

Michael A. Rebell

**EXECUTIVE DIRECTOR, THE CENTER FOR EDUCATIONAL EQUITY
PROFESSOR OF PRACTICE IN LAW AND EDUCATIONAL POLICY
TEACHERS COLLEGE, COLUMBIA UNIVERSITY**

525 West 120th Street, Box 219 • New York, NY 10027
Phone: 646-745-8288 • Fax: 646-745-8292
Email: mar224@columbia.edu

The Center for Educational Equity at Teachers College, Columbia University seeks to promote equity and excellence in education and to overcome the gap in educational access and achievement between advantaged and disadvantaged students throughout the United States. The Equity Center undertakes original research, serves as clearinghouse for research on educational equity at Teachers College and elsewhere, conducts conferences that present in-depth analysis of major equity issues, implements demonstration projects and outreach campaigns, undertakes evaluation and assessment of equity-related projects, and actively disseminates its research findings, and policy recommendations on important equity issues.

I also serve as the Executive Director of the Schoolfunding.Info Network, based at Teachers College. Schoolfunding.Info maintains a research website that provides up-to-date information on the status of litigations and education finance reform in all 50 states. It is a prime source of information for scholars and media outlets seeking a national perspective on school funding litigation, education finance reform, and related issues, such as costing-out studies. Access also acts as a consultant and resource for school funding litigators, grassroots advocates, legislators, and other policymakers and encourages application of the best education research in reforming state education finance systems across the country.

From 2019-2021, I was chairman of the New York State Regents' Civic Readiness Task Force, and am currently the convener of the DemocracyReadyNY Coalition. I am also a Senior research Fellow at the Learning Policy Institute and also served on the national Equity and Excellence Commission that presented its report, "For Each and Every Child" to the Congress and the U.S. Secretary of Education in February, 2013 and on Gov. Andrew Cuomo's New NY Education reform Commission, which issued its report in January, 2014.

EDUCATION ADVOCACY

From 1993-2005, I served as Executive Director and Counsel for The Campaign for Fiscal Equity, Inc. (CFE), an organization which I founded together with Robert Jackson, currently a New York State Senator. CFE was a not-for-profit coalition of parent and advocacy organizations which sought to reform the methods for providing education funds to public school students in the City and State of New York. Established in 1993, CFE won a major education reform litigation in New York State, and initiated a campaign of broad-based community organizing and public engagement concerning education reform issues. After moving to the Equity Campaign at Teachers College in

late 2005, I continued as Counsel to CFE until the litigation was completed in November, 2006.

LITIGATION ACTIVITIES

I am currently lead counsel for plaintiffs in *Cook v. McKee*, a major federal class action litigation currently seeking *certiorari* review by the U.S. Supreme Court that seeks to establish a right under the U.S. Constitution to an education adequate to prepare students to become capable citizens.

I also am pro-bono counsel for plaintiffs in *New Yorkers for Students' Educational Rights ("NYSER") v. State of New York*, a major statewide litigation that seeks to compel state officials to provide students sufficient funding to provide the opportunity for a sound basic education that is required by the New York State Constitution and by courts' decision in the CFE litigation.

Served as co-counsel for plaintiffs in *Campaign for Fiscal Equity, Inc. ("CFE") v. State of New York*, 86 N.Y.2d 307 (1995), 100 N.Y. 2d 893 (2003) ("CFE II"), 8 N.Y. 3d 14 (2006) ("CFE III"). In these cases, the Court of Appeals, New York State's highest court, has declared that all children are entitled under the state Constitution to the "opportunity for a sound basic education" and ordered the State of New York to reform its education finance system to meet these constitutional requirements.

From 1979-2003, served as counsel for plaintiff class of 130,000 students with disabilities in *Jose P. v. Sobol*; *UCP v. Board of Education*, 3 E.H.L.R. 551:245 (E.D.N.Y., 1979), *aff'd* 669 F.2d 865 (2d Cir. 1982), 557 F. Supp. 1230 (E.D.N.Y. 1983).

From 1985-1994, served as special master in *Allen v. Parks* (Sup. Ct., Mass., No. 14948), a class action suit involving special education services in Boston, Massachusetts.

