

**George R. La Noue**

**September 2007**

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Policy Sciences Graduate Program  
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Wife, Patricia  
Two sons, Jeff 34, Revere 30

## **Education**

Yale University, M.A., 1961; Ph.D., 1966. Political Science

Additional work at Yale Law School and Yale Divinity School  
Dissertation: The Politics of Church and State. Accepted with "distinction."

Hanover College, A.B., 1959 magna cum laude, Political Science and History major,  
Economics minor

American University, Spring, 1958, Washington Semester Program

Public Schools, Griffith, Indiana (1943-1955)

## **Teaching and Administrative Experience**

University of Maryland  
Professor of Political Science, 1972-Present.  
Department Chairman, 1975-77.  
Director, Policy Sciences Graduate Program, 1979- 997  
Acting Director, Maryland Institute for Policy Analysis and Research, 1988-1989.

University of California, Berkeley; Institute for Governmental Studies  
Visiting Scholar, Fall 1997

University of Miami  
Visiting Professor, Summer 1993

Universite' de Strasbourg, Institut D'Etudes Politique, France  
Visiting Professor, 1986

Teachers College, Columbia University  
Instructor of Politics and Education, 1964-66.  
Assistant Professor of Politics and Education, 1966-68.  
Associate Professor of Politics and Education, 1968-72.

Director, Joint Teachers College-Columbia University Graduate Program in  
Politics and Education, 1966-72.

University of Chicago, School of Education  
Visiting Associate Professor, Summer, 1969

American University  
Lecturer, Institute on Church and State Relations, Summer, 1962

Yale University  
Assistant in Instruction, American Government, Political Theory and  
Constitutional Law, 1962-63

### **Fellowships and Honors**

Swedish-American Bicentennial Fund Exchange Fellow, 1986

UMBC Teaching Award, Omicron Delta Kappa, 1981

Research Fellow, Center for Legal Studies (London, UK) and Center for Civil Rights,  
University of Notre Dame Law School, 1979.

Visiting Scholar, University of Essex (Colchester, UK), 1979.

Public Administration Fellow, 1972-73

Guest Scholar, Center for Advanced Study, The Brookings Institution, 1965

Yale Dissertation Research Fellowship, 1964

Lily Fellowship in Christianity and Politics, 1959. Duke University (declined)

Danforth National Fellowship, 1959

Woodrow Wilson National Fellowship, 1959

### **Research Support**

Association of Governing Boards  
Abell Foundation  
American Civil Liberties Union  
American Jewish Committee  
American Jewish Congress  
Carnegie Corporation of New York  
Center for Urban Education  
Colcom Foundation  
Fredrich Ebert Stiftung  
Horace Mann-Lincoln Institute

Laurel Foundation  
Lilly Endowment  
National Conference of Christians and Jews  
Pacific Legal Foundation  
Roger Baldwin Foundation  
Teachers Insurance Annuity Association  
World Population Council

### **Research-Study Travel**

France, Switzerland, Austria, Germany (1992)  
Austria, Denmark, Finland, France, Germany,  
Soviet Union, Sweden, Yugoslavia (1986)  
Italy, India, Spain (1980)  
Great Britain (1979)

### **Professional and Service Activity**

Albuquerque, New Mexico  
Consultant on Disparity Study, 1993-94

American Association for Rights and Responsibilities,  
Board of Directors, 1989-1997  
Executive Committee 1992 -1997  
Litigation Committee 1995 -1997

#### American Behavioral Scientist

Co-editor, "Urban Decentralization", November, 1971 Issue

American Educational Research Association  
Co-Chairman with David Minor, Politics of Education Program, 1970 National  
Convention  
President, Politics of Education Society, 1973-75

American Civil Liberties Union  
Board of Directors, Bergen-Passaic Chapter 1966-67  
Board of Directors, New York Civil Liberties Union, Elected 1968, 1971  
National Church-State Committee 1964-72

Baltimore City, Member, Mayor's Task Force on School Choice, 1996

Baltimore City, Member, Social Services Commission, 1988 -1995  
Chair, Research and Evaluation Task Force

Baltimore County, Vice Chair, County Executive Task Force on  
Business, Government and Universities, 1988 - 1991

Baltimore Intercampus Committee, Chair - 1987-89

Center for Research and Education in American Liberties  
Member, Board of Governors, 1969-70  
Chair, 1987-88

Center on Drugs and Public Policy  
Chair, Advisory Board 1986-1989

City of St. Petersburg  
Consultant on Disparity Study, 1998 -2000

City of West Palm Beach  
Consultant on Disparity Study, 1996-1999

Community Law Project  
Board member, 1995-1998

Delaware State Board of Education  
Consultant, 1970-71

Governor's Commission on the Future of the Black Male, 1991

Education and Urban Society  
Editorial Board, 1971-73

Houston Independent School Board, 1999-2000  
Consultant on Race Neutral Programs

Lacrosse Foundation, Chair, Editorial Board 1989-95

Maryland Department of Human Resources Task Force on New Welfare  
Regulations, 1991

Maryland Institute for Policy Analysis and Research  
Chair, Governing Board 1983-1997

Maryland Research Park  
Board of Directors 1994 - 1995

Maryland State Advisory Commission on Public School  
Athletics, Member, 1975

Maryland State Commission on Equal Pay, 2005-2006

Maryland State Attorney General

Consultant on Medical Malpractice Litigation 1980-1981

Maryland State Board for Education

Task Force on Charter Schools, Member, 1996

Maryland State Board for Higher Education

Member, Faculty Advisory Committee 1982-83

Nashville Metro

Consultant on Disparity Study, 1996-2000

National Institute Of Government Purchasers

Member, Universal Accreditation Panel, 1998

National Association of State Universities and Land Grant  
Colleges

Member, Task Force on Urban Educational Policy, 1987

New York State Commission on Quality, Cost, Financing of Elementary and Secondary  
Education

Consultant, 1970-1

Portland, Oregon

Consultant on Disparity Study, 1994-5

Public Education Association Commission on New York City

School Governance Member, 1971

Society for Values in Higher Education

Board of Directors, 1990 -1992

State of Texas, Comptroller's Office

Consultant on Disparity Study, 1994-95

State of Texas, General Services Commission

Consultant on HUB rules, 1995

U.S. Commission On Civil Rights, 2005

U.S. Department of Education, Office of Civil Rights, 2002-2005

U.S. Department of Labor

Trial Expert, 1976 -78

U.S. Equal Employment Opportunity Commission  
Trial Expert, 1979-1984  
Educational Policy Planner, 1973-76  
Chairperson, Task Force on Higher Education, 1974-75  
Assistant to the Executive Director, 1972-73

## **Books**

Local Officials Guide to Minority Business Programs and Disparity Studies (Washington, D.C.: National League of Cities, 1991, revised edition, 1994).

