

DIANA CHRISTINE PULLIN

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EDUCATIONAL DATA:

B.A. Grinnell College (History; Education)
M.A. The University of Iowa (Education)
J.D. The University of Iowa (Law)
Ph.D. The University of Iowa (Education)

EXPERIENCE:

2018 – present Professor Emerita
Boston College

2016, 2017 Visiting Scholar, Learning Sciences Institute Australia,
Australian Catholic University, Brisbane

2008 Resident Fellow, Spencer Foundation, Chicago

1994 - 2018 Professor, Lynch School of Education
Affiliate Professor, School of Law
Boston College

Major responsibilities: Professor of education law and public policy. Faculty member in programs in Educational Administration and Higher Education. Program Coordinator for Dual Degree Program in Law and Education.

1987 - 1994 Dean and Professor, School of Education,
Boston College, Chestnut Hill, Massachusetts

Major responsibilities: Chief academic officer for comprehensive school of 700 undergraduate and 1,000 graduate students with 55 full-time and approximately 100 part-time faculty; long-range financial and academic planning; faculty recruitment and evaluation; grantsmanship and development.

1986 - 1987 Associate Dean for Graduate Studies and Programs, College of Education, Michigan State University, East Lansing, Michigan.

Major responsibilities: Chief academic officer for all college graduate studies and programs in university in which all graduate studies are decentralized at college level.

1985 - 1986

Associate Dean for Administrative Services, College of Education, Michigan State University

Major responsibilities: Administrative management of College of Education, including program, policy, personnel, long-range planning, and day-to-day operations.

1985 - 1987

Associate Professor, College of Education, Michigan State University

Major responsibilities: Instructor of graduate courses in law and education and educational policy; graduate advisement; supervisor of practica in educational policy; research and public service in education law and policy.

1983 - 1985

Assistant Professor and Senior Researcher, Institute for Research on Teaching, College of Education, Michigan State University

Major responsibilities: Instructor of graduate and undergraduate courses in education law and school and society; graduate and undergraduate advisement; supervision of student practica; research on high school standards reform; public service in education law and policy.

1983 - 1989

Part-time, private practice of law in federal district and appellate courts in the Fifth, Sixth, Eighth, and Eleventh Circuits.

1982-1983

Adjunct Associate Professor, School of Education, Boston College, Chestnut Hill, Massachusetts

Major responsibilities: Instructor of graduate and undergraduate courses in education law and professional seminar for educational administration doctoral students; supervisor of practica in educational administration; supervision of doctoral dissertations.

1982 - 1983

Consulting Attorney, Center for Law and Education, Cambridge, Massachusetts

Major responsibilities: Lead counsel on testing and instructional validity issues,

Debra P. v. Turlington, 564 F. Supp. 177 (M.D. Fla. 1983), 730 F. 2d 1405 11th Cir. 1984).

1981 - 1982

Co-Director, Center for Law and Education, Washington, DC

Major responsibilities: Litigation, consultation, publications, training, and national education policy advocacy before Congress and U.S. Department of Education. Registered lobbyist, U.S. Senate and House of Representatives.

1977 - 1981

Staff Attorney, Center for Law and Education, Cambridge, Massachusetts

Major responsibilities: Litigation, consultation, publications, and training for local legal services attorneys working on cases involving school problems. Specialization in areas relating to special education, testing, competency testing, and sex and race discrimination.

1975 - 1977

Legal Consultant/Legal Counsel, Area Education Agency Six, Marshalltown, Iowa

Major responsibilities: Legal advisor to twenty-two local school districts and one intermediate educational agency on issues concerning special education, student records, student discipline, collective bargaining, sex discrimination, personnel, finance, and school board operations.

1974 - 1975

Research Associate, Office of the Vice-President for Administration,
The University of Iowa, Iowa City, Iowa

Major responsibilities: Administration of database on faculty load assignments.

1972 - 1973

Teacher-Consultant, Iowa City Public Schools and Johnson County Bar Association, Iowa City, Iowa

Major responsibilities: Teacher and curriculum developer for high school law-related social studies program, Iowa City West High School.

PROFESSIONAL CERTIFICATES:

Member of the Bar of the Commonwealth of Massachusetts (retired).

Admitted to practice before: U.S. Supreme Court; U.S. District Courts for the Western District of Michigan, the Northern District of Iowa, the District of Massachusetts, and the Eastern District of Arkansas; and the U.S. Circuit Courts of Appeal for the Fifth, Eighth, and Eleventh Circuits, State of Iowa, State of Michigan, Commonwealth of Massachusetts.

HONORS AND AWARDS:

- (2017). Member (elected), National Academy of Education.
- (2014). Fulbright Specialist, U.S. Department of State's Bureau of Educational and Cultural Affairs (ECA) and the Institute of International Education's Council for International Exchange of Scholars (CIES)
- (2011). National Associate Member (Lifetime, elected), National Academy of Sciences
- (2009, February). Fellow (elected), American Educational Research Association
- (2008, August-December). Resident Fellow, Spencer Foundation, Chicago, Illinois
- (2004, May). Distinguished Teacher Award, Boston College
- (2002, November). Crystal Apple Award to Outstanding Educators, 50th Anniversary Celebration of the College of Education of Michigan State University

BOOKS:

- (2015). An evaluation of the public schools of the District of Columbia: Reform in a changing landscape. Committee for the Five-Year (2009-2013) Summative Evaluation of the District of Columbia's Public Schools, Board on Testing and Assessment, Division of Behavioral and Social Sciences and Education. Washington, D.C.: National Academies Press (Co-author as a member of the committee)
- (2008). Assessment, equity, and opportunity to learn. (P. Moss, D. Pullin, J. Gee, E. Haertel, L. Young, eds.). Cambridge University Press.
- (2002). Minority Students in Special Education and Gifted Education. (M. S. Donovan, M.S. and Cross, C., eds.). Committee on Minority Representation in Special and Gifted Education, National Research Council, National Academy of Sciences. Washington, D.C.: National Academy Press (Co-author as a member of the committee).
- (1999). Standards for Educational and Psychological Testing. Washington, D.C.: American Educational Research Association, American Psychological Association, National Council on Measurement in Education (Co-author as a member of the Joint Committee on Standards for Educational and Psychological Testing).

(1997). Educating One and All: Students with Disabilities and Standards-Based Reform. McDonnell, L., McLaughlin, M. and Morison, P., Eds. Committee on Goals 2000 and the Inclusion of Students with Disabilities, National Research Council of the National Academy of Sciences. Washington, D.C.: National Academies Press. (Committee member and contributing author).

(1994). The Program Evaluation Standards: How to Assess Evaluations of Educational Programs. The Joint Committee on Standards for Educational Evaluation. Thousand Oaks, CA: Sage. Co-author as a member of the Joint Committee.

(1988). Standards for Evaluation of Educational Personnel. The Joint Committee on Standards for Educational Evaluation, Newbury Park, CA: Sage. Co-author as a member of the Joint Committee.

(1986). Selling Students Short: Classroom Bargains and Educational Reform in the American High School. New York, NY: Teachers College Press. With Sedlak, M., Wheeler, C., & Cusick, P.

(1982). Special Education: A Manual for Advocates. Washington, DC: Legal Services Corporation.

(1980) (Ed.). Minimum Competency Testing: A Case Study of the Florida Functional Literacy Examination. Cambridge, MA: Center for Law and Education.