Served as counsel in numerous major educational law class action lawsuits in the New York City area over the past thirty-five years, including, *e.g.*, *Chance v. Board of Examiners*, 330 F. Supp. 203 (S.D.N.Y. 1971), *aff'd* 458 F.2d 1167 (1972); *Kaplan v. Board of Education*, 759 F.2d 256 (2d Cir. 1985); *Andrew H. v. Ambach*, 600 F. Supp. 1271 (N.D.N.Y. 1984); *New York City School Boards Association v. Board of Education*, 39 N.Y.2d 111 (1976); *Eastern New York Youth Soccer Association v. New York Public High School Athletic Association*, 67 N.Y.2d 665 (1985); *Coalition Against Immediate Decentralization of Special Education v. Board of Education*, S.Ct., N.Y. Co. Index No. 10168/87 (June 23, 1987), *Louis M. v. Ambach*, 714 F. Supp. 1276 (N.D.N.Y., 1989), *Campaign for Fiscal Equity v. Marino*, 87 N.Y. 2d 235 (1995).

Served as counsel for *amici curiae* and/or consultant in numerous national education law/civil rights suits, *e.g.*, *Horne v. Flores*, 557 U.S. 433 (2009), *Connecticut Coalition for Justice in Educ. Funding, Inc. v. Rell*, 990 A.2d 206 (CT, 2010), *Lobato v. State of Colorado*, 304 P.3d 1132 (CO, 2013), *Board of Education, Henrick Hudson Central School District v. Rowley*, 458 U.S. 176 (1982); *Irving Independent School District v. Tatro*, 104 S.Ct., 3371 (1984); *Alexander v. Choate*,

105 S.Ct. 712 (1985); *Allen v. Alabama State Board of Education*, 612 F. Supp. 1046 (M.D. Ala. 1985), served as arbitrator on asbestos issues for the Manville Property Trust.

TEACHING

Visiting Professor, Harvard Law School, Fall, 2002

Professor of Practice in Law and Educational Policy, Teachers College, Columbia University, 2005 - Present

Adjunct Professor of Law, Columbia Law School, 2005- 2020

Fellow in Residence, Edmond J. Safra Center for Ethics, Harvard University, 2015-2016

Visiting Professor, Harvard Law School, Winter, 2008

Adjunct Professor of Law, Teachers College, Columbia University, 2000- 2004

Lecturer in Law, Columbia Law School, 2000-2005

Visiting Lecturer, Yale Law School, 1982-1998

Adjunct Professor of Political Theory and Law, State University of New York, College at Purchase, 1975 - 1980

Instructor, New School for Social Research, 1971 - 1973

Instructor, Yale Transitional Year Program, 1968 - 1970

Assistant Lecturer on African Government, University of Sierra Leone, 1966 - 1967

LECTURING/CONSULTATIONS

Lecturer and consultant on issues relating to law and education for organizations such as Aspen Institute Congressional Seminars, Civ X Now, Council of Chief State School Officers, the Danforth Foundation Seminars for Federal Judges, the Education Commission of the States, the Learning Policy Institute, National Academy of Sciences, National Council for Social Studies, National Research Council, Practicing Law Institute, United Cerebral Palsy Association., Inclusion International.

Lecture frequently at conferences sponsored by Universities at home and abroad (e.g. Harvard, Yale, Berkeley, N.Y.U., Oxford, U. of Amsterdam, National Taiwan Normal University), and by organizations such as American Civil Liberties Union, American Education Finance Association, American Educational Research Association, Comparative and International Education Society, NAACP Legal Defense Fund, Inc., National School Boards Association, National Education Association, American Federation of Teachers, Education of The Handicapped Law Reporter, UN High Commissioner for Human Rights.

Consult regularly with boards of education, legislators, members of Congress and their staffs, legislative committees, state education commissioners, school superintendents, and advocacy groups throughout the country on issues involving education finance and education adequacy litigations and issues involving comprehensive educational opportunity.

EXPERT TESTIMONY

Hendrick Hudson SD v Falinski, 1993 (Special Education)

Citizens for Strong Schools, Inc. v. Florida State Board of Education, 2016 (School Funding)

LEGISLATIVE ACTIVITIES

From 2003-2005, entered into intensive consultations and negotiations with the Governor, Assembly Speaker, Senate Majority Leader and other legislative leaders to seek to implement the court ordered from *CFE v. State of New York*. An extraordinary session of the legislature was convened to attempt to meet the court's deadline. In 2004, headed a statewide task force of 50 organizations which drafted a 60-page comprehensive education finance reform act, which was introduced into the State Assembly as the "Schools for New York's Future Act" by the Chairman of the Assembly Education Committee with 60 statewide co-sponsors. Many aspects of this bill have now been enacted into law as part of the new York State Budget and Reform Act of 2007.