Academics in Court: The Consequences of Faculty Discrimination Litigation, with Barbara Lee (Ann Arbor, Mi.: University of Michigan Press, 1987).  
(Cited in *Jackson v Harvard University* 721 F. Supp 1397, 1414 (Ed. Ma.), 1989.)

The Politics of School Decentralization, with Bruce Smith (Lexington, Mass.: D.C. Heath Co., 1973).

Educational Vouchers: Concepts and Controversies, Editor and Contributor (New York: Teachers College Press, 1972).

Cited as "Book of the Year," Educational Roundtable, American Association of Law Schools, Library of Contemporary Education book club selection.

## **Major Articles and Monographs**

“Judicial Splits: The Supreme Courts New Message for Education” Academic Questions, Fall 2007

Follow the Money: Who Benefits From The Federal Aviation Administration’s DBE Program? American Review of Public Administration, forthcoming

“Can the Federal Transportation DBE Program Be Narrowly Tailored to Remedy Discrimination?” Engage, October 2007

“Setting Goals in The Federal Disadvantage Business Enterprise Program” George Mason University Civil Rights Law Journal, Vol. 17, No. 2, Spring 2007

“Narrow Tailoring the Federal Transportation DBE Program,” Engage, Vol. 7, No1, March 2006

“Michigan’s Homework Assignment,” Academic Questions, Vol. 18, Spring 2005

“Seeking Diversity: The Role of College Trustees” American Council of Trustees and Alumni, Fall 2004

“The New Imperative for Admissions Transparency,” Academic Questions, Vol. 17, Summer 2003.

“Jaundiced Eyes: Harvard Looks at Florida,” Academic Questions, Vol. 16, no 3, Spring 2003.

“Discrimination in Public Contracting,” in Abigail and Stephan Thernstrom, “Beyond the Colorline: New Perspectives on Race and Ethnicity in America, The Hoover Institution Press, 2001

“Gross Presumptions: Determining Group Eligibility for Federal Procurement Preferences,” (with John Sullivan) Santa Clara Law Review, Vol. 41, No.1, (Winter 2000)

“The Road’s End for Racial Preferences in Public Contracting?” Constructor Magazine, pp. 14-19, January 2001

A Critique of the Federal Benchmark Study, titled by the editor “To the “Disadvantaged” Go the Spoils? The Public Interest, No. 138, pp.91-98. (Winter 2000)  
Reprinted in Powerweb: Business and Society, McGraw-Hill, 2001.

"Who Counts? Determining the Availability of Minority Businesses for Public Contracting after *Croson*." Harvard Journal of Law and Public Policy, Vol.21, No.3 (Fall 1998).

Deconstructing the Affirmative Action Categories (with John Sullivan), American Behavioral Scientist, Vol. 41, No. 7 April 1998.

Reprinted in John Skrentny ed. Color Lines: Affirmative Action, Immigration and Civil Rights: Options for America, University of Chicago Press, 2001

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“The Impact of *Croson* on Equal Protection Law and Policy,” Albany Law Review, Vol. 61, No.1, Fall 1997.

"Campus Procurement After *Croson*," Higher Education Law Bulletin Summer 1997.

"Rethinking Affirmative Action on Campus," Planning for Higher Education, Vol. 24, Number 1, Fall 1995. Reprinted in "The Best of Planning for Higher Education," Society for College and University Planning," 1997.

"Selective Perception: The Role of History in the Disparity Study Industry," The Public Historian, Vol. 17, No. 2, Spring, 1995.

"Understanding the Political and Legal Context of MBE Programs," Journal of Urban Affairs, Vol. 17, No. 1, 1995

"Keeping an Eye on Disparity Studies," NAPM Insights (National Association of Purchasing Managers," Vol. 6, No. 4, April, 1995.

"Race Neutral Programs in Public Contracting," (with John Sullivan) Public Administration Review, Vol. 55, No. 4, July/August 1995.

"Standards for the Second Generation of Croson-Inspired Disparity Studies," The Urban Lawyer, Vol. 26, No. 3, Summer 1994. Reprinted in the San Francisco Law Review, Vol. 4, No. 1, Summer 1995.

"Affirmative Action," World Book Encyclopedia, 1995.

"Presumptions for Preferences: The Small Business Administration's Decisions on Groups Entitled to Affirmative Action," (with John Sullivan) Journal of Policy History, Vol. 6, No. 4, Fall, 1994.

"The Disparity Study Shield," in Racial Preferences in Public Contracting, edited by Roger Clegg, National Legal Center for the Public Interest, 1993.

"Disparity Studies Probe Bias in Public Purchasing," National Institute of Governmental Purchasing, Sept/Oct., 1993.

"Die Widerspruche der amerikanischen Burgerrechtspolitik," Proceedings of the International Experts Conference on "Legal Measures Against Discrimination on Nationality, Ethnic and Racial Grounds," Commission for Foreign Affairs of the Senate of Berlin, Germany, July, 1993.

"The Demographic Assumptions of Affirmative Action," Population and Environment, May, 1993.

"Social Science and Minority Set-Asides," The Public Interest, Winter, 1993,

"But for Discrimination How Many Minority Businesses Would There Be?" Columbia Human Rights Law Review, Winter, 1992.