(1977). The Right to Education and the Educationally Handicapped of Iowa, A Dissertation Submitted to the College of Education, The University of Iowa.

BOOK CHAPTERS:

(2022). Do standards promote fairness and legitimacy in the changing marketplace for testing? Fairness in educational and psychological testing: Examining theoretical, research, practice and policy implications of the 2014 Standards (Jonson, J., and Geisinger, K, eds.). (pp. 61-88). American Educational Research Association.

Cumming, J., & Pullin, D. (2022). Teaching performance assessments and considerations of potential legal challenges. Professionalizing teacher education: Performance assessment, standards, moderation, and evidence (Wyatt-Smith, C., Adie, L., Haynes, M., and Day, eds). (pp. 90- 105). Rutledge, Taylor & Francis Group.

Pullin, D. & Cumming, J. (2022). Teaching performance assessments and considerations of fairness. Professionalizing teacher education: Performance assessment, standards, moderation, and evidence (Wyatt-Smith, C., Adie, L., Haynes, M., and Day, eds). (pp. 193- 220). Rutledge, Taylor & Francis Group

(2017). What counts? Who's counting? The challenges for teacher education improvement and accountability in a data-driven era. Teacher education policy and practice-Evidence of impact, impact of evidence (Nuttall, J., Kostogriz, A., Jones, M., Martin, J., eds.). A publication for the Australian Teacher Education Association. London: Springer.

(2012). Judicial decisions in testing. Encyclopedia of diversity in education (Banks, J., Ed.) Thousand Oaks, CA: Sage.

(2012). Opportunity to learn standards. Encyclopedia of diversity in education (Banks, J., Ed.) Thousand Oaks, CA: Sage.

(2011, August 31). Getting to the core: Rewriting the No Child Left Behind Act for the 21st century. Rutgers Law Record 39:1. Available at <http://lawrecord.com/2011/08/31/getting-to-the-core-rewriting-the-no-child-left-behind-act-for-the-21st-century/>

(2010). Judging teachers: The law of teacher dismissals. Teacher assessment and the quest for teacher quality. (M. Kennedy, ed.). San Francisco, CA: Jossey-Bass.

(2009). Teacher unions. 21st century education (T. Good, ed.). Sage. (with S. Melnick).

(2008). Stigma, stereotypes and civil rights in disability classification systems. Dilemmas and alternatives in the classification of children with disabilities: New perspectives (M. McLaughlin and L. Florian, eds.). Thousand Oaks, CA: Corwin Press.

(2008). Disability classification systems and the law of special education. Dilemmas and alternatives in the classification of children with disabilities: New perspectives. (M. McLaughlin and L. Florian, eds.). Thousand Oaks, CA: Corwin Press.

(2008). Introduction. Assessment, equity, and opportunity to learn. (P. Moss, D. Pullin, J. Gee, E. Haertel, L. Young, eds.). Cambridge University Press. (co- author with other editors of book)

(2008). Assessment through the lens of opportunity to learn. Assessment, equity, and opportunity to learn. (P. Moss, D. Pullin, J. Gee, E. Haertel, L. Young, eds.). Cambridge University Press. (first author with E. Haertel).

(2008). Individualizing assessment and opportunity to learn: Lessons from the education of students with special needs. Assessment, equity, and opportunity to learn. (P. Moss, D. Pullin, J. Gee, E. Haertel, L. Young, eds.). Cambridge University Press. (sole author)

(2008). Assessment, equity, and opportunity to learn. Assessment, equity, and opportunity to learn. (P. Moss, D. Pullin, J. Gee, E. Haertel, L. Young, eds.). Cambridge University Press. (sole author of final chapter of book)

(2007). Accommodations in testing: Law, policy and practice. Large-scale assessments and accommodations: What works? C. Cahalan Laitusis and L. Cook, eds. Arlington, VA; Council for Exceptional Children and Educational Testing Service.

(2005) When one size does not fit all-The special challenges of accountability testing for students with disabilities. Uses and Misuses of Data for Educational Accountability and Improvement (E. Haertel and J. Herman, eds.). Annual Yearbook of the National Society for the Study of Education. 104:2, pp 199-222).

(2002). Testing Individuals with Disabilities: Reconciling Social Science and Social Policy. In Committee on Disabilities, American Psychological Association, (Eds.), Assessing Individuals with Disabilities in Educational, Employment, and Clinical Settings. Washington, D.C.: American Psychological Association.

(1999). Defining Difference: A Comparative Perspective on Legal and Policy Issues in Education Reform and Special Educational Needs. In M. McLaughlin & M. Rouse (Eds.). Comparative Perspectives on Education Reform and Students with Disabilities (pp.). London: Routledge. (With L. Florian).

(1999). Whose Schools are These and What are They For? The Role of the Rule of Law in Defining Educational Opportunity in American Public Education. In G. Cizek (Ed.), Handbook of Educational Policy. (pp. 3-29). San Diego, CA: Academic Press.

(1998). The Role of Standards and Assessment: A Dialogue. In M. Diez (Ed.), Changing the Practice of Teacher Education: Standards and Assessment as a Lever for Change. Washington, D.C.: American Association of Colleges for Teacher Education. With Darling-Hammond, L., Diez, M., Moss, P. & others.

(1993). Legal and Ethical Issues in Mathematics Assessment. In Mathematical Sciences Education Board, National Research Council. Measuring What Counts: A Conceptual Guide for Mathematics Assessment (pp. 201-223). Washington, D.C.: National Academy Press.

(1991). Audit and Validate High Stakes Testing. In R. Stake (Ed.), Advances in Program Evaluation: Using Assessment Policy to Reform Education (pp. 139-157). Greenwich, CT: SAI Press. With George F. Madaus.

(1985). Minimum Competency Testing: A Review of the Case Law. In T. Jones and D. Semler (Eds.) School Law Update 15 pp.). Topeka, KS: National Organization on Legal Problems of Education.

(1983). Debra P. v. Turlington: Judicial Standards for Assessing the Validity of Minimum Competency Tests. In G. Madaus (Ed.), The Courts, Validity, and Minimum Competency Testing (pp. 3-19). Boston, MA: Kluwer-Nijhoff Publishing.

(1980). Performance Testing in Vocational Education: Lessons to be Learned From the Minimum Competency Testing Movement. In J. Spierer (Ed.) Performance Testing: Issues Facing Vocational Education (pp. 109-120). Columbus, OH: National Center for Research in Vocational Education, The Ohio State University.

(1980). Legal Rights and Responsibilities of Teachers and Students. In G. Madaus, T. Kellaghan & R. Schwab (Eds.), Teach Them Well: An Introduction to Education (pp. 145-173). New York: Harper & Row.

ARTICLES:

(2015, August 31). Performance measures for teachers and teacher education: Corporate education reform opens the door to new legal issues. Education policy analysis archives 23:81. Available at <http://dx.doi.org/10.14507/epaa.v23.1980>.

(2014, Winter). Professional test standards in the eyes of the law. *Educational Measurement: Issues and Practice* 33:4, pp. 19-21.

(2013). Legal Issues in the Use of Student Test Scores and Value-added Models (VAM) to Determine Educational Quality. Education Policy Analysis Archives, North America, 21, Jan. 2013. Available at: <http://epaa.asu.edu/ojs/article/view/1160>.