Served as special counsel for the New York State Assembly Education Committee during the 1976 and 1977 legislative sessions. Primary responsibilities included drafting and negotiation of passage of major bills concerning tenure and lay-off reforms, educational funding statutes, governance of the New York City school system, and coordinating legislative override of Governor's veto of the Stavisky-Goodman educational funding bill.

OTHER PROFESSIONAL EXPERIENCE

Associate, Fried, Frank, Shriver & Jacobson, New York City, 1970 - 1971. (Primary involvement: public sector litigation (e.g., *Bode v. Democratic National Committee*).

Associate Director, Community School System Project (New York Lawyers Committee for Civil Rights Under Law),
1972 - 1973.

Peace Corps Volunteer, Sierra Leone, W. Africa, 1966 - 1967.

EDUCATION

L.L.B., Yale Law School, 1970

A.B., Harvard College, 1965 (Magna Cum Laude)

BAR ADMISSIONS AND MEMBERSHIPS

Admitted to: The United States Supreme Court, U.S. Court of Appeals, First Circuit, U.S. Court of Appeals, Second Circuit, U.S. District Court, Southern District of New York and Eastern District of New York, all New York State Courts.

Board of Directors, American Education Finance Association, 2007-2010

Co-Chair: Public Education Committee, Section of Individual Rights and Responsibilities, American Bar Association, 2002 - 2005

Chairman: Committee on Education and the Law, Association of the Bar of the City of New York, 1983 - 1987.

Board of Contributing Editors, EDLAW Briefing Papers, 1991 - Present

Member: External Relations Committee, National Council on Measurement in Education, 1992 - 95

AWARDS

2021 NYS Rural School Association, Life Time Achievement Award

2006 New York Daily News, New Yorker of the Year: One of Six Runners-Up
(Winner: Mayor Michael Bloomberg)

2006 Partner in Justice Award, Avodah

2006 New York Magazine: 200 Most Influential New Yorkers

2005 Teachers College Medal for Distinguished Service to Education

2005 Effective Advocacy Award, League of Women Voters of New York City

2005 Black History Month Award, NAACP Mid-Manhattan Branch

2004 Crossing the River Jordan Award, Public Education Network

2003 New Yorker of the Year (with Robert Jackson), NY1, Time-Warner, Cable TV Network

2002 Distinguished Community Service Award, New York Society for Ethical Culture

2002 Outstanding Westsider of the Year in Education, *The Westsider*

2002 Merit Award, ESR Metro

2001 New York State School Board's Association, President's Award

2001 Special Merit Award, United Parents Associations of NYC, Inc.

2000 NYC Americans with Disabilities Act Education Achievement Award

1999 Distinguished Citizen Award, New York State League of Women Voters

1990 Champion of Human Rights Award, Herbert G. Birch Services.

PUBLICATIONS

BOOKS:

- FLUNKING DEMOCRACY: SCHOOLS, COURTS AND CIVIC PARTICIPATION, UNIVERSITY OF CHICAGO PRESS, 2018
- COURTS AND KIDS: PURSUING EDUCATIONAL EQUITY THROUGH THE STATE COURTS, UNIVERSITY OF CHICAGO PRESS, 2009.
- NCLB AT THE CROSSROADS: REEXAMINING THE FEDERAL EFFORT TO CLOSE THE ACHIEVEMENT GAP (WITH JESSICA R. WOLFF), TEACHERS COLLEGE PRESS, 2009.
- MOVING EVERY CHILD ALONG: FROM NCLB HYPE TO MEANINGFUL EDUCATIONAL OPPORTUNITY (WITH JESSICA R. WOLFF), TEACHERS COLLEGE PRESS, 2008.

