education," 6 Un Nuevo Dia 26 (1980).

Chapter, "Testing for Minimum Competency: A Legal Analysis," in Minimum

Competency Achievement Testing: Motives Models, Measures and Consequences (Eds. Richard M. Jaeger and Carol Kehr Tittle), McCutchan Press (1980).

Chapter, "Evaluating Student Competency: The Legal Issues," in Issues in

Competency-Based Education (Ed. Janet Towslee-Collier), Georgia State University (1979).

Article, "Accountability Formula Is Elusive," 2 Schoolwatch News 3 (1979).

Chapter "Pupil Performance in Basic Skills in the Newark School System since 1967," in

Newark 1967-1977: An Assessment (Ed. Stanley B. Winters), New Jersey Institute of Technology, Newark, N.J. (1978) and in From Riot to Recovery (Ed. Stanley B. Winters), University Press of America (1979)

Article, "Courts or Professionalism?," 4 Partnership 4, Univ. of Delaware (Summer 1979).

Article, "Pupil Testing: A Legal View," 59 Phi Delta Kappan 249 (Dec. 1977) (with Elaine

Jacoby).

Article, "The Role of the Courts in Teacher Certification," in Legal Issues in Teacher

Preparation and Certification, ERIC Clearinghouse on Teacher Education (June 1977) (with Stephen Eisdorfer).

Article, "Legal Issues in the Testing of School Personnel," 57 Phi Delta Kappan 602 (May

1976).

Article, "Robinson v. Cahill, The 'Thorough and Efficient' Clause," Journal of Law and

Contemporary Problems 312 (Winter-Spring 1974).

Article, "Reforming School Finance Through State Constitutions: Robinson v. Cahill Points

the Way," 27 Rutgers Law Review 365 (1974).

Article, "The Interest Equalization Tax in the U.S.A.," 18 Bulletin for the International

Bureau of Fiscal Documentation 3 (1964).

Article, "Antitrust Laws Do Not Inhibit American Ventures in Africa," 14 Optima 25

(1964)(with Douglas W. Hawes).

Article, "Joint Ventures on the Domestic Front: A Study in Uncertainty," 8 Antitrust

Bulletin 797 (1963).

Analysis, Board of Education v. Rowley, Preview of United States Supreme Court Cases,

Oct. 1981 Term #22 (April 29, 1982).

Essay Review (Goldstein ed., Law and Equality in Education, 16 Israel Law Review 378

(1981).

Book Review (Coons & Sugarman, Education by Choice: The Case for Family Control), 57

Texas Law Review 155 (1978).

Book Review (Kirp & Yudof, Educational Policy and the Law), 45 Harvard Educational

Review 386 (1975).

Comment, "Bok Response," Rutgers Law Record, vol. XIII, No.2, p. 2 (Nov. 1983).

Critique, "A Response to Dunn and Cole," 36 Educational Leadership 306 (1979).

Preface, Jacoby & Babcox, Parents and Schools: Rights and Responsibilities (1975).

Interview, 2 The New Jersey Education Law Report nos. 11 and 12 (1982).

Case Notes (federal taxation and choice of law), Michigan Law Review, December 1961

and June 1962.

Papers: (although most have not been formally published, many have been disseminated widely)

The Refusal To “Federalize” The Quest for Equal Educational Opportunity, the Role of

State Courts and the Impact of Different State Constitutional Theories: A Tale of

Two States, University of California Berkeley Boalt Hall School of Law “Rethinking

Rodriguez Symposium,” April 2006

What We Know, and What We Need to Know, About Education Funding and Taxes,

Rutgers-Newark Institute on Education Law and Policy, June 2005 (co-author).

Central or State Intervention in Local School District Operations: A Comparative Study of

the US and UK, American Educational Research Association, March 2004 (co-authored

with Professors Geoff Whitty and Carol Campbell, Institute of Education, University of

London).

What We Know, and What We Need to Know, About School Choice, Rutgers-Newark

Institute on Education Law and Policy, November 2002 (co-author).

Legal Theories for Challenging Montclair’s Declining State Aid in Light of the District’s

Substantial Expenditures to Desegregate Its Schools and Educational Programs,

Montclair Board of Education, September 2000.

The Florida Comprehensive Assessment Test: A Legal Analysis, Florida Department of

Education, August 1999.

Testing Limited English Proficient Students: A Legal Analysis, Florida Department of

Education, May 1995

Testing Disabled Teaching Candidates: A Legal Analysis, Florida Department of

Education, July 1993.

A Background Paper About Rutgers Law School-Newark's Minority Student Program,

Rutgers Law School, August 1990.

Dispute Resolution Developments in the U.S. and Australia as They Affect Lawyers,

University of Sydney Continuing Legal Education Program, November 1989.

The Impact of Minimum Competency Testing on Urban Students, Schoolwatch, Inc.,

November 1982 (co-author).

Legal Implications of Minimum Competency Testing: Debra P. and Beyond, Education

Commission of the States, October 1979.

Designating Teaching as a Profession: The Educational Malpractice Implications, New

York State Regents, July 1979.

# Enforcing Successful School Finance Challenges: An Exercise in Judicial Power or

Futility?, Ford Foundation School Finance Conference, June 6-8, 1979.

Testing for Minimum Competency: A Legal Analysis, American Educational Research

Association Topical Conference on Minimum Competency Achievement Testing,

October 1978.

Evaluating Student Competency: The Legal Issues, Conference on Issues in Competency-

Based Education, Georgia State University, October 1978.

Assessing the Impact of OCR Involvement on the Selection of Teachers in New York City,

Public Education Association, June 1978.

Who is Accountable for Pupil Illiteracy, U.S. Office of Education, 1978 National Right to

Read Conference, May 1978.

Minority Admissions to Law School after Bakke: A Consideration of the Alternatives,

Rutgers Law School, January 1978 (with the Public Education Law Seminar).

The Legal Implications of Statewide Pupil Performance Standards, National Institute of

Education and Education Commission of the States, September 1977.

Selecting "Educationally Deprived" Students for Title I: A Review of the Legal Issues, National Institute of Education, June 1977.

Testing School Personnel: Legal Issues, The City University of New York, February 14,

1975.

Pupil Testing: A Legal View, Educational Resources Information Center (Document

ED102211), February 1975 (with Elaine Jacoby).

The Lessons of School Finance Equalization, Trinity Church Conference on Public Service

Equalization Litigation, May 16-17, 1974.

Some Aspects of "Thorough and Efficient," Joint Education Committee of the New Jersey

Legislature, May 7, 1974.

Tax Credits: The Last Constitutional Frontier in Public Funding of Parochial Schools?,

National Committee for Public Education and Religious Liberty, March 12, 1973.

Who Should See Pupil Records?, New Jersey Association of School Psychologists,

March 2, 1973.

Equality of Opportunity in Selecting School Supervisors, Public Education Association,

October 25, 1972.

**PUBLICATIONS IN PREPARATION:**

Book (analyzing the creation in 1972 and the impact to date of the Morris School District,

New Jersey’s and perhaps the nation’s only district consolidated by the state

commissioner of education for racial balance and related educational reasons).

Book (comparing school finance reform litigation's origins and results

in California and New Jersey).

Book or series of articles (assessing the impact of various privatization efforts on public

education).

Article (building on my 2008 Stanford article regarding the efficiency provision of the New

Jersey Constitution’s education clause).

**ADMISSIONS TO THE BAR:**

New York State, 1965; Federal District Court, Southern District of New York, 1966;

Circuit Court of Appeals, Second Circuit, 1966; United States Supreme Court, 1973;

New Jersey, 1975; Federal District Court, New Jersey, 1975.

**ORGANIZATIONS:**

Association of American Law Schools, Law and Education Section.

Society of American Law Teachers.

American Bar Association, Section on Education Law.

New Jersey State Bar Association.

**PRIOR POSITIONS**:

Attorney, Fried, Frank, Harris, Shriver & Jacobson, New York, New York, April 1, 1968 -

June 30, 1970.

Associate Counsel, Governor's (New York) Commission to Review the Human

Rights Law, September 1, 1967 - March 31, 1968.

Associate General Counsel, Peace Corps, Washington, D.C., October 25,

1965- August 31, 1967.

Attorney, Sullivan & Cromwell, New York, New York, June 1, 1963 - August 31, 1963

and July 1, 1964 - October 22, 1965.

**EDUCATIONAL DATA:**

Law School: University of Michigan Law School, Ann Arbor

Attendance: September 1960 - June 1963

Class Rank: 18/312

Scholastic Honors: Order of the Coif, degree Juris Doctor (when LLB was standard

degree), scholarship for maintaining honors average, Leckie award, Ford Foundation

Fellowship for study in Amsterdam.

Extracurricular Activities: Associate editor of Michigan Law Review, moot court

competition judge, Toastmasters, Barristers' Society.

College: Wesleyan University, Middletown, Connecticut

Attendance: September 1956 - June 1960

Class Rank: Top 20%

Major and Degree: History (B.A.)

Scholastic Honors: Dean's List, degree with Honors, General Motors National Scholarship,

National Merit Scholarship (inaugural class), Thorndike Scholarship (Wesleyan).

Extracurricular Activities: Staff editor of school newspaper, sports editor of yearbook,

chair of college intramural program, varsity baseball, varsity squash, fraternity house

manager.

High School: Weequahic High School, Newark, New Jersey

Attendance: September 1952 - June 1956

Class Rank: 1/348

Scholastic Honors: Valedictorian, National Honor Society, Honor Society award as

outstanding graduate, Mayor's award as Newark's outstanding high school citizen, Bamberger Medal.

Extracurricular Activities: President of student council, captain of varsity baseball, all-state

team, varsity basketball, president of intra-city student council, editor of school newspaper, sports editor of yearbook, Newark Youth Council.