(2011-12). Getting to the Core: Rewriting the No Child Left Behind Act for the 21st Century. Rutgers Law Record. 39:1-15, available at 222.lawrecord.com

(2010, October). Social science and the courts: Challenges and strategies for bridging gaps between law and research (with Julie Margetta Morgan). Educational Researcher. 39:7, 515-524.

(2007, Winter). Ensuring an Adequate Education: Opportunity to learn, law and social science. Boston College Third World Law Journal. 27:1, 83-130.

(2005). The idea of testing: Expanding the foundations of educational assessment. (with Pamela Moss, James Gee, Edward Haertel). Measurement: Interdisciplinary research and perspectives 3(2), pp 63-83.

(2004, September/October). Accountability, autonomy, and academic freedom in educator preparation programs. Journal of Teacher Education 55:4, pp. 300-312.

(2004, April 28). Teacher quality: More reasons it deserves attention. *Education Week*, p. 48.

(2004, April). Education reform and the development of alternate assessment for students with significant cognitive disabilities: Potential legal and educational implications (with Mary Zatta). Education Policy Analysis Archives available at www.epaa.asu.edu/epaa/v12n16/

(2001, November). Challenges for the transformation of special education in the 21st century: Rethinking culture in school reform, Journal of Special Education Leadership (with Margaret J. McLaughlin & Alfredo J. Artiles).

(2001, July). Key questions in implementing teacher testing and licensing. Journal of Law and Education, 30, 383-429.

(2000, September/October). Can you take dictation? Prescribing teacher quality through testing. Journal of Teacher Education, 51(4). With S. Melnick.

(1998). Achieving legal viability in personnel evaluations. Journal of Personnel Evaluation in Education, 11, 215-230. With Stufflebeam, D.

(1998). Accommodations, flags, and other dilemmas: Disability rights and admissions testing. Educational Assessment, 5(2), 71-93. With Heaney, K. J.

(1997, Spring). The use of flagged test scores in college and university admissions: Issues and implications under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. Journal of College and University Law, 23, 797-828. With Heaney, K. J.

(1996, Spring). Balancing privacy and confidentiality rights with duties of disclosure and dissemination of federal educational statistics. Journal of Law and Education, 25(1), 1-54. With Newton, K. B.

(1994, Spring). Learning to work: The impact of curriculum and assessment standards on educational opportunity. Harvard Educational Review, 64(1), 31-54.

(1988, March). Testing the handicapped: Legislation, regulations, and litigation. Education Law Reporter, 44(1), 1-18. With Zirkel, P. A.

(1988, January). Implications of the use of teacher competency tests. The Education Digest, pp.10-14. With Melnick, S. L.

(1987, September). Teacher competency tests: Do they really measure what we need to know? Phi Delta Kappan, 31-38. With Madaus, G. F.

(1987, Winter). Testing teachers' professional knowledge: Legal and educational policy implications. Educational Policy, 1(2), 215-228. With Melnick, S.

(1987, January). Rights of students in need of special education. Michigan Bar Journal, 66(1), 30-35.

(1986, November 13). First Amendment challenges to the provision of special education programs and services. Education Law Reporter, 34, 639-652. With Murakami, D. T.

(1985, Fall). Discipline of special education students. Benchmark, the Journal of the Michigan Association of Teachers of Emotionally Disturbed Children, 14-15.

(1985, February). High school reform and the 'bargain' to learn. Education and Urban Society, 17(2), 204-214. With Sedlak, M., Wheeler, C., & Cusick, P.

(1984, Fall). Legal guidelines for minimum competency tests. Secondary Education Today, The Journal of The Michigan Association of Secondary School Principals, 26:1.

(1984, December). Minimum competency testing and special education: Evolving Legal Standards. Education Law Reporter, 20, 811-819.

(1981, September). Minimum competency testing and the demand for accountability. Phi Delta Kappan, 63 (1), 20-22.

(1980, August). Mandated minimum competency testing: Its impact on handicapped adolescents. Exceptional Education Quarterly, 1:2, 107-116.

(1978, September). Educational malpractice. Inequality in Education, 23, 66-68.

(1978, March). Competency testing and handicapped students. Clearinghouse Review, 11(11), 922-927. With McClung, M. S.

(1977, September). Children requiring special education: New federal requirements. Clearinghouse Review, 11(5), 462-464.

LAW REPORTS, BULLETINS, MONOGRAPHS, AND TECHNICAL REPORTS:

(2017, October). Issues in Australia's Graduate Teacher Performance Assessment. A paper commissioned by the Learning Sciences Institute, Australian Catholic University.

(2014, April). Performance, value and accountability – public policy goals and legal implications of the use of portfolio assessments in the preparation and initial licensing of teachers. Paper commissioned by the Council of Chief State School Officers and Stanford University's Center for Assessment, Learning, and Equity (SCALE).

(2009, October). Race to the Top Proposals. A report to the Secretary of the U.S. Department of Education. As a member of the Board on Testing and Assessment, National Research Council, National Academy of Sciences. Washington, D.C.

(2008, June). Opportunity to Learn: Law, Social Science, and the Promotion of Civic Engagement. Spencer Foundation, Chicago, Illinois.

(2002, October). High stakes: Exit documents and students with disabilities (with K. Nagle, J. Karger, and K. Malmgren). Educational Policy Reform Research Institute, The Institute for the Study of Exceptional Children and Youth, University of Maryland, College Park, MD. Available at www.eppri.org/.

(2002, June). Exit documents and students with disabilities: Legal Issues (with J. Karger). Educational Policy Reform Research Institute, The Institute for the Study of Exceptional Children and Youth, University of Maryland, College Park, MD. Available at www.eppri.org/.

(2002, June). Academic freedom in educator preparation programs. A paper presented to the Interstate New Teacher Assessment and Support Consortium (INTASC) of the Council of Chief State School Officers, Washington, D.C.

(2002, June). Legal defensibility of professional judgment systems. Interstate New Teacher Assessment and Support Consortium (INTASC) of the Council of Chief State School Officers, Washington, D.C.

(2001, September). Understanding dropouts: Statistics, strategies, and high-stakes testing. (A. Beatty, U. Neisser, W. Trent & J. Heubert, eds.) Washington, D.C.: National Academy Press. (Contributor as a member of the Committee on Educational Excellence and Testing Equity of the National Research Council of the National Academy of Sciences.

(2001, April). Legal viability checklist for personnel evaluations and personnel evaluation systems, available online at The Evaluation Center, Western Michigan University, http://www.wmich.edu/evalctr/checklists/legal_viability.htm (with Daniel Stufflebeam).

(1999, September). Criteria for evaluating teacher tests: A legal perspective. A paper commissioned by the National Research Council of the National Academy of Sciences, Washington, D.C.

(1999, April). Teacher Education and Testing in Massachusetts: The issues, the facts, and conclusions for institutions of higher education. Boston, Massachusetts: Association of Independent Colleges and Universities of Massachusetts. With Melnick, S.

(1999, January). Legal Issues in Performance-Based Approaches in the Accreditation of Teacher Education Programs. A paper commissioned by the National Council for the Accreditation of Teacher Education, Washington, D.C.

(1998, Spring). Reforms in Standards-Based Teacher Education, Certification, and Licensure: Legal Issues in Implementation. Paper published by the Interstate New Teacher Assessment and Support Consortium (INTASC), Council of Chief State School Officers, Washington, D.C.

(1996, March). Students with Disabilities and the Implementation of Standards-based Education Reform: Legal Issues and Implications. Paper commissioned by the National Research Council of the National Academy of Sciences, Washington, D.C. With Ordover, E. L. & Boundy, K. B.

(1992, November). What Work Requires of Schools: Legal and Policy Perspectives. Paper commissioned by the Secretary's Commission on Achieving Necessary Skills (SCANS), United States Department of Labor. Reprinted in Moving Ahead: New Career Paths Through Youth Apprenticeship: A Resource Guide. Washington, D.C.: Council of Chief State School Officers.

(1991, January). The Impact of the Excellence in Mathematics, Science and Engineering Act of 1990 on the Policies and Practices of the National Center for Education Statistics. Paper commissioned by the Panel on Confidentiality and Data Analysis, National Research Council, National Academy of Sciences, Washington, D.C.

(1990, April). Reconciling A Policy Favoring Dissemination of Information with the Privacy Rights of Individuals and Institutions. Paper commissioned by the National Center for Education Statistics, U.S. Department of Education, Washington, D.C. With Newton, K. B.

(1987, May). Questions to Ask When Evaluating a High-Stakes Testing Program. Boston, Massachusetts, National Coalition of Advocates for Students. With Madaus, G. F.

(1985). Proposals for Raising Academic Standards in Secondary Schools: Will the Public Get What it Wants? Paper presented to the National Institute on Education, U.S. Department of Education, Washington, D.C. With Sedlak, M. & Wheeler, C.

(1984, April). Classroom Perspectives on High School Reform: Bargains, Student Disengagement, and Academic Learning. Report to the National Institute on Education, Washington, D.C. With Sedlak, M., Wheeler, C., & Cusick, P.

(1983, Fall). Judge Allows Denial of Diplomas in Florida. Center for Law and Education Newsnotes, 34.

(1982, January). Florida Competency Testing Challenge Goes Back to Court. Center for Law and Education Newsnotes, 25.

(1982, January). Reagan Plans to Eliminate the Department of Education. Center for Law and Education Newsnotes, 25.

(1982). Minimum Competency Testing, The Denied Diploma, and the Pursuit of Educational Opportunity and Educational Adequacy. Center for the Study of Evaluation, Graduate School of Education, The University of California at Los Angeles, CSE Report No. 180.

(1981, May-June). Appellate Court Expands Order Prohibiting Use of Minimum Competency Testing in Florida. Center for Law and Education Newsnotes, 20.

(1981, April). Immediate Action Needed to Combat Crippling Federal Budget Cuts and Block Grants. Center for Law and Education Newsnotes, 19.

(1981, March). Minimum Competency Testing to Deny Diplomas Halted in New York. Center for Law and Education Newsnotes, 18.

(1981, March). Resistance is Growing to Competency Testing of Handicapped Students, Center for Law and Education Newsnotes, 18.

(1980, January). Educational Malpractice Verdict Struck Down by Appeals Court. Center for Law and Education Newsnotes, 6.

(1979, December). IQ Tests Discriminate Against Blacks, Says Federal Judge. Center for Law and Education Newsnotes, 5. With Grubb, E.

(1979, November). Handicapped Students and Competency Testing: A Controversy Over Diplomas. Center for Law and Education Newsnotes, 4.

(1979, September). Minimum Competency Testing Flunks First Legal Challenge. Center for Law and Education Newsnotes, 2.

(1977-1985). Education Law Bulletin, 10-15, 17, 19, and 22. Center for Law and Education, Cambridge, MA. editor and/or author

MAJOR LITIGATION (Plaintiffs' Counsel of Record):

Hansen and Heekaman v. Runkel, et al. W.D. Mich (1984-1989). Action challenging wage discrimination on the basis of gender in Michigan Department of Education (case settled on behalf of plaintiffs).

Debra P. v. Turlington, 474 F. Supp. 244 (M.D. Fla. 1979), 644 F. 2d 397 (5th Cir. 1981), 564 F. Supp. 177 (M.D. Fla. 1983), 730 F. 2d 1405 (11th Cir. 1984). Landmark federal court litigation challenging the use of minimum competency tests to determine the award of high school diplomas. The lawsuit resulted in a ruling on appeal that the use of a test as a high school graduation requirement violates the federal constitution and civil rights laws where test results perpetuate the effects of past unlawful racial discrimination or where educators are unable to prove that the test measures skills and knowledge students were actually taught in school.

P-1 v. Shedd, C.A. No. H78-58, U.S. District Court, District of Connecticut. Class action challenging the failure of a large city school district and the Connecticut State Department of Education to implement the requirements of the Education for All Handicapped Children Act and Section 504 of the Rehabilitation Act of 1973. Two major consent decrees reported at 3 Education of the Handicapped Law Reporter 551:164 and 552:236 (1980).

Brookhart v. Peoria School District, 697 F. 2d 182 (7th Cir. 1982). Action invalidating denial of high school diplomas to handicapped students when denials were based upon minimum competency test requirements for which students were insufficiently prepared.

OTHER LITIGATION ACTIVITIES:

Active participation in an of counsel and *amicus curiae* role in a number of major pieces of civil rights litigation including:

Brief *Amicus Curiae*, University of Texas v. Camenisch, 101 S. Ct. 1830 (1981) (amicus brief of the American Civil Liberties Union)

Brief *Amicus Curiae*, Cannon v. University of Chicago, 99 S. Ct. 1946 (1979) (amicus brief with the Center for Law and Social Policy)

Brief *Amicus Curiae*, Grossman v. Texas Tech University, Federal District Court, Texas, 1978.

Brief of Appellants and Reply Brief of Appellants, Grossman v. Texas Tech University, No. 79-1023, U.S. Circuit Court of Appeals for the Fifth Circuit, 1979.

Also: Stuart v. Nappi, 443 F. Supp. 1235 (D. Conn. 1978); S-1 v. Turlington, 635 F. 2d 342 (5th Cir. 1981); Board of Education of Northport-East Northport v. Ambach, 458 N.Y.S. 680 (App. Div. N.Y. 1982); of counsel to the National Education Association and its Arkansas and Georgia affiliates on teacher testing litigation (1984-87); of counsel to law firms in various federal district and appellate courts and U.S. Supreme Court in cases involving education law (1985-2022).

INVITED ADDRESSES, PAPERS AND PRESENTATIONS:

(2017, October). Fair's fair. Or is it? Testing quality in law and public policy. Buros Institute AERA Symposium on Fairness in Testing, University of Nebraska, Omaha, Nebraska.

(2017, July). What counts? Who is counting? Why should we care? Challenges for teacher education in a data-driven world. Annual Meeting of the Australian Teacher Education Association. Brisbane, Australia.

(2016, April). Back to the Future: Past Legal Controversies in the U.S. Offer Some Predictions for the Future of Teacher Accountability in Australia. Learning Sciences Institute Australia, Australian Catholic University. Brisbane, Queensland, Australia.

(2016, April). An Evaluation of the Washington, D.C. Public Schools. American Educational Research Association. Washington, D.C.

(2015, June). Testimony to the City Council of the District of Columbia and the State Superintendent of Education on the Five-Year Evaluation of the District of Columbia Public Schools by the National Academy of Sciences. Washington, D.C.

(2015, February). Evidence-based Insights on Services and Supports for Exceptional Learners: Discussant. Faculty Scholars Day. Chestnut Hill, MA: Lynch School of Education.

(2014, December). Teacher Quality: Current Landscapes and Prospects for the Future in Response to the Work of Professor Thomas Kane. Endowed Chairs Symposium. Chestnut Hill, MA: Lynch School of Education.

(2015, March). Evidence-based Insights on Services and Supports for Exceptional Learners, Discussant. Tenth Annual Faculty Scholars Luncheon, Lynch School of Education. Chestnut Hill, MA.

(2014, November). New approaches, new types of evidence, and new legal issues in the evaluation and licensure of educators and the accountability of educational institutions. San Diego, CA: Education Law Association.

(2014, October). Implementing performance assessments: Next generation legal issues. Invited address. edTPA National Implementation Conference. Stanford University Center for Assessment, Learning and Equity and American Association of Colleges of Teacher Education. Los Angeles, CA: University of California Los Angeles.

(2014, October). Evidence and experts on value-added models (VAM). National Organization of Lawyers for Education Associations. Washington, D.C.

(2014, May). Legal issues in the use of performance assessment for licensure and program approval. National Summit of the State Consortium on Educator Effectiveness of the Council of Chief State School Officers. San Antonio, TX.

(2013, September). U.S. approaches to the reform of teacher preparation. Seminar presentation to Visitors from the Philippine Association of State Colleges and Universities. Chestnut Hill, MA.

(2013, April). Law, sources of evidence, and the use of value-added models. American Educational Research Association. San Francisco, CA.

(2013, April). Discussant: Institutional legal challenges. American Educational Research Association. San Francisco, CA.

(2013, April). The next ten years for testing and assessment. Board on Testing and Assessment, National Research Council, National Academy of Sciences. Irvine, CA.

(2013, April). Disabilities and access: Legal rights of students with disabilities. Seminar presentation for Irish and Northern Irish Disability Scholars at the Boston College Center for Irish Programs, sponsored by the U.S. Department of State. Chestnut Hill, MA.

(2013, March). Challenges to evaluation from cheating allegations. National Research Council, National Academy of Sciences. Washington, D.C.

(2011, October). Research and the common good: Big business, consumerism, and law's metrics for educational change. Keynote address to the annual meeting of the Northeastern Educational Research Association, Rocky Hill, Connecticut

(2011, September). Value-Added Models: Legal Issues, Vermont and New Hampshire Education Association Attorneys, North Conway, New Hampshire.

(2011, May). Value-Added Models (VAM) and Other Uses of Student Tests to Judge Educators: Social Science Evidence and Legal Defensibility, National Organization of Lawyers for Education Associations (NOLEA). Portland, Oregon.

(2011, April). Journal Talks. American Educational Research Association. New Orleans, Louisiana.

(2010, September). Framing issues of legal defensibility for teacher and leader evaluation. Interstate Teacher and Assessment and Support Consortium and State Consortium on Education Leadership of the Council of Chief State School Officers. Alexandria, Virginia.

(2010, April). Best practices for state assessment systems Workshop II. Board on Testing and Assessment, Center for Education, National Research Council, National Academy of Sciences. Washington, D.C. (Chair)

(2010, April). Judging teachers: The law of teacher dismissal. Symposium on teacher assessment and teacher quality. Annual meeting of the American Educational Research Association. Denver, Colorado.

(2010, January). Pursuing the common core: The participation of students with disabilities in the next generation of education reform. Senior Congressional Education Staff Seminar: Improving Standards and Assessments: Process, Progress, and Implications for Federal Policy. The Aspen Institute, Program on Education and Society. Washington, D.C.

(2009, December). Best practices for state assessment systems Workshop 1. Board on Testing and Assessment, Center for Education, National Research Council, National Academy of Sciences. Washington, D.C. (Chair)

(2009, April). Evidence talk for policymakers. Presidential invited symposium on standards, assessment, and accountability: cross-disciplinary evidence and systemic change. American Educational Research Association, San Diego, California.

(2008, August). Education: what's law got to do with it? Spencer Foundation. Chicago, Illinois.

(2008, June). A framework for thinking about differential pay for teachers. Interstate New Teacher Assessment and Support Consortium, Council of Chief State School Officers. Alexandria, Virginia

(2008, June). Law, social science and the U.S. Supreme Court's decision in Parents Involved. Boston College Law School. Newton, Massachusetts.

(2007, April). Publishing in peer-reviewed journals: Educational Policy. American Educational Research Association. Chicago, Illinois.

(2006, October). The progress and status of legal rights and protections in college access. ETS and National Council on Learning Disabilities, "Addressing achievement gaps: Students with learning disabilities transitioning from high school to college", Princeton, New Jersey, October 3, 2006. (Invited address)

(2006, November). Insuring Meaningful Opportunity to Learn in an Era of High-Stakes Accountability. Third International Summit and iNet Conference for Leadership in Education. Boston, MA.

(2006, June). Human and civil rights entitlements: Stigma, stereotypes, and civil rights in disability classification systems. Anglo-American Symposium on Special Education and School Reform. University of Cambridge, Cambridge, England.

(2006, April). Ensuring an Adequate Education: Opportunity costs. Annual Symposium of the Third World Law Journal, Boston College Law School, Newton, Massachusetts.

(2006, March). Accommodations in testing: Law, policy, and practice. Accommodating Students with Disabilities: What works? Educational Testing Service, The College Board, Council for Exceptional Children, National Institute for Urban School Improvement. Savannah, Georgia.

(2005, July). High schools in the new century: Policy tools for changing educator quality and professional culture in schools. Summer Institute of the Council of Chief State School Officers. Blaine, Washington.

(2005, July). Ethics, equity, and standards: The impact of NCLB and IDEA 2004 on assessment, promotion, and graduation. Critical issues in urban special education. Harvard Graduate School of Education. Cambridge, Massachusetts.

(2005, April). Assessment, equity, and opportunity to learn- some principles for every student. Presidential invited symposium, Annual meeting of the American Educational Research Association, Montreal, Quebec, Canada.

(2005, February). The quest for “highly qualified teachers” for students with disabilities. Invited presentation to the Interstate New Teachers Assessment and Support Consortium of the Council of Chief State School Officers. Ft. Lauderdale, Florida.

(2004, June). National education policy - what do states give up: NCLB, NCATE, HOUSSE, and unfunded mandates. Interstate New Teacher Assessment and Support Consortium (INTASC). Alexandria, Virginia.

(2004, June). High stakes testing and multiple measures dilemmas: law, policy, and professional standards. Council of Chief State School Officers Conference on Large Scale Assessment, Boston, Massachusetts

(2004, February 14). Teacher quality, educational adequacy, and the opportunity to learn. Invited presentation to the National Conference of State Legislatures School Finance Conference, Santa Fe, New Mexico.

(2003, October 2 and 23). Aligning state systems to improve teacher quality for students with disabilities. Invited presentation to the National Invitational Forum of the Center for Improving Teacher Quality. Kansas City, Missouri and Arlington, Virginia.

(2003, April 22). The idea of an "opportunity to learn": Historical and methodological perspectives on policy challenges and research inquiries. Paper presented at the Annual Meeting of the American Educational Research Association, Chicago, Illinois.

(2003, April 10). The role of law in education reform in the United States: The quest for equality of educational opportunity. A presentation to the Irish Institute at Boston College.

(2002, October 16). Due process in special education in the United States. A presentation to the Chinese Special Education Delegation on behalf of The National Committee on U.S.-China Relations. Chestnut Hill, Massachusetts: Boston College

(2002, October 11). The Idea of Testing and the Opportunity to Learn: Legal and Policy Issues. A presentation to a Spencer Foundation Invitational Conference, The Idea of Testing: Expanding the Foundations of Educational Assessment, Half Moon Bay, California.

(2002, Sept 26-27). Preparing Educators to teach students with disabilities in an era of standards-based reform and accountability, Policy Symposium of the Educational

Policy Reform Research Institute of the University of Maryland. Crystal City, Virginia

(July, 2002). Questions concerning the defensibility of efforts to improve teacher quality. Council of Chief State School Officers, San Diego, California.

(June, 2002). Academic freedom in educator preparation programs. Task Force on Performance Based Teacher Preparation, Interstate New Teacher Assessment and Support Consortium (INTASC) of the Council of Chief State School Officers, Alexandria, Virginia.

(June, 2002). Performance Assessment Interstate New Teacher Assessment and Support Consortium (INTASC) of the Council of Chief State School Officers, Alexandria, Virginia.

(May, 2002). Law, policy, and educational testing and assessment. Spencer Foundation Invitational Conference, The Idea of Testing: Expanding the Foundations of Educational Assessment, La Jolla, California.

(April, 2002). Academic freedom in educator preparation programs. Rhode Island Partnership, Portsmouth, Rhode Island.

(May, 2001). The use of student testing to judge educators: Psychometric and legal issues. Invited address to the annual meeting of the National Organization of Lawyers for Education Associations, New Orleans, Louisiana.

(April, 2001). Finding the comparison group in defining disabilities: Accommodations decisions in educational and employment testing. Presentation at the annual meeting of the American Educational Research Association and the National Council for Measurement in Education, Seattle, Washington.

(2001, February). Using Legal and public policy analysis to study the Massachusetts Teacher Test. Brown Bag Seminar, Lynch School of Education, Chestnut Hill, Massachusetts.

(2001, February). MCAS and high stakes testing in Massachusetts: Legal and Implementation Issues. Wayside Neighborhood Administrators Association, Sudbury, Massachusetts.

(2000, March). Inclusion of Students with Disabilities and Students with Limited English Proficiency in Statewide Assessment and Merit Scholarship Programs. Michigan Department of Treasury and Michigan Department of Education.

(1999, October). Legal Issues in Teacher Assessment. Maine Department of Education.

(1999, August). Accreditation of Professional Education Programs: Legal Issues and Implications. National Council for the Accreditation of Teacher Education (NCATE), Standards 2000 Committee, Denver, Colorado.

(1999, May). Mandatory Continuing Professional Education: Some Educational Issues", Massachusetts Judicial Education Policy Board, Boston, Massachusetts.

(1999, April). Legal Issues in Teacher Licensure Systems. Indiana Professional Standards Board, Indianapolis, Indiana.

(1999, March). Legal Issues in Teacher Testing. President's Forum on Education for Legislators, Educators, and Public Officials, Michigan State University, Lansing, Michigan.

(1999, February). The Implications of Title II of the Higher Education Reauthorization Act of 1998 for Teacher Certification and Program Approval. Interstate New Teacher Assessment and Support Consortium, Council of Chief State School Officers, Alexandria, Virginia.

(1998, November). Law and Practice: The Testing and Assessment of Students with Disabilities. Annual Meeting of the Education Law Association, Charleston, South Carolina.

(1998, August). Testing Individuals with Disabilities: Reconciling Social Science and Social Policy. Annual Meeting of the American Psychological Association and 24th International Congress of the International Association of Applied Psychology, San Francisco.

(1998, July). Massachusetts Teacher Test: Governance and Validity Issues. Boston Globe, Associated Press, Christian Science Monitor, Boston.

(1998, June). Legal Issues Related to Testing Accommodations for Special Needs Students. Large Scale Assessment Conference of the Council of Chief State School Officers, Colorado Springs.

(1998, June). Opportunity to Learn Standards: Legal Guidelines for Large-Scale Assessment Programs. Large Scale Assessment Conference of the Council of Chief State School Officers, Colorado Springs.

(1998, June). Case Studies in the Implementation of the Reform of Teacher Education and Credentialing. Interstate New Teacher Assessment and Support Consortium (with S. Routh), Alexandria, VA.

(1998, April-May). Consequences of Massachusetts MCAS testing and assessment system. WBZ-TV, Boston.

(1998, April). Standards and Free Appropriate Public Education: Legal Implications of Including Students with Disabilities in Standards. Annual Meeting of the Council for Exceptional Children, Minneapolis.

(1998, April). Legal Issues in Performance-Based Accreditation and Licensure. Annual Meeting of the American Educational Research Association, San Diego.

(1998, January). Legal Issues in the Use of Tests and Performance Assessments to Determine Teacher Certification and Licensure. Interstate New Teacher Assessment and Support Consortium (INTASC), Council of Chief State School Officers, Alexandria, VA.

(1997, November). Standards-Based Reform of Teacher Preparation and Licensure: Legal Issues in Implementation. Oklahoma Commission for Teacher Preparation, Oklahoma City.

(1997, October). Public Policy and Legal Issues in the Participation of Students with Disabilities in Education Reform Initiatives. Invited International Symposium on Students with Disabilities and Education Reform in the United States and the United Kingdom, Washington, D.C.

(1997, September). Implementation of Reforms of Teacher Preparation, Certification, and Licensure: Legal Issues. Interstate New Teacher Assessment and Support Consortium (INTASC) of the Council of Chief State School Officers, Alexandria, VA.

(1997, September). (Moderator), Workshop on Test Score Flagging, National Research Council of the National Academy of Sciences, Washington, D.C.

(1997, July). Standards-Based Reform and Students with Disabilities: Policy and Legal Issues. Conference on Research in Education of Individuals with Disabilities of The ERIC Clearinghouse on Disabilities and Gifted Education and The Council for Exceptional Children, Washington, D.C.

(1997, April). Revision of the Standards for Educational and Psychological Testing: Individuals with Disabilities. National Council on Measurement in Education and American Educational Research Association, Chicago.

(1996, November). The Quest for Higher Standards in Education: Legal Issues. Conference of the National Organization on Legal Problems of Education (Education Law Association), New Orleans.

(1996, October). Education Reform: Is there a Right to an Opportunity to Learn? Boston College Law School Faculty Symposium, Chestnut Hill, MA.

(1996, October and 1997, January). Legal Issues in High Stakes Educational Testing. Conferences of CTB/McGraw Hill, Towson, MD and Monterey, CA.

(1996, April). (Chair and Discussant), Research and Evaluation in Multicultural Education and Teacher Education: Methodological Considerations. Presentation for American Educational Research Association, New York.

(1996, April). Reading Between the Lines: Shared Knowledge Bases as the Essence of Interprofessional Education and Integrated Service Delivery for Children. Annual Meeting of the American Educational Research Association, New York.

(1996, March). Students with Disabilities and the Implementation of Standards-Based Education Reform: Legal Issues and Implications. National Research Council, National Academy of Sciences, Washington, D.C.

(1996, January). Performance Assessment in Teacher Education. State of Georgia Professional Standards Commission, Kennesaw State College, Kennesaw, GA.

(1994, September). Professional Standards in Testing. Council on Licensure, Enforcement, and Regulation, Boston.

(1994, April). Revision of Standards for Educational and Psychological Testing. National Council on Measurement in Education and American Educational Research Association, New Orleans.

(1994, April). Addressing a Testing Taboo: Legal Issues in Test Cheating. American Educational Research Association, New Orleans.

(1994, April). Legal Standards for the Use of Intelligence Testing in Education. Joint Symposium at the Annual Meeting of the American Educational Research Association and the National Council on Measurement in Education, New Orleans.

(1994, March). Reforming Education in Massachusetts. Boston College Law School, Newton, MA.

(1993, July). The Law and Inclusion and The Law and Overrepresentation, Critical Issues in Urban Special Education. Presented at an Institute of the Harvard Graduate School of Education, Cambridge, MA.

(1993, April). Test Cheating and the Law. Joint Symposium at the Annual Meeting of the National Council for Measurement in Education and the American Educational Research Association, Atlanta.

(1992, September). Mathematics Assessment: Legal, Ethical, and Policy Issues. Paper presented to the Mathematical Sciences Education Board of the National Research Council of the National Academy of Sciences, Washington, D.C.

(1992, March). What Work Requires of Schools: Legal and Policy Perspectives. Paper presented to the Secretary's Commission on Achieving Necessary Skills, U.S. Department of Labor, Washington, D.C.

(1987, October). Rewarding Schools for Improving Student Learning and School Performance. Presentation at the Special Commission on REACH and School Improvement Councils of the Commonwealth of Massachusetts, Natick, MA.

(1987, August). Testing of the Handicapped: Legal Issues. American Psychological Association, New York.

(1987). What is the Appropriate Role for Testing in the Teaching Profession. National Education Association, Washington, D.C.

(1986, April). High School Standards. Paper presented at the Annual Meeting of the American Educational Research Association, San Francisco.

(1986, April). Establishment Clause Challenges to the Provision of Special Education Programs and Services. Paper presented (with Dennis T. Murakami) at the Annual Meeting of the American Educational Research Association, San Francisco.

(1986, February). Legal and Validity Issues in Minimum Competency Testing of Students and Teachers. Paper presented at the Annual Meeting of the Michigan Educational Research Association, East Lansing, Michigan.

(1985, November). Educational Testing: Impact on Children at Risk. Paper prepared for the National Coalition of Advocates for Students, Boston, Massachusetts.

(1985, April). Policy Issues in Teacher Testing. National Council on Measurement in Education and American Educational Research Association, Chicago.

(1984, December). Minimum Competency Testing: A Review of Case Developments. Paper presented at the Annual Meeting of the National Organization on Legal Problems of Education, Williamsburg, VA.

(1984, November 19 and 20). Legal Issues in Special Education Administration. Paper presented at the Boston College and Massachusetts State Department of Education Training Project, Boston.

(1984, November). Education Litigation. Paper presented to the Danforth Foundation Seminar for Federal District and Appellate Court Judges, Breckenridge, CO.

(1984, June). Legal Evaluation of Minimum Competency Testing Program. A report to the Haslett, Michigan Public Schools, Haslett, MI.

(1984, April). Testing and the Courts. National Council on Measurement in Education and American Educational Research Association, New Orleans.

(1984, February). Testing and the Courts. Paper presented at the Annual Meeting of the North Dakota Study Group on Evaluation, Wingspread, The Johnson Foundation, Racine, WI.

(1983, December). Update on Minimum Competency Testing Litigation. Paper presented at the Annual Meeting of the National Consortium on Testing, Washington, DC.

(1983, July). Legal Services on Education and Civil Rights Issues for Low-income Persons. Invited testimony to the United States Senate Committee on the Judiciary, Washington, DC.

(1983, April). Future of State and Federal Laws on Education of Multihandicapped Students. Northeast Chapter of American Association of Workers for the Blind, Watertown, MjA.

(1983, March). Minimum Competency Testing Lawsuit. TODAY Show, National Broadcasting Company, New York.

(1981, November). Suspension and Expulsion: Litigation and Trends. Paper presented at the Mid-Atlantic Regional Resource Center Conference, Williamsburg, VA.

(1981, October). Judicial Standards for Assessing the Validity of Student Competency Tests. Paper presented at the Ford Foundation Invited Symposium on Courts and the Content Validity of Minimum Competency Tests, Boston College, Chestnut Hill, MA.

(1981, July). Minimum Competency Testing: Issues Clarification Hearing. National Institute of Education, Washington, DC, (later televised nationally on the Public Broadcasting System).

(1981, May). Competency and Accountability. Paper presented at the Invitational Symposium, Southwest Educational Development Laboratory, Austin, TX.

(1980, December). Legality of Minimum Competency Testing. Paper presented at the Staff Development Conference of the Michigan Education Association, Dearborn, MI.

(1980, November). Handicapped Students: Representation Tactics. Annual Conference of the National Legal Aid and Defender Association, San Juan, Puerto Rico.

(1980, October) Minimum Competency Testing: New Directions for American Public Education? Paper presented to the Midwest Policy Seminar, Urban Education Program, CEMREL, St. Louis.

(1980, June). From the Legal Perspective: Evaluation in the '80s, Perspectives for the National Research Agenda. UCLA Center for the Study of Evaluation, Los Angeles.

(1980, May). Discipline of Special Education Students. National Institute on the Legal Problems of Educating the Handicapped, Alexandria, VA.

(1980, April). *Illegal Use of Intelligence Tests: The Federal Court Decision in Larry P. v. Riles*. Paper presented at the Annual Meeting of the National Council on Measurement in Education, Boston.

(1980, March). *Minimum Competency Testing and the Student*. Paper presented at the Institute in Celebration of the International Year of the Child, City College of City University of New York, New York.

(1980, March). *Educational Testing and Cultural Bias*. Paper presented at the Community Forum of the Urban League of Eastern Massachusetts, Boston.

(1979, November). *Legal Aspects of Competency Testing of Students and Teachers*. National Association of Teacher Attorneys and National Education Association, New York.

(1979, November). *The Florida Minimum Competency Testing Case: Debra P. v. Turlington*. Paper presented at the Annual Meeting of the National Consortium on Testing, Arlington, VA.

(1979, July). *The Legal Implications of Minimum Competency Testing*. Basic Skills Institute, Boston State College, Boston.

(1978). *Student Competencies: Special Student Populations*. Paper presented at the First Annual National Conference on Student Competencies, San Francisco.

(1977 – 1982). *Education Law*. Legal Services Corporation training for attorneys, parents, and paralegals; thirty-two sessions across the nation in the period from 1977 to 1982.

(1976, November). *The Law Relating to Special Education*. Paper presented at the Education Law Conference, Conference in Continuing Legal Education for Practicing Attorneys, College of Law, The University of Iowa, Iowa City, Iowa.

OTHER SCHOLARLY ACTIVITIES:

Reviewer, National Research Council, National Academy of Sciences, 2017 to 2020

Editor, Educational Policy, 1998 to 2004, Associate Editor, 2004 to 2015.

Reviewer, *American Journal of Education*, 2015.

Member of the Committee Conducting a Five-Year Summative Evaluation of the Washington, D.C. Public Schools, National Research Council of the National Academy of Sciences, 2012-2015

Peer Review for Tenure or Promotion Decisions: Arizona State University, 2015; University of Massachusetts at Amherst, 2014; George Mason University, 2010; Columbia University, 2004; Boston College School of Law, 1999.

Review Coordinator, Report on Preparing Teachers: Building Evidence for Sound Policy, National Research Council of the National Academy of Sciences, 2009-10.

Reviewer, Spencer Foundation, 2008 to present.

Reviewer, American Psychological Association Guidelines Task Force for Assessment - Treatment of Persons with Disabilities

Review Coordinator, Report on Assessing the Role of k-12 Academic Standards in the States, National Research Council of the National Academy of Sciences, 2008

Reviewer, Oxford University Press, 2016, 2007.

Reviewer, American Educational Research Journal (AERA), 2007 to present

Reviewer, Exceptional Children, 2007.

Reviewer, Sage Publishing, 2006.

Board of Editors, Measurement: Interdisciplinary research and perspectives to present.

Reviewer, Journal of College and University Law, 2000.

Reviewer, Journal of Teacher Education, 1999, 2000, 2001.

Reviewer, National Research Council, National Academy of Sciences, 1999, 2000, 2004.

Reviewer, Educational Testing Service and College Board, 2000 on accommodations in testing persons with disabilities.

Reviewer, Grant applications, Spencer Foundation, 2000, 2008

Reviewer, Center on Organization and Restructuring of Schools, University of Wisconsin, Madison, 1996.

Reviewer, National Society for the Study of Education (NSSE), 1996, 200.

Reviewer, American Educational Research Association, Divisions K and L, 1995, 1997.

Reviewer, Review of Higher Education, 1999.

Reviewer, American Journal of Education, 1995, 1997.

Reviewer, Educational Policy, 1995, 1996, 1998.

Reviewer, Educational Researcher, 1995.

Reviewer, Educational Evaluation and Policy Analysis, 1984 to 1987, 1996-1998.

Committee of Authors and Peer Reviewer, Education Law Reporter, 1985 to 1987.

GRANTS (Primary Investigator):

“Developing the scholar in the scholarly-practitioner: Building research capacity in the PSAP Ed.D. Program”, 2014 Teaching, Advising, and Mentoring Grant, \$ 9,500 (co-PI with Lauri Johnson).

“Multimedia Approaches to an Interdisciplinary Professional Course”, 2010, Teaching, Advising and Mentoring Grant, 2010, \$14,750, Boston College.

“Resident Fellowship”, Spencer Foundation, Chicago, Illinois, 2008, \$120,533.

“Research Expense Grant”, 2008-09, 2013, Boston College.

“Replicating Instructional Success and Enhancing Cross-Disciplinary Graduate Study”, Teaching, Advising and Mentoring Grant, 2010, \$14,750, Boston College

“Argeyelan Family Fund Research Support Award”, 1999-2000, Boston College.

“Increasing the Number of Teachers of Color for Urban Schools,” Balfour Foundation, Boston, Massachusetts, 1990-1996, approximately \$750,000.

“Minimum Competency Testing: A Case Study of the Florida Functional Literacy Examination, Ford Foundation and Carnegie Foundation, 1980, approximately \$50,000.

PUBLIC SERVICE AND CONSULTING:

Chair, Visiting Committee to Review the Application of a New College, Massachusetts Department of Higher Education, 2015-2016.

Member, Board on Testing and Assessment (BOTA), National Research Council, National Academy of Sciences, 2005 to 2015.

Chair, Fellows Selection Committee, American Educational Research Association, 2014-2016

Member, Committee for a Summative Evaluation of the Washington, D.C. Public Schools, National Academy of Sciences, 2012 to 2015

Member, Committee on Key National Education Indicators Workshop, National Research Council, National Academy of Sciences, 2011 to present.

Member, Board of Directors, Center for Law and Education, Boston, Massachusetts and Washington, D.C., 2011 to 2012.

Chair, Committee on Best Practices for State Assessment Systems, National Research Council, National Academy of Sciences, 2009 to 2011.

Member, Standing Committee on Ethics, American Educational Research Association, 2008 to 2012.

Member, Expert Panel, Expert Panel for the Multi-State GSEG-Consortium Toward a Defensible Alternate Assessment for Modified Academic Achievement Standards for Students with Disabilities, National Center for Educational Outcomes at the University of Minnesota, Council of Chief State School Officers, and National Association of State Directors of Special Education, 2007 to 2011.

Member, Technical Advisory Committee on the Naturalization Examination, American Institutes of Research, U.S. Department of Homeland Security, 2005.

Conference co-organizer (with Pamela Moss of University of Michigan, James Gee of University of Wisconsin at Madison, and Ed Haertel of Stanford University) for the Spencer Foundation's Idea of Testing Invited Seminar Series on new approaches to educational assessment and the opportunity to learn, 2000-present.

Senior Advisor, Center for Improving Teacher Quality, Council of Chief State School Officers, 2004 to 200.

Senior Advisor, Education Policy Reform Research Institute, University of Maryland, 2000 to 2006.

Member, Committee on Minority Representation in Special Education and Gifted and Talented Education, National Research Council, National Academy of Sciences, 1999 to 2003.

Member, Committee on Educational Excellence and Testing Equity, National Research Council, National Academy of Sciences, 1999 to 2001.

Member, Joint Committee on Standards for Educational and Psychological Testing, American Educational Research Association, American Psychological Association, National Council on Measurement in Education, 1994-1999.

Committee on Goals 2000 and the Inclusion of Students with Disabilities, National Research Council of the National Academy of Sciences, 1995-1997.

Bredhoff & Kaiser, Washington, D.C. (for the National Education Association and the Florida Education Association).

Pennsylvania State Education Association, 2000-1.

Massachusetts Teachers Association, 1998 and 1999.

Measured Progress, 2000 to 2012.

Advanced Systems for Measurement in Education, 1997 - 2000.

CTB/McGraw Hill, 1996

Consultant, Interstate School Leaders Licensure Consortium (ISLLC), Council of Chief State School Officers, 1995 to 1996.

Consultant, Interstate New Teacher Assessment and Support Consortium (INTASC), Council of Chief State School Officers, 1995 to present.

Member, Panel on Goals 2000 and the Inclusion of Students with Disabilities, National Research Council, National Academy of Sciences, 1995 to 1997.

New York Department of Education, Board of Regents, and Commissioner of Education, 1996 and 1997.

Maine Department of Education, 1996.

Kentucky Department of Education, 1996.

Georgia Professional Standards Practice Commission, 1996.

Teacher Certification, Licensure, and Professional Development, Kentucky Department of Education, 1995.

Informal Advisor, Teacher Certification and Professional Development, Massachusetts Department of Education, 1992-94.

Co-Chair, Task Force on Program Approval, Massachusetts Department of Education, 1991-92.

Member, Board of Directors, Center for Law and Education, Inc., 1988 to 1994.
(President, 1992 to 1994.)

Member, Joint Committee on Education Evaluation Standards, 1985 to 1995.

Haslett, Michigan Public Schools, 1983-85.

Michigan Foster Parents Association, 1985.

National Coalition of Advocates for Students, 1983 to 1988.

Georgia Association of Educators, 1985 to 1987.

Arkansas Education Association, 1984 to 1986.

Founding member, National Center for Fair and Open Testing (Fair Test).

Special Education Due Process Hearing Officer, State of Michigan, 1985 to 1987.

Student Advocacy Center, Ann Arbor, Michigan, 1983 to 1987.

Visiting Scholar, Center for the Study of Evaluation, Graduate School of Education, The University of California at Los Angeles, 1981.

Member, Dean's Committee on the Protection of Human Subjects of Research, Harvard Graduate School of Education, 1977-1980.

10/2023