- EQUALITY AND EDUCATION (WITH ARTHUR R. BLOCK), PRINCETON UNIVERSITY PRESS, 1985.
- EDUCATIONAL POLICY MAKING AND THE COURTS: AN EMPIRICAL STUDY OF JUDICIAL ACTIVISM (WITH ARTHUR R. BLOCK), UNIVERSITY OF CHICAGO PRESS, 1982.
- Editor, THE UCP CLIENT MANUAL OF BASIC LEGAL RIGHTS AND ENTITLEMENTS, 1982.
- GOVERNMENT AND POWER IN WEST AFRICA (with ROBERT S. JORDAN AND CAROLINE IFEKA), FABER AND FABER, LONDON, 1969; AFRICANA PUBLISHERS, NEW YORK, 1969.

ARTICLES AND CHAPTERS:

- *Ensuring the Right to a Sound Basic Education*, THE REPORTER (ASBO), (spring, 2022)
- *Is There a Right Under the Fourteenth Amendment to an Education Adequate to Prepare Students to Be Capable Citizens?* 47 HUMAN RIGHTS, NO. 2 (American Bar Association Section of Civil Rights and Social Justice, 2022.)
- *"State Courts and Education Finance: Past, Present and Future,"* BYU Education & Law Journal. (2022) Issue 1, Article 7.
- *N.Y., Adopt and Enforce Education Equivalence Rules*, ALBANY TIMES UNION, Dec. 29, 2021
- *State Courts and Education Finance: Looking Back and Looking Forward*, 6 EDU. L.& POL'Y REV. 9 (2021)
- *"Schooling for Democracy: Past, Present and Future*, in THE OXFORD HANDBOOK OF U.S. EDUCATION LAW (Kristine L. Bowman, ed. 2021.)
- *N.Y.'s School Equity Grade: Incomplete*, NEW YORK DAILY NEWS, April 13, 2021
- *Now More Than Ever, Fair Student Funding*, NEW YORK DAILY NEWS, August 22, 2020 (with Robert Jackson)
- *Many State Courts Tackle Inequality in Education*, DELAWARE NEWS JOURNAL, September 18, 2019.
- *The Right to Education in American State Courts* in THE FUTURE OF ECONOMIC AND SOCIAL RIGHTS (Katherine G. Young, ed., 2019)

- *Preparation for Capable Citizenship: The Schools' Primary Responsibility*, PHI DELTA KAPPAN, November, 2018
- *Educate to Unify U.S.*, N.Y. DAILY NEWS, October 7, 2018.
- *School Funding: The Role of the Courts*, THE STATE EDUCATION STANDARD: THE JOURNAL OF THE NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION, September, 2018
- *The Courts' Consensus: Money Does Matter for Educational Opportunity in 674 ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE (October, 2017.)*
- *The state's failure on school funding*, N.Y. DAILY NEWS, January 29, 2017
- "COMMENT" IN DANIELLE ALLEN, EDUCATION AND EQUALITY (2016)
- *Adequate Funding* in LEARNING LESSONS FROM THE FEDERAL MARKET-BASED REFORMS: LESSONS FOR ESSA (William J. Mathis and Tina M. Trujillo, eds, 2016)
- *Collective Impact and the New Generation of Cross-Sector Collaborations for Education* (Wallace Foundation, 2016) (with Jeffrey R. Henig, Carolyn J. Riehl, David M. Houston and Jessica R. Wolff)
- *Putting Collective Impact in Context: A Review of the Literature on Local Cross Sector Collaboration to Improve Education* (Wallace Foundation, 2015) (with Jeffrey R. Henig, Carolyn J. Riehl and Jessica R. Wolff)
- *Rodriguez: Past, Present and Future* in THE ENDURING LEGACY OF RODRIGUEZ: CREATING NEW PATHWAYS TO EQUAL EDUCATIONAL OPPORTUNITY (Charles J. Ogletree, Jr. and Kimberly Jenkins Robinson, eds, 2015)
- *Provide the Proper Funding for Our Students' Education*, ALBANY TIMES UNION, February 10, 2015
- *Poverty, Educational Achievement, and the Role of the Courts*, NEW ENGLAND JOURNAL OF PUBLIC POLICY: Vol. 26, Issue 1, Fall/Winter 2014
- *Education Finance Litigation* in ENCYCLOPEDIA OF EDUCATION ECONOMICS AND FINANCE. (decDomenic Brewer and Larry Picus, eds, 2014)
- *Why the Anti-Tenure Lawsuit Will Fail*, N.Y. DAILY NEWS, July 7, 2014