"Split Visions: Federal and State Minority Business Programs", Annals of the American Academy of Political and Social Sciences. Symposium "Affirmative Action Revisited," September 1992.

"Race-Based Policies: A Court's Guidelines," The Chronicle of Higher Education, April 8, 1992.

"Ethics and Faculty Evaluation" in Ethics and Higher Education, ed. William W. May, (Washington: ACE/MacMillan, 1990).

"An Explanation of Gender and Other Influences on the Earnings of Pharmacy School Faculty" (with Marsha Goldfarb and Steven H. Chasin) American Journal of Pharmaceutical Education, Spring, 1989.

"The Impact of Academic Discrimination Litigation," with Barbara Lee. A monograph published jointly by the American Association for Higher Education, the National Association of College and University Attorneys and the Teachers Insurance Annuity Association, April, 1987. 2nd printing July, 1987.

"Lawsuits in Academe: Nobody Wins," with Barbara Lee, Association of Governing Boards Reports, Vol. 29, No.1, January/February, 1987.

"Political Science," in the fifth edition of the Encyclopedia of Educational Research. (New York: Free Press, 1982).

"The Federal Judiciary, Discrimination, and Academic Personnel Policy," Policy Studies Journal, Vol.10, No.1, September 1981.

"The Federal Tailors," Education and Urban Society, February, 1977.

"Athletics and Equality: Solutions to the Title IX Controversy," Change, Vol.8, No.10, November, 1976.

Reprinted in D. Stanley Eitzen, Sport in Contemporary Society, (New York: St. Martin's, 1979).

"The Role of Professional Organizations in Academic Equal Employment Opportunity," with Nancy Lloyd, Society/Transaction, Vol.13, No.2, January/February, 1976.

"Equal Opportunity Must Begin at Home," The Chronicle of Higher Education, March 10, 1975.

"Discrimination Complaints and Disciplinary Associations," American Historical Association Newsletter, May-June, 1974.

"The Future of Anti-Discrimination Enforcement" Change, Vol.6, No.5, June, 1974.

"Tenure and Title VII," The Journal of College and University Law, Vol.1, No.2, Spring, 1974.

"A Critique of Voucher Proposals," The American Teacher, May, 1972. Reprinted in James Mecklenberger and Richard W. Hastrop, Educational Vouchers: From Theory to Alum Rock (E.T.C. Publications, 1972).

"School Decentralization and Politics," with Bruce Smith, American Behavioral Scientist, Vol.15, No.1, December, 1971, pp. 73\_92.

Reprinted by Hans Speigel in Citizen Participation in Urban Development: Decentralization, Volume III, NTC Learning Resources Corporation, 1973.

"Vouchers: The End of Public Education?" (The Politics of Education) Teachers College Record, Vol.73, No.2, December, 1971, pp. 304\_319.

Reprinted in Sorgen, Kaplin, Margolin and Duffy, State, School and Family, 1973. Reprinted in John Martin Rich, Radical and Innovative Ideas in Education, (Newton, Mass.: Allyn and Bacon, 1974).

"Freedom and Financing: The Dilemma of Public Funds for Private Schools," The Educational Forum, Vol.35, No.1, November, 1970.

Reprinted in Vital Speeches, July 1, 1970; in the Forensic Quarterly, April, 1972.

"Teachers Unions and Educational Accountability," with Marvin Pilo, Proceedings of the Academy of Political Science, Winter, 1970. pp. 146\_153.

Reprinted by W. Fogel and A. Kleingartner in Labor and Contemporary Issues, Wadsworth, 1972.

"School Decentralization," with Bruce Smith in the 1970 edition of The Encyclopedia of Education (New York: MacMillan Company).

"End of Separation? Church, State and the Courts," The Nation, December 15, 1969.

"Establishment Clause: Requiem or Rebirth?" Phi Delta Kappan, Vol. 50, No. 2, October, 1968.

"Church-State Problems in New Jersey: The Implementation of Title I (ESEA) in Sixty Cities," Rutgers Law Review, Vol. 22, No. 2, Winter 1968. pp. 219-280.

Cited by the majority and dissent, Barrera v. Wheeler, 475 F.2d 1338 (8th Circuit Court, 1973).

"Political Questions in the Next Decade of Urban Education," Teachers College Record, Vol. 69, No. 6, March, 1968, pp. 517-528.

Reprinted in the AAUW publication, "The Politics of Public Education," in Robert Maidment and Emanuel Hurwitz (eds.), Criticism, Conflict and Color: Readings in American Education (Dodd, Mead, and Company, 1970); in John Mason Rich, Conflict and Decision: Analyzing Educational Issues (Harper & Row, 1972); and also in Emanuel Hurwitz and Charles Tesconi (eds.) Challenges to Education: Readings for Analysis of Major Issues (Scranton: Harper and Row, 1972); K. Ryan and J. M. Cooper (eds.) Kaleidoscope (Boston: Houghton Mifflin Company, 1972). Awarded the "certificate of excellence" by the Educational Press Association of America, 1969.

"The Conditions of Public School Neutrality," in Theodore Sizer (ed.) Religion and Public Education (Chicago: Houghton Mifflin Company, 1967), pp. 20-37.

Reprinted in Robert Maidment and Emanuel Hurwitz (eds.) Criticism, Conflict and Change: Readings in American Education (Dodd, Mead and Company, 1970).

"Public Library Principles and Title II," Wilson Library Bulletin, Vol. 41, No. 7, March, 1967, pp. 700-707.

"Politics and Education Policy," The School Review, Vol. 79, No. 2, Spring 1967, pp. 76-92.

"The Church-State Settlement in the Federal Aid to Education," with Dean M. Kelly in Religion and the Public Order - 1965 (Chicago: University of Chicago Press, 1967), pp. 110-160.

"The Title II Trap," Phi Delta Kappan, Vol. 48, No. 11, June, 1966 pp. 558-563.

"Transportation, Textbooks, and Medical Care: The Child Benefit Theory Revisited," Journal of Public Law, Vol. 13, No. 1, Spring, 1964, pp. 76-94.

"The New Frontier Between Religion and Education," Phi Delta Kappan, Vol. 45, No. 3, December, 1963, pp. 123-127.

Reprinted in View of American Education, Glenview, Ill.: Scott, Foresman & Co., 1965.

"Federal Concern for Quality in the Education of Non-Public School Students," Pioneer Ideas in Education, Second Edition, House Committee on Education and Labor, September, 1963, pp. 97\_105.

Reprinted by the National Conference of Christians and Jews in Background Reports, 1964.

"A Bibliography of Doctoral Dissertations on Politics and Religion," National Council of Churches (monograph), September, 1963, 49 pp.

"A Review of Church-State Legal Developments 1961-62," Background Reports, National Conference of Christians and Jews, September, 1962, 20 pp.

"The National Defense Education Act and 'Secular Subjects'." Phi Delta Kappan, Vol. 43, No.9 June, 1962, pp 380-387.

"Religious Schools and Secular Subjects," Harvard Educational Review, Vol. 32 No.3, Summer, 1962, pp. 255\_291.

## Book Reviews

Lydia Chavez, Color Bind: California's Battle to End Affirmative Action, Los Angeles and Berkeley, University of California Press, 1998 and M. Ali Raza, A Janell Anderson and Glynn Custred, The Ups and Downs of Affirmative Action Preferences, Westport, Conn. Praeger, 1999 in Academic Questions, Summer 2000.

Paul Lopatto. Religion and the Presidential Election (New York: Praeger, 1985), in The Presidential Studies Quarterly, 1986.

Michael A. Rebell and Arthur R. Block. Educational Policy Making and the Courts (University of Chicago Press, 1982), in American Political Science Review, 1983.

Erling Jorstad. The Politics of Moralism: The New Christian Right in American Life, in National Council on Religion and Public Education Bulletin, 1983.

Richard A. Lester. Reasoning About Discrimination: the Analysis of Professional and Executive Work in Federal Antibias Programs (Princeton University Press, 1980), and Thomas R. Pezzallo and Barbara E. Brittingham, Salary Equity: Detecting Sex Bias in Salaries Among College and University Professors (Lexington Books, 1979), in Academe, January/February, 1982.

Arthur Wise. Legislated Learning (University of California Press, 1979), in American Political Science Review, March, 1981.

Richard J. Barnet. The Lean Years: Politics in the Age of Scarcity (Simon and Schuster, 1979), the Baltimore Sun, October, 1980.

Bruce L. R. Smith and Joseph J. Karlesky. The State of Academic Science (Change Press, 1977), in Graduate School Chronicle, 1978.

L. Harmon Zeigler and M. Kent Jennings. Governing American Schools (Duxbury Press, 1974), in Policy Studies Journal, Winter, 1975.

Richard E. Morgan. The Supreme Court and Religion, (1972) in Educational Studies, Fall, 1973.

A. Stafford Clayton. Religion and Schooling: A Comparative Study (Waltham, Massachusetts: Blaisdell, 1969), in The School Review, February, 1971.

Stephen Cole. The Unionization of Teachers (New York: Praeger, 1969), and Albert Blum. Teachers Unions and Associations. Urbana: The University of Illinois Press, 1969, in the American Political Science Review (with Paul Cohen).

Paul A. Freund and Robert Ulich. Religion and the Public Schools (Cambridge: Harvard University Press, 1966), in the Comparative Education Review, December, 1966.

Ralph D. Kimbrough. Political Power and Educational Decision Making (Chicago: Rand, McNally, 1964), in the American Political Science Review, December, 1965.

William F. Buckley, Jr. The Committee and Its Critics (New York: G.P. Putnam's Sons, 1962), in the Louisville Courier Journal, April, 1962.

Gregory Wilson. The Stained Glass Jungle (New York: Doubleday, 1962), in the Louisville Courier-Journal, May 20, 1962.

William S. Brickman and Stanley Lehrer. Religion, Government and Education (New York: Society for the Advancement of Education, 1962), in the American Political Science Review, June, 1962.

Second Review of the above book in The Christian Century, May 30, 1962.

"The National Defense Education Act and 'Secular Subjects'." Phi Delta Kappan, Vol. 43, No. 9 June 1962, pp. 380-387.

"Religious Schools and Secular Subjects," Harvard Educational Review, Vol. 32 No. 3, Summer, 1962, pp. 255-291.

A Review of Church-State Legal Developments 1961-62," Background Reports, National Conference of Christians and Jews, September, 1962, 20 pp.

Donald R. Boles. The Bible, Religion and the Public Schools (Ames: Iowa State University Press, 1961), in the Annals of the American Academy of Political and Social Sciences, September, 1962.

Philip B. Kurland. Religion and the Law (Chicago: Aldine Press, 1962), in The Christian Century, September 26, 1962.

M. Stanton Evans. Revolt on the Campus (Chicago: Henry Regnery Co., 1961), in the Louisville Courier-Journal, December 17, 1961.

### **Major Public Lectures or Conference Presentations**

“Civil Rights Contracting Policies in the Clinton and George W. Bush Administrations,” “Chair and panelist, Policy History Conference, Charlottesville Virginia, June 2006

• “The Role of AP Courses as a Race Neutral Solution to Access to Higher Education,” U. S. Department of Education, Miami, Florida ,November 2003.

“Proper Findings, Supreme Court Requirements for Congress,” Supreme Court Historical Society, Washington, D.C. March 19, 2003.

“Congressional Finding: Why, When and How” Policy History Conference, St Louis, Mo. May 31, 2002 .

“ The State of MBE Program Litigation,” 2001 NUCA Convention, Tampa, Fla. February 22-24, 2001

“The Development of MBE Litigation after *Croson*,” Heritage Foundation, November 1, 2000

“The Future of Race Preferences in Public Contracting,” 2000 NUCA Conference, Phoenix, Az., March 23, 2000.

"The Future of Disparity studies," 1998 National Transportation Conference on Civil Rights. Federal Highway Administration, Federal Transit Association, American Association of State Highway and Transportation Officials and the American Public Transit Association, Denver Colo. August 24, 1998

“Proving Discrimination: The Judicial Challenge to the Social Sciences, Harris Lecture, Institute of Governmental Studies, University of California Berkeley, November 12, 1997

“Does the Federal Government Have A Compelling Interest For the Use Of Racial Preferences in Construction Procurement,” Associated General Contractors, Albuquerque, September 29, 1997

“Forum for Redesigning Small Business Programs,” Building Futures Council, San Francisco, September 1997

"The Unintended Consequences of Good Intentions: Identifying Discrimination after *City of Richmond v. Croson*," National Conference on Policy History, Bowling Green University, June 6, 1997.

"Affirmative Action in the Post-209 Era," keynote address, National University Conference on Law and Higher Education, San Diego, March 6, 1997.

"School Choice Alternatives" United Citizens for Maryland's Future, Loyola College, January 25, 1997.

"Analysis and Defense of Affirmative Action Policies." National Association of College and University Attorneys, CLE Workshop, Alexandria, Virginia, March 26, 1996.

"Designing a Disparity Study: Perils and Opportunities." National League of Cities Annual Conference, Minneapolis, Minn., 1994.

"The Role of Public Procurement Offices in Disparity Studies." National Association of Government Procurement Offices, Milwaukee, Wis., July 15, 1994.

"Responding to Disparity Studies," National Utility Contractors Association, Reno, Nev., March 2, 1994.

"Teaching about Disparity Studies," Association of Schools of Construction Management, Washington, D.C., Nov. 15, 1993.

"The Decade Long Struggle over Minority Business Programs in San Francisco," Association for the Study of Public Administration, San Francisco, Ca., July 7, 1993.

"State Commissioned Disparity Studies After *City of Richmond v. Croson*," Southwestern Political Science Conference, New Orleans, La., March 19, 1993.

"The Uncertain Future of Affirmative Action," Vanderbilt University, March 15, 1993.

"The Unequal Path to Equal Protection of the Law for White Males: From *Bakke* to *Croson*," Vanderbilt Law School, March 15, 1993.

"But for Discrimination how Many Minority Businesses Would There Be?" Southwestern Political Science Conference, Austin, Texas, March 20, 1992.

"The Paradoxes of American Civil Rights Policy." International Experts Conference on "Legal Measures Against Discrimination in Nationality, Ethnic or Racial Grounds." Sponsored by the Commission for Foreign Affairs of the Senate of Berlin and the Evangelische Akademie, Tutzing, Germany, March 6-8, 1992.

"Political Correctness and NASPAA." National Association of Schools of Public Affairs and Administration, Baltimore, Maryland, October 17-19, 1991.

"Proving Discrimination: the Response to *Richmond v. Croson* in Three Cities" Urban Studies Association, Vancouver, Canada, April 19, 1991.

"Legal Issues for Academic Chairs," Lehigh Valley Association of Independent Colleges, March 16, 1990.

"Changing Theories of Equal Employment," St. Mary's College, April 20, 1989.

"The Role of Chairpersons in Avoiding Litigation," Workshop for Chairs, Lafayette College, November, 1988.

"The Role of Universities in Economic Development: The Case of Sweden, Germany and France," American Political Science Association, September, 1987.

"Causes, Consequences and Prevention of Litigation," Workshop for Chairs, American Political Science Association, September, 1987.

Winter Lecturer, Albion College, February, 1987: "The Human Costs of Litigation," Liberal Arts in Management Program "The Ethical Dilemma of the Berlin Wall," Ethics Center "Measuring Employment Discrimination," Anna Howard Shaw Women's Center. "Alternative Theories of Employment Discrimination," Gerald Ford Institute

"Civil Lawsuits and Civilian Liabilities, University of Hannover, Hannover, Germany, November, 1986.

"The Impact of Plaintiffs of Academic Discrimination Lawsuits." American Association of University Professors, Washington, June, 1985.

"Academic Discrimination Lawsuits and Academic Lawyers." The National Association of College and University Attorneys, Vancouver, June, 1985.

"Strengthening Organizational Accountability in Professional Bureaucracies: Response to Employment Discrimination Litigation." Academy of Management, San Diego, August, 1985.

"The Consequences of Academic Discrimination." Association for the Study of Higher Education, Chicago, March, 1985.

"The Impacts of the Litigation Process: A New Analytical Perspective." American Political Science Association, Washington, D.C., August, 1984.

"The Role of Civil Rights Issues in 1984 Presidential Election." Johns Hopkins University, October, 1984.

"The Academic Salary Maze." Association for the Study of Higher Education, Chicago, March, 1984.

"Procedure for Evaluating Faculty for Promotion and Tenure: Lessons from Litigation." American Education Research Association, New Orleans, April, 1984.

"Federal Courts and Academic Discrimination." Claremont Graduate School, Claremont, CA, January, 1983.

"Judicial Responses to Academic Salary Discrimination," American Association for Higher Education, Washington, D.C., March, 1982.

"Equal Employment Opportunity: Three Conflicting Theories." American Society for Public Administration, April, 1980.

Three week lecture tour in India sponsored by the U.S. International Communications Agency, June-July 1979. Invited lecturer at

Indian Law Institute (Delhi)  
A.N. Sinha Institute (Patna)  
Tamil Nadu High Court (Madras)  
Andra Pradesh High Court (Hyderabad)  
All-India Television  
All-India Radio

"The Future of Civil Liberties." American Political Science Association, Washington, September, 1979.

"The Future of Politics." Kings College, London, January, 1979.

"Civil Liberties and the Future." Centro de Investigacion y Tecnicas Politicas, Madrid, January, 1979.

"The Role of the American Judiciary as a Public Policy Maker." Inter-American Cultural Center, Madrid, January, 1979.

Discussant, Conference on the Future of the Italian University, sponsored by the Conference of Italian Rectors and the U.S. International Communication Agency, Rome, January, 1979.

"The Conflict Between Individual and Group Rights in American Legal Policy." University of Edinburgh, November, 1978.

"EEOC Testing and Selection Guidelines: Are They Workable in Higher Education." Panel Chair, College and University Personnel Association, Washington, D.C., February, 1977.

"Beyond Affirmative Action." Plenary Session Society for Values in Higher Education. Colgate University, August, 1977.

"Academic Salaries: Legal Paths to Equity," American Political Science Association, September, 1977.

"The Ph.D. as a Bona Fide Occupational Qualification for Professors." American Bar Association Institute on Equal Opportunity Law in Higher Education, Washington, D.C., November, 1976.

"EEOC and Title VII." Conference on Equal Opportunity Law in Higher Education, National Civil Service League, Washington, D.C., December, 1976.

"Government Policy in a Multi-Racial Society." Bicentennial Roundtable, American Political Science Association, Chicago, September, 1976.

"Alternatives for Settling Discrimination Complaints in Higher Education." Clearing House on Women's Issues, Washington, D.C., May, 1974.

"Political Science Perspectives on Education." Trinity College, Washington, D.C., October, 1973.

"EEOC and the Universities." Executive Council, National Association of State Universities and Land Grant Colleges, Washington, D.C., September, 1973.

"Developing an Acceptable Affirmative Action Program." American Association of State Colleges and Universities, San Diego, November, 1973.

"Engineering Acceptance of Affirmative Action." (Chairman) American Society for Public Administration, Los Angeles, April, 1973.

"The University Response to Equal Employment." Commission on Academic Affairs, American Council on Education, Washington, May, 1973.

"The Role of Public and Private Procedures in Settling Equal Employment Grievances in Higher Education." American Political Science Association, New Orleans, Louisiana, September, 1973.

"The Impact of Title VII on Higher Education Personnel Procedures." American Council on Education, Washington, D.C., October, 1973.

"A National Perspective on School Decentralization." National Capital Areas Educational Forum, Washington, D.C., October, 1973.

"Federal Regulation of University Employment." (Chairman) American Educational Research Association, New Orleans, Louisiana, February, 1973,

"Methodological Approaches to the Study of Community Control and Education." American Educational Research Association, Chicago, April, 1972.

"Developments in the Educational Voucher Movement." American Federation of Teachers Convention, Washington, D.C., April, 1972.

"Reforming University Personnel Systems." College and University Personnel Association, Washington, D.C., October, 1972.

"Equal Opportunity for Women." Urban Research Corporation, New York, October, 1972.

"Vouchers are Dead." American Association of Law Schools (part of a symposium on my book Educational Vouchers: Concepts and Controversies, New York, December, 1972.

"Beyond School Decentralization." Invited address sponsored by Division G and by Division F, American Educational Research Association, February, 1971.

"Freedom and Financing: The Dilemma of Public Funds for 'Private' Schools." University of Illinois, Champaign-Urbana, April, 1970.

"The States and Private Schools." The National Association of State School Boards, St. Louis, April, 1970.

"The Politics of School Decentralization." American Political Science Association, Los Angeles, September, 1970.

"The Concept of Accountability." Committee on Basic Research on Education, National Academy of Sciences, Stanford University, September, 1970.

"State Aid to Private Schools." The National Association of State School Boards, New Haven, October, 1970.

"Correlates of School Decentralization." American Educational Research Association, Minneapolis, March, 1970.

"Political Systems, Public Schools and Political Socialization." American Educational Research Association, Los Angeles. February, 1969.

Panelist, Eastern Sociological Society Meeting. March, 1969.

"New York Church-State Problems." New York State Bar Association, January, 1968.

"Church-State and Education." Law Day, Rutgers Law School, May, 1967

"Political Questions in the Next Decade of Urban Education." Model Cities Workshop, December, 1967. Sponsored by the National League of the Cities and the Office of Education.

"The Survey-Action Technique in Politics." American Civil Liberties Union National Conference, State University, Stony Brook, June, 1966.

"Emerging Concepts of Human Freedom." Alumni Memorial Lecture, Hanover College, October, 1966.

"Educational Change and the New York State Constitution." New York State School Boards Convention, October, 1966.

"The Conditions of Public School Neutrality." Conference on Religion and the Public Schools, Harvard University, May, 1966.

"Church-State Policies and Federal Aid." Associated Public School Systems, University of North Carolina, Chapel Hill, October, 1965.

"Cooperation Between Public and Religious Schools." Indiana Conference on Religion and the Schools, Indiana University, April, 1964.

"The Child Benefit Theory." Annual Institute on Law and Society, University of Kansas Law School, October, 1964.

"The New Frontier Between Religion and Education." New York School Law Conference, New Paltz, New York, August, 1963.

"A Solution to Stalemate?- Shared Time." Society for Religion in Higher Education, Notre Dame University, August, 1963.

"Bus Transportation, Textbooks, and Medical Care: The Child Benefit Theory Revisited." Conference on Public Schools and Religion, University Council for Educational Administration, Purdue University, October, 1963 (Fund for the Republic Project).

"Religious Schools and Secular Subjects." Social Foundations of Educational Series. Syracuse University, May, 1962.

## **Litigation Participation as expert witness**

### Mechanical Contractors v. Memphis Shelby County Airport

Federal District Court 2004

Assist plaintiff in analyzing disparity study and airport procurement

Case settled when the airport agreed to restructure the MWBE program and pay attorney fees.

BAGC v. City of Chicago

Federal District Court 2004

Assist plaintiff in analyzing disparity study and city procurement  
Court held City's program not narrowly tailored..

ABC v. Memphis City Schools

Federal District Court 2003

Assist plaintiff in analyzing disparity study and school procurement plans.  
Suit dismissed without prejudice when parties agreed on a new race neutral plan.

United Construction v. City of Charlotte

Federal District Court

Assist plaintiff in analyzing disparity study and city procurement  
Case settled when MWBE program was ended and plaintiff's attorney's fees were paid.

Sherbrooke v. MnDOT

Federal District Court 2002

Assist plaintiff in analyzing compelling interest for T-21 and examine MnDOT  
implementation. Court upheld program. Affirmed by the 8<sup>th</sup> Circuit. Petition for cert.  
denied..

Gross Seeds v. NDOT

Federal District Court 2002

Assist plaintiff in analyzing compelling interest for T-21 and examine NDOT  
implementation. Court upheld program.. Affirmed by the 8<sup>th</sup> Circuit. Petition for  
cert. denied.

Hershell Gill v. Metropolitan Dade County

Federal District Court 2000

Assist plaintiff in analyzing factual predicate for County program that set-aside  
architectural and engineering contracts for Hispanic, African-American, woman-  
owned firms. Court issued a TRO and a trial will be held to make a final  
disposition.

Kornhaas v. State of Oklahoma

Federal District Court 2000

Assist plaintiff in analyzing factual predicate for state procurement program that  
provided a 10% bidding preference to MBEs on all state purchases. Court struck  
down the program and a \$2,000,000 settlement was reached. 140 F. Supp. 2000  
(W.D. Ok.2001)

BAGC v. Cook County

Federal District Court 2000

Assist plaintiff in analyzing factual predicate for race, ethnic and gender preferences in Cook County construction. Court struck down the MWBE program and permanently enjoined its enforcement. 123 F. Supp. 2d 1087 (N.D. Ill. 2000)  
Affirmed by the 7<sup>th</sup> Circuit. 256 F.3d 642 (11th Cir.2001)

Kossman v. State of Texas

Federal District Court, 2000

Assist plaintiff in analyzing factual predicate for race and ethnic preferences in Texas state highway program. Settlement reached that substitutes a race neutral program and pays plaintiff's legal costs.

Rothe v. DOD

Federal District Court 1999

Assist plaintiff in analyzing the federal 1207 price preference program. District court upheld program. The Federal Circuit Court of Appeals reversed and remanded the district court decision. 262 F.3d 1306 (Fed Cir. 2001)

Ohio Contractors Association v. Cincinnati

Federal District Court, 1998

Assist plaintiff in analyzing City's disparity study. Case settled the day before trial. City abandoned MWBE program on highway construction and paid plaintiff's attorney's fee.

W.H. Scott v. Jackson

Federal District Court, 1998

Assist plaintiff. Court accepted plaintiff's motion for summary judgment and struck down MWBE program. Fifth Circuit affirmed. 199 F.3rd 206 (5<sup>th</sup> Cir. 1999)

Concrete Works v. City of Denver

Federal District Court, 1998

Assist plaintiff in analyzing several disparity studies. Issued expert's report. Court struck down Denver MWBE program. 86 F. Supp.2d 1042 (D. Colo. 2000) The 10<sup>th</sup> Circuit reversed. Petition for cert denied. Justices Scalia and Rehnquist noting dissent.

North Shore v. New York

Federal District Court. 1998

Assist plaintiff in analyzing City disparity study. Court denied both parties motions for summary judgment. City has not re-enacted MWBE program and case was settled with a payment of \$430,000 to the plaintiffs.

Buddie v. Cuyahoga Community College

Federal District Court, 1997.

Assist plaintiff in analyzing MWBE program and documents. Issued an initial expert's report. District Court ruled that MWBE program was unconstitutional and that College

officers were personally liable. College settled with a payment to plaintiff and abandoned MWBE program. 31 F. Supp. 571 (N. D. Ohio 1998)

Houston Contractors Association v. Houston Metro

Federal District Court, 1997

Assist plaintiff in analyzing disparity study. The Court enjoined Metro's race conscious program and later ruled it unconstitutional. Metro then adopted a race-neutral program. On appeal Fifth Circuit ruled that the case was not ripe for summary judgment and remanded it to the District Court.

McCrossan v. Cook

Federal District Court, 1996.

Assist plaintiffs analyze government documents in a challenge to a federal contracting program. Court found plaintiff did not have standing.

Prior Tire v. Atlanta School Board

Federal District Court, 1996. Motion filed for summary judgments Assist plaintiff in analyzing disparity study and issued expert's report. Court granted summary judgment barring women-, Hispanic-, and Asian-American-owned businesses from the preferred programs. Reserved the issue of preferences for African-American-owned businesses for trial. Case settled when school district adopted race neutral program and paid plaintiff's attorney's fees.

Engineering Contractors Association of South Florida v. Metropolitan Dade County

Federal District Court, 1995

Assist plaintiff in analyzing disparity study and issued expert's report. Decision in favor of plaintiffs. Program permanently enjoined. 943 F. Supp. 1546 (S.D. Fla. 1996) Affirmed unanimously, 122 F.3d 895, (11th Cir. 1997), cert denied.

Buddie v. City of Cleveland

Federal District Court, 1995.

Assist plaintiff in analyzing disparity study. Case was settled by providing attorney fees, a portion of lost profits, a no-retaliation provision and other matters for the plaintiff.

AGC v. City of Columbus

Federal District Court, 1995.

Assist plaintiff in analyzing disparity study and issued expert's report. Decision in favor of plaintiffs. Program permanently enjoined. 936 F. Supp. 1363 (S.D. Ohio 1996) On appeal, Sixth Circuit held that the opinion was premature, but the program has not been reimplemented. 172 F.3d 411 (6<sup>th</sup> Cir. 1999)

AGC v. City of Phoenix

Arizona State Court, 1995.

Assist plaintiff in analyzing disparity study. Case was mediated and settlement reached that provided attorneys fees for AGC and some program modification.

Contractors Association of Eastern Pennsylvania v. City of Philadelphia

Federal District Court, 1994. Assist plaintiffs in case challenging MBE programs. Testified in deposition and at trial. 893 F. Supp. 419 (E.D. Pa. 1995) Case decided in favor of plaintiffs. Affirmed by the Third Circuit, July 1996. Certiorari denied.

R.G.W v. BART

Federal District Court, 1994. Assist plaintiffs in the constitutional dimensions of a challenge to loss of contracts. The case was settled without reaching judgment on constitutional issues.

Halmar v. New York

Federal District Court, 1994. Assist plaintiff in case challenging MBE program. Program declared illegal on state grounds and settled in favor of plaintiffs on federal grounds.

Capelliti v. Dade County

Federal District Court, 1992. Assist plaintiffs in case challenging MBE goals and set-asides programs. Testified in deposition and trial. Case settled for \$490,000 in favor of plaintiffs.

Clark v. Claremont Graduate School

Los Angeles County Superior court, 1989. Assist law firm O'Melvany and Myers in preparing a defense against a claim of racial discrimination in a tenure case. In the first trial in which I appeared as expert, jury was hung. In second trial in which I did not participate, plaintiff won and was awarded \$1,000,000.

Villarreal v. Scripps College

Los Angeles County Superior Court, 1989. Assist O'Melvany and Myers with defense against a claim of ethnic discrimination in a tenure case. The issue was settled out of court.

Bachman v. University of District of Columbia

Federal District Court, 1988. Assist white male associate professor who alleged racial discrimination in promotion to full professor. Court decided in his favor and awarded back pay.

U.S. OFCCP v. University of New Mexico

Administrative Proceeding, 1988. Assist University analyze data and prepare a defense in claim by Hispanic faculty and administrators regarding promotion and salary discrimination. The federal government, after an extensive investigation, eventually dismissed over 400 claims.

Perkins v. Howard University

Federal District Court, 1988. Assist white female plaintiff who was dismissed and alleged racial, national origin discrimination and sexual harassment. A settlement

restored her to her position with stipulations about future review, back pay, damages and attorney's fees.

Clemhout v. Cornell University

Federal District Court, 1985. Assist female plaintiff, who although a full professor of economics alleged she was discriminated against in salaries and other matters. A settlement totaling nearly \$200,000 was reached.

Zahorik et. al. v. Cornell University

Federal District Court, 1983. Assist seven female plaintiffs who challenged tenure and salary discrimination by analyzing personnel system processes and results. Plaintiff tenure claims were dismissed, a \$250,000 settlement was reached on salary issues.

U.S.A. v. Troy State University

Federal District Court, 1982. Assist U.S. Equal Employment Opportunity Commission in analyzing salary system, developing legal strategy and appearing at trial as expert witness. Case settled in favor of women faculty and the Commission. Back pay amounting to \$179,000 was awarded.

Walker v. Tabler

State District Court, 1981. Assist Maryland State Attorney General's Office in analyzing administrative procedures and statistical outcomes of the Maryland Health Claims Arbitration Office in defending the constitutionality of the Act establishing the Office. Decision based extensively on my expert testimony upheld the Act in all respects.

E.E.O.C. v. Louisiana (McNesse State University)

Federal District Court, 1981. Assist U.S. Equal Opportunity Commission in analyzing salary system and developing legal strategy. Case settled in favor of women faculty and the Commission.

E.E.O.C. v. Louisiana (Delgado Junior College)

Federal District Court, 1981. Assist U.S. Equal Employment Opportunity Commission in taking depositions, designing legal strategy and analyzing salary system. Case settled in favor of women faculty and the Commission.

Marshall v. Georgia Southwestern College

Federal District Court, 1980. Assist U.S. Department of Labor in analyzing salary system, developing legal strategy, appearing as an expert witness and designing a remedy. Case decided in favor of the women faculty and the Department, 24 EPD 17,867 (D.C. Ga., 1980).

Bakke v. Regents of the University of California

U.S. Supreme Court, 1978, analyzed social science literature on minorities and medical and law school admissions, performance and placement for amicus curiae brief of American Jewish Committee and American Jewish Congress, 438 U.S. 268 (1978).

Scott v. University of Delaware

Federal District Court, 1978, assist the University in analyzing data on availability of minority group faculty. Case decided in favor of University 455 F. Supp. 1102 (D.C. Del. 1978); 20 EPD 30,027 (C.A. 3 1979).

Harrington v. Northern Iowa University

Federal District Court, 1977, assist plaintiffs in analyzing University salary system. Case settled out of court in favor of plaintiff.

Marshall v. Memphis State University

Federal District Court, 1976\_78, assist U.S. Department of Labor in analyzing depositions, preparing pre and post trial briefs, developing trial strategy and appearing as expert witness. Decision is mixed. Twenty-seven female faculty received back wages.

## Public Testimony

Columbus, Ohio City Council

Constitutionality of Minority Business Program, December, 1992

Illinois State Senate

"Aid to Private Schools," May, 1970. Invitation of Senator Harris Fawell.

Author \_ Memorandum on Church-State and Education, for President Nixon's Task Force on Education, Pfiffer Commission, 1968.

Maryland State Senate

Program Cutbacks, February, 1993

Statewide Reorganization, April 1991

New York City School Board

"Implementation of ESEA in New York City," May, 1966. NYCLU.

"Title I in New York City," August, 1966. NYCLU.

"Elementary and Secondary Education," February, 1965.  
On behalf of the American Civil Liberties Union.

"Elementary and Secondary Education," February, 1965.  
On behalf of the American Civil Liberties Union.

"Amendments to PL 80\_10," April, 1966. Individually.

Texas General Service Commission, August, 1995

HUB program rules

U.S. Congress

"Racially-based Price Preferences" Subcommittee on the Constitution,  
Committee on the Judiciary, U. S. House of Representatives, July 17, 1998

"Unconstitutional Set-Asides: ISTEAs' Race-Based Set-Asides After *Adarand*,"  
Subcommittee on the Constitution, Federalism, and Property Rights of the  
Committee on the Judiciary, U. S. Senate, September, 22, 1997

"The Concept of Presumptive Eligibility in the 8(a) Program After *Croson*,"  
Hearings: Committee on Small Business; