

OBAMA'S EDUCATIONAL REFORM AGENDA



JOIN SCHOLARS, PRACTITIONERS AND
POLICYMAKERS IN A
FORUM ON NATIONAL EDUCATION REFORM
THOMAS JEFFERSON SCHOOL OF LAW
SAN DIEGO, CALIFORNIA
APRIL 1, 2009
11:15-12:45 P.M. ROOM 300 LLB
2:30-3:45 P.M. ROOM 201 CYB
KEYNOTE PRESENTERS INCLUDE:



Maurice Dyson, Professor, Thomas Jefferson Law Schl. & Author/Editor of "Our Promise: Achieving Educational Equality for America's Children" (Carolina Academic Press).

Kimberly West-Faulcon, Professor, Loyola Law Schl., Los Angeles, former Regional Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc.

Phillip T.K. Daniels, Ph.D., William Ray and Marie Adamson Flesher Professor of Educational Administration & Adjunct Professor of Law The Ohio State University & Former President, National Education Law Assoc.

Leah Christensen, Professor, Thomas Jefferson Law Schl. & specialist on pedagogy, learning and mediation.

Daniel Weddle, Professor, UMKC Law Schl. & Author/Editor of "Our Promise: Achieving Educational Equality for America's Children" (Carolina Academic Press).

Jennifer Creighton, Partner, Winet, Patrick & Weaver, expert in public education litigation & specialist in charter school lawsuits.

Dan Shinoff, Partner, Stutz Ariano Shinoff & Holtz, leading authority in school defense, special education & has extensive expertise with the San Diego County Office of Education Joint Powers Authority

THIS EVENT IS FREE AND OPEN TO THE PUBLIC
LUNCH WILL BE PROVIDED. FOR INFO VISIT:
WWW.TJSL.EDU/EDUCATIONREFORM

ABOUT THE FORUM

With the advent of a new presidential administration, a renewed commitment to reforming public education must inevitably begin with the upcoming reauthorization of the No Child Left Behind Act against the backdrop of one of the most troubling economic crises to confront the nation. The recent passage of the American Recovery and Reinvestment Act of 2009 signifies an unprecedented fiscal commitment in federal government spending to public education. However, this investment must be accompanied by a clear vision of how best to bolster desirable educational outcomes to truly achieve meaningful reform. This monumental task requires not merely a thoughtful critique of existing policies, but concrete prescriptions for effective policy change in a dynamic changing landscape of global and domestic challenges. Join us for the most important dialogue on public education reform over the next decade that will outline possible solutions for bringing accountability, transparency and success to the nation's ailing public school systems.

AGENDA

Wednesday, April 1st

Room 300, LLB Session I

- 11:15 - 11:20 Welcome and Opening Remarks**
- 11:25 - 11:30 Introduction of Speakers
Maurice R. Dyson, Thomas Jefferson School of Law**
- 11:30 - 12:00 Philip T.K. Daniels, Ohio State University School of
Education & School of Law**
- 12:00 - 12:30 Kimberly West-Faulcon, Loyola Law School—Los Angeles**
- 12:30 - 12:45 Questions and Answers**
- 12:45 - 2:30 Lunch Break - Courtyard**

Room 201 CYB Session II

- 2:30 - 2:40 Leah Christensen, Thomas Jefferson School of Law**
- 2:40 - 2:50 Daniel Weddle, University of Missouri-Kansas City School of
Law**
- 2:50 - 3:00 Maurice R. Dyson, Thomas Jefferson School of Law**
- 3:00 - 3:10 Dan R. Shinoff, Partner, Stutz Artiano Shinoff & Holtz**
- 3:10 – 3:20 Jennifer S. Creighton, Partner of Winet, Patrick & Weaver**
- 3:20 - 3:40 Questions and Answers**
- 3:40 - 3:45 Closing Remarks**