- *Cuomo's Obligation to Your Kids*, N.Y. DAILY NEWS, January 6, 2014
- *Better Learning Costs Money*, ALBANY TIMES UNION, January 21, 2013
- *Safeguarding the Right to a Sound Basic Education in Times of Fiscal Constraint*, 75 ALB. L. REV. 1855 (2012)
- *The Right to Comprehensive Educational opportunity*, 47 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 49 (2012)
- *Educational Opportunity Is Achievable and Affordable*, PHI DELTA KAPPAN, VOLUME 93, ISSUE 6, PP. 62-65, (March, 2012) (with Jessica R. Wolff).
- *We Can Overcome Poverty's Impact on School Success*, EDUCATION WEEK, Volume 31, Issue 17, pp. 24-25 (January 18, 2012) (with JESSICA R. WOLFF).
- *When Schools Depend on Handouts*, N.Y TIMES, OP-ED, AUGUST 26, 2011 (with JESSICA R. WOLFF).
- *CFE v. State of New York: Past, Present, and Future*, 13 NYSBA GOV'T LAW & POL'Y J.24 (SUMMER, 2011)
- *Judicial Activism and Public Policy*, THE JUDGES JOURNAL, VOLUME 50, NO.1, MARCH, 2011.
- *The Kids Are Not Alright*, THE AMERICAN INTEREST, VOLUME VI, No. 3, JANUARY/FEBRUARY, 2011
- *Budget Cuts and Kids' Constitutional Rights*, TEACHERS COLLEGE RECORD, May 10, 2010, <http://www.tcrecord.org> , No. 15972
- *Educational Budget Cuts: Unconscionable ---- and Unconstitutional*, HUFFINGTON POST, FEBRUARY 8, 2010.
- *Forum: Many Schools are Still Inadequate, Now What?*, EDUCATION NEXT, VOLUME 9, NO. 4, FALL 2009, WITH ERIC HANUSHEK AND ALFRED LINDSETH
- *Assessing 'Success' in School Finance Litigations*, EDUCATION WEEK, VOLUME 28, ISSUE 36, ONLINE, JULY 8, 2009 (with Bruce D. Baker).
- *Slashing the City Schools Budget is Illegal, Unfair and Unwise*, NEW YORK DAILY NEWS, DECEMBER 19, 2008
- *City Breaks Faith With Schools*, NEW YORK DAILY NEWS, MAY 25, 2008

- *Sleepless After Seattle? There's Still Hope For Equal Educational Opportunity*, EDUCATION WEEK, 32-33 (February 13, 2008).
- *Equal opportunity and the Courts*, PHI DELTA KAPPAN, Volume 89, Number 6, 432-439 (2008).
- *Poverty, "Meaningful" Educational Opportunity, and the Necessary Role of the Courts*, NORTH CAROLINA LAW REVIEW Volume 85, 1467-1543 (2007)
- *The Need for Comprehensive Educational Equity*, in THE PRICE WE PAY: ECONOMIC AND SOCIAL CONSEQUENCES OF INADEQUATE EDUCATION (CLIVE R. BELFIELD AND HENRY M. LEVIN, EDS), BROOKINGS INSTITUTION PRESS, 2007.
- *Toward a Comprehensive System of Education for All Children*, Teachers College Record Volume 109, Number 7, 1836-1843 (2007) (with Edmund W. Gordon)
- *Professional Rigor, Public Engagement and Judicial Review: A Proposal For Enhancing The Validity of Education Adequacy Studies*, Teachers College Record Volume 109, Number 6, 1303-1373 (2007)
- *Rush to Slash Class Size Will Hurt Our Schools*, THE NEW YORK DAILY NEWS, April 23, 2007
- *School Desegregation: Vital for Educational Equity ---- and for Judicial Integrity*, THE PUBLIC SQUARE, March, 2007 (with Amy Stuart Wells)
- *Nix Mike's Flawed School Funding Fix*, THE NEW YORK DAILY NEWS, January 25, 2007.
- *Robbing Peter to Pay Paul: Weighted-Student Funding Is Not the '100 Percent Solution,'* EDUCATION WEEK, November 29, 2006 (with Bruce Baker)
- *Adequacy Cost Studies: Perspectives on the State of the Art*, EDUCATION FINANCE AND POLICY, Volume 1, no. 4, 465-483 (fall, 2006)
- *Stuck in the Stone Age: By Ignoring the Court, Pataki Holds Back City Schools*, THE NEW YORK TIMES, May 1, 2005
- *Adequacy Litigations: A New Path to Equity* in Janice Petrovich and Amy Stuart Wells, eds., BRINGING EQUITY BACK: RESEARCH FOR A NEW ERA IN AMERICAN EDUCATIONAL POLICY (Teachers College Press, 2005)
- *Proposed Budgets Still Ignore School Kids*, ALBANY TIMES UNION, March 26, 2005