Maurice R. Dyson is a professor of law at Thomas Jefferson School of Law. Following graduation from Columbia Law School as a Harlan Fiske Stone Scholar, Professor Dyson practiced law with the firm of Simpson Thacher & Bartlett where he specialized in mergers and acquisitions, securities and leverage buyouts valued at approximately \$166 billion. Professor Dyson has also participated in the landmark school finance litigation and in federal civil rights enforcement as the Special Projects team attorney for the U.S. Department of Education Office for Civil Rights (OCR) where he was recognized for his work in inter-district funding equity analysis. A member of the Bar of the U.S Supreme Court, Professor Dyson has also served as the national chairperson of the Association of American Law Schools (AALS) Section on Education Law, the national executive board member of the AALS Section of Minority Groups, a member of the board of directors of the Mildred Quinn Foundation, and the NY program coordinator of the Merrill Lynch Philanthropic Foundation. In addition, he has served as educational policy adviser to the Texas State Legislature Joint Select Committee on Public School Finance, various elected officials and has taught law on the faculties of Columbia University, the City University of New York, and Southern Methodist University Dedman School of Law. Professor Dyson received his A.B. from Columbia College, Columbia University and is the recipient of numerous awards including the prestigious King's Crown Award, the Kluge Award, the Albert Roothbert Endowment, the Lester A. and Stella Porter Russell Endowment, the Society of the Order of the Barristers and the Taft Samuel Carpenter Award for Teaching Excellence.



Kimberly West-Faulcon is a professor of law at Loyola Law School—Los Angeles. She teaches *Constitutional Law I*, *Constitutional Law II and Intelligence, Testing and the Law*. During law school, Professor West-Faulcon was a senior editor of the *Yale Law Journal*. After law school, she clerked on the Ninth Circuit U.S. Court of Appeals with the Honorable Stephen Reinhardt and began her legal career as a Skadden Fellow, selected by the law firm Skadden, Arps, Slate, Meagher & Flom to work in the public interest legal organization of her choice. Professor West-Faulcon’s research interests in intelligence theory, constitutional law, affirmative action and critical race theory stem from her extensive experience as a civil rights litigator. Prior to joining the Loyola faculty, Professor West-Faulcon was the Western Regional Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF). While at LDF, she maintained a heavy civil rights caseload. Her nationally-recognized litigation accomplishments include various cases involving the legal standard for proper use of standardized tests in elementary, secondary and higher education. From 1999 to 2003, Professor West-Faulcon served as chief coordinating counsel and lead African-American plaintiffs’ counsel in a post-Proposition 209 lawsuit filed by African-American, Latino and Filipino students challenging the admissions policies of the University of California at Berkeley – *Rios/Castaneda v. The Regents of California*. She also litigated employment discrimination issues as lead counsel for the African-American plaintiff classes in a successful multi-million dollar lawsuit against the clothing retailer Abercrombie & Fitch and a class action lawsuit filed by African-American, Latino and Asian-American police officers challenging the promotion practices of the Los Angeles Police Department. In 2005 and 2004, West-Faulcon was honored as a “Southern California Super Lawyer” and, in 2004, *Los Angeles Magazine* named her a “Rising Star Lawyer Under 40.” Also, in 1999, the *Los Angeles Daily Journal* featured West-Faulcon as one of the top lawyers under the age of 40 “making their mark in the legal world.” West-Faulcon’s significant accomplishments have also been praised in the company of successful young stars outside the legal profession. In the 1999 millennial issue of *Ebony Magazine*, West-Faulcon was recognized as one of *Ebony*’s “Ten for Tomorrow” (along with Jesse Jackson, Jr., Lauryn Hill, Serena Williams, Brandy, Sean Combs, Chris Rock, Bernice King, Tiger Woods, and Marion Jones) “who will almost certainly redefine their fields in the next millennium.” Professor West-Faulcon has been featured, quoted and interviewed by various local and national media including: CNN, *The New York Times*, *The Los Angeles Times*, *The San Francisco Chronicle*, *Black Issues in Higher Education*, *Education Week* and National Public Radio’s *Tavis Smiley Show*.



Philip T.K. Daniel is the William Ray and Marie Adamson Flesher Professor of Educational Administration and adjunct professor of Law at The Ohio State University. His research focuses on legal research techniques, school law, higher education law, and special education law. At Ohio State he received the university's highest honor for faculty, the Alumni Award for Distinguished Teaching, in 1993 and was subsequently inducted into the university's Academy of Distinguished Teaching. He was president of the Education Law Association in 2004, a member of the ELA Board of Directors from 1999-2005, and the 2006 ELA McGhehey Award winner. Daniel is the author of numerous refereed articles, law review articles, book chapters, monographs, and reports and is co-author of the books, *Law and Public Education*, *Education Law and the Public Schools: A Compendium*, and the upcoming, *Law, Policy and Higher Education*. He is a member on the Editorial Advisory Committee of West's *Education Law Reporter* and is on the editorial boards of the *Brigham Young University Journal of Law and Education*, the *Journal of Education and Urban Society*, and the *Journal of the South African Society for Education*. He earned his doctorate in education from the University of Illinois, Urbana, and his J.D. from Northern Illinois University, with further study at the Catholic University School of Law. Dr. Daniel did post doctoral work in higher education administration as an American Council on Education (A.C.E.) fellow at Washington University in St. Louis.



Leah Christensen is a professor at Thomas Jefferson School of Law. She received her undergraduate degree from the University of Chicago, with High Honors, and majored in Chinese. In law school, she was a member of the Iowa Law Review and graduated with High Distinction. Following law school, Professor Christensen clerked for Justice William A. Bablitch of the Wisconsin Supreme Court. She then practiced in the areas of medical malpractice, environmental law, and public education law. Professor Christensen has previously taught at the University of St. Thomas School of Law and the University of Wisconsin Law School. Professor Christensen's scholarship focuses on empirical legal research including studies on legal education, law review article selection, ADR and civil litigation. She possesses particular expertise in the fields of law school pedagogy, legal reading and law student learning, and has published several articles examining the correlation between the way in which law students read and learn the law, and their success in law school. Christensen has published articles in journals including South Carolina Law Review, Brigham Young Journal of Education and Law, Nevada Law Journal, Seattle Law Review, Suffolk Law Review, and Campbell Law Review. She also teaches and writes in the area of Education Law, specifically as it relates to school bullying and school violence. Professor Christensen has delivered presentations on her research at conferences sponsored by the American Association of Law Schools (AALS), the Institute of Law School Teaching (ILST), the Education Law Association, the Legal Writing Institute, and the Law School Admissions Council (LSAC). In addition, she has delivered law teaching and learning presentations as an invited speaker to various law faculties, and she has presented papers at symposia sponsored by Washburn School of Law, Howard University School of Law, John Marshall Law School and the University of St. Thomas. Professor Christensen has also been awarded grants for her research from the Legal Writing Institute and the Association of Legal Writing Directors. Christensen is currently working on a study investigating the relationship between law students' individual goal orientations and how these affect law school achievement. Her results will be presented at the 2009 AALS meeting in San Diego, CA, for the section on Balance in Legal Education.



Daniel B. Weddle is a Clinical Professor of Law at the University of Missouri-Kansas City School of Law, where he serves as Director of the UMKC Law School Strategies Program and teaches several courses, including Governmental and Legal Aspects of Education, Legal Aspects of Higher Education, Scholarly Writing, Litigation Drafting, Practical Skills, and Introduction to Lawyering Processes. As Director of the Law School Strategies Program, he oversees a comprehensive academic support program that includes a lecture series on effective study skills; a number of student-led structured study groups and academic enrichment workshops; a combination legal writing and law school strategies course; and individualized instruction for first, second, and third year students. He is also a contributing editor to the Law School Academic Support Blog. Professor Weddle developed and directed the first Council on Legal Education Opportunity (CLEO) Summer Institute ever held at UMKC and developed a second Institute for the summer of 1999. The six-week Institutes serve educationally and economically disadvantaged students who are planning to attend law schools around the country. He has served as a consultant to CLEO, designing and directing the annual CLEO summer Attitude Is Essential Weekend Seminar and Mid-Winter Seminar, which provide initial preparation and mid-year follow-up to disadvantaged first-year law students who are unable to attend the longer summer Institutes. A former high school teacher and administrator and former assistant dean of UMKC's School of Education, Professor Weddle has focused his research on issues in educational law, especially those concerning violence and bullying in schools. He has also been a frequent presenter at education law conferences, addressing religious issues arising in the public school context. In 2007, he served as chair of the Education Law Section of the Association of American Law Schools. His published works include "Gaming the Establishment Clause: Intelligent Design in the Public School Classroom" (in progress); "Brutality 101: Bullying in Higher Education" (in progress); "Holding Schools Accountable When Children Bully Children," in *Viewpoint: Understanding the Issues That Shape Education Today* (James V. Freemyer & Nancy Saunders, eds.) (2008); "Bullying in Schools: The Disconnect Between Empirical Research and Constitutional, Statutory, and Tort Duties to Supervise," 77 *Temp. L. Rev.* 641 (2004); "Dangerous Games: Student Hazing and Negligent Supervision," 187 *Educ. L. Rep.* 373 (2004); "When Will Schools Take Bullying Seriously?" *Trial*, Oct. 2003, at 18. Professor Weddle graduated from the University of Kansas School of Law in 1995, serving on the staff of the *Kansas Law Review* and as the editor-in-chief of the *Law Review's* Criminal Procedure Review. Prior to joining UMKC, he practiced with the Wirken Group, P.C., in Kansas City, where he specialized in business, family law, and tort litigation.

BIOGRAPHIES



Jennifer S. Creighton, is a partner of Winet, Patrick & Weaver. She grew up in Traverse City, Michigan. She graduated summa cum laude from Eastern Connecticut State University in 1995 with a Major in History and Minors in English and Spanish. Ms. Creighton was awarded a full scholastic scholarship to California Western School of Law, where she was awarded her Juris Doctor. She joined Winet, Patrick & Weaver in the Spring of 1998. Ms. Creighton subsequently obtained an LL.M. from the University of San Diego School of Law in Business and Corporate Law with an emphasis in Employment Law and Discrimination in 2001.

Ms. Creighton is a shareholder who works primarily in the Vista office. Her expertise is in education litigation, civil litigation and labor and employment law. She also has extensive experience in personal injury litigation. The majority of her career has been devoted to serving public entities, primarily school districts, in diverse litigation ranging from defense of personal injury claims to wrongful termination claims. Ms. Creighton has successfully tried several cases to verdict, and handles cases both in the Superior and Federal Courts.

Ms. Creighton's professional organization memberships include the American Bar Association, Section of Litigation, San Diego Defense Lawyers, San Diego County Bar Association, North County Bar Association, and the Oliver Wendell Holmes Inn of Court.

BIOGRAPHIES



Daniel R. Shinoff is a partner of Stutz Artiano Shinoff & Holtz. He focuses on the defense of public entities in the area of general tort practice with a focus on employment claims. He has extensive trial experience in the representation of clients in a variety of matters including general negligence, dangerous conditions, discrimination, wrongful termination, sexual harassment and civil rights issues. Mr. Shinoff also has substantial experience in advisory and litigation work concerning the Brown Act and the California Public Records Act. Admitted to the California and Federal bars in 1981, Mr. Shinoff is also a member of the United States Supreme Court Bar.

Mr. Shinoff has worked with San Diego County Office of Education Joint Powers Authority (JPA) since 1982 in defense of numerous cases representing school districts within San Diego and Imperial counties. He routinely counsels school boards, and school and community college districts regarding all aspects of school law.

Recognized as a leading authority in school district defense and litigation, Mr. Shinoff is a frequent lecturer in continuing education and personnel training. His seminars have included topics on special education, employment discrimination, sexual harassment and the Americans with Disabilities Act.

ADDITIONAL INFORMATION

- MAPS AND DIRECTIONS TO THOMAS JEFFERSON SCHOOL OF LAW:

[HTTP://WWW.TJSSL.EDU/MAP_DIRECTION](http://www.tjssl.edu/map_directions)

- HOTELS, TRANSPORTATION, AIRPORT & TRAVEL ARRANGEMENTS TO THOMAS JEFFERSON SCHOOL OF LAW:

BEST WESTERN HACIENDA HOTEL OLD TOWN

4041 HARNEY STREET, SAN DIEGO, CA 92110 [0.55 MILES FROM TJSL]

800.888.1991

[HTTP://WWW.HACIENDAHOTEL-OLDTOWN.COM](http://www.haciendahotel-oldtown.com)

- FOR ADDITIONAL INFO ON HOTEL ACCOMMODATIONS, VISIT:

[HTTP://WWW.TJSSL.EDU/HOTELS_AIRPORT](http://www.tjssl.edu/hotels_airport)

- TRAVEL PLANNING SERVICES:

KAHALA TRAVEL - SHIRLEY PETERSON, TRAVEL AGENT

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