- *Court-Ordered Reform of New York State School Aid* in Lauri Johnson, Mary E. Finn and Rebecca Lewis, eds. URBAN EDUCATION WITH AN ATTITUDE (State University of New York Press, 2005).
- *Ensuring Educational Opportunity for All Our Kids*, EDUCATION WEEK, Aug 11, 2004
- *Book Note, Peter Shrag, Final Test: The Battle for Adequacy in America's Schools*, 79 PEABODY JOURNAL OF EDUCATION 141-143 (2004).
- *"Highly Qualified" Teachers: Pretense or Legal Requirement?* 85 PHI DELTA KAPPAN 690 (May, 2004) (with Molly Hunter).
- *Remarks, Symposium: Brown v. Board of Education at Fifty: Have We Achieved Its Goals?* 78 ST. JOHN'S LAW REVIEW, 263-275 (2004).
- *Of Course Money Matters: Why the Arguments to the Contrary Never Added Up*, (CAMPAIGN FOR FISCAL EQUITY, January, 2004) (with Joseph J. Wardenski).
- *Education Adequacy, Democracy and the Courts* in Christopher Edley, Timothy Ready and Catherine Snow, eds., ACHIEVING HIGH EDUCATIONAL STANDARDS FOR ALL (National Academy Press, 2002).
- *Rapid Response, Radical Reform: The Story of School Finance Litigation in Vermont* 31 JOURNAL OF LAW & EDUCATION 167 (2002) (with Jeffrey Metzler).
- *Discussion: Do State Governments Matter?* in EDUCATION IN THE 21ST CENTURY: MEETING THE CHALLENGES OF A CHANGING WORLD (YOLANDA K. KODRYCKI, ED.; FEDERAL RESERVE BANK OF BOSTON, JUNE 2002).
- *Funding Quality Education in New York* 72 THE CPA JOURNAL 30 (Feb, 2002) (with Joseph J. Wardenski).
- *Still Shortchanging the City's Schools*, THE NEW YORK TIMES, January 26, 2002.
- *The Continuing Imperative For Education Equity*, EDUCATION WEEK, April 24, 2002.
- *Book Review: On Equal Terms: The Constitutional Politics of Educational Opportunity. Douglas S. Reed. Princeton University Press, 2001*, 104 TEACHERS COLLEGE RECORD 986 (2002), <http://www.tcrecord.org>, Id No. 10854.
- *Fiscal Equity Litigation and the Democratic Imperative* 24 JOURNAL OF EDUCATION FINANCE 23 (1998).
- *Commentary - Rodriguez Revisited: An Optimists' View* 1998 ANNUAL REVIEW OF AMERICAN LAW, Issue 2, 289 (1998).

- *Efficacy and Engagement: The Remedies Problem Posed by Sheff v. O'Neill -- And a Proposed Solution* (with Robert L. Hughes) 29 CONNECTICUT LAW REVIEW 1115 (1997).
- *Special Educational Inclusion and the Courts: A Proposal for a New Remedial Approach* (with Robert L. Hughes) 25 JOURNAL OF LAW & EDUCATION 523 (1996).
- *Schools, Communities and the Courts: A Dialogic Approach to Education Reform*, (with Robert L. Hughes) 14 YALE LAW & POLICY REVIEW 99 (1996).
- *Fiscal Equity in Education: Deconstructing the Reigning Myths and Facing Reality* 21 NEW YORK UNIVERSITY REVIEW OF LAW & SOCIAL CHANGE 301 (1995).
- *Tinker, Hazelwood and the Remedial Role of the Courts in Education Litigation*, 69 ST. JOHN'S LAW REVIEW 539 (1995).
- *Values Engagement and the Schools*, Institute for American Values Working Paper, 1993.
- *National Values and Community Values, Part I: Gender Equity and Education*, (with Anne W. Murdaugh), 21 JOURNAL OF LAW & EDUCATION 155 (1992).
- *National Values and Community Values, Part II: Equal Educational Opportunity for Limited English Proficient Students*, (with Anne W. Murdaugh), 21 JOURNAL OF LAW & EDUCATION 335 (1992).
- *Teacher Performance Assessment: The Changing State of the Law*, 5 JOURNAL OF PERSONNEL EVALUATION IN EDUCATION 227 (1991).
- *Special Education and the Court's New Role* in JUSTICE AND SCHOOL SYSTEMS: THE ROLE OF THE COURTS IN EDUCATION LITIGATION (Flicker, B., ed., Temple University Press, 1990).
- *Legal Issues Concerning Teacher Evaluation* in HANDBOOK ON TEACHER EVALUATION (Darling-Hammond, L. & Millman, J., eds., National Council on Measurement in Education and Sage Publishing Co., 1990).
- *Schools, Values and the Courts*, 7 YALE LAW & POLICY REVIEW 275 (1989).
- *Values Inculcation and the Schools: The Need for a New Pierce Compromise* in PUBLIC VALUES, PRIVATE SCHOOLS (N. Devins, ed., Stanford U. Series on Education & Public Policy, 1989).
- *Testing, Public Policy and the Courts* in TEST POLICY AND THE POLITICS OF OPPORTUNITY ALLOCATION: THE WORKPLACE AND THE LAW (B. Gifford, ed., National Commission on Testing and Public Policy and Keunder-Nighoff Publishing Co., 1989).

- *Legal Issues Concerning Bias in Testing* in BIAS ISSUES IN TEACHER CERTIFICATION (Allan R., Nassif, P. and Elliot, M., eds., 1988).
- *Structural Discrimination and the Rights of the Disabled*, 74 GEORGETOWN LAW JOURNAL 1435 (1986).
- *Disparate Impact of Teacher Competency Testing on Minorities: Don't Blame the Test-Takers -- or the Tests*, 4 YALE LAW & POLICY REVIEW 375 (1986).
- *Recent Legal Issues in Competency Testing for Teachers* in TESTING FOR TEACHER CERTIFICATION (Gorth, W. & Chernoff, M., eds., 1985).
- *Faculty Desegregation: The Law and Its Implementation* (with Arthur R. Block), ERIC/CUE URBAN DIRECTORY SERVICES MONOGRAPH No. 86, FALL, 1983.
- *The Courts' New Role*, SOCIAL POLICY, Spring, 1982.
- *Educational Voucher Reform: Empirical Insights from the Experience of New York's Schools for the Handicapped*, 14 URBAN LAWYER 441 (1982).
- *Implementation of Court Mandates Concerning Special Education: The Problems and the Potential*, 10 JOURNAL OF LAW & EDUCATION 335 (1981).
- *Competence Assessment and the Courts: An Overview of the State of the Law* (with Arthur R. Block), in THE ASSESSMENT OF OCCUPATIONAL COMPETENCE, ERIC Document No. ED 192-169, 1980.
- *Non-Public Schools for Special education in New York State: An Experiment in Alternative Education*, THE FORUM, June, 1979.
- *Recent Developments in Equal Employment Opportunity Law and Their effect on Teacher Credentialing Practices*, A.A.C.T.E. ANNUAL MEETING PROCEEDINGS, Washington, D.C., 1977.
- *The Law, the Courts and Teacher Credentialing Reform* in LICENSING AND ACCREDITATION IN EDUCATION (Levitov, N., ed., 1976).
- *Dropout Prevention: A Legal Route*, NEW YORK UNIVERSITY EDUCATION QUARTERLY, Winter 1975.
- *New York City's School Decentralization Law, Two and Half Years Later*, 2 JOURNAL OF LAW & EDUCATION 1 (1973).
- *Undisclosed Informant Information and the Fourth Amendment: A Search for Meaningful Standards*, 81 YALE LAW JOURNAL 703 (1972).

- *Community Development in Africa*, PEACE CORPS VOLUNTEER, July 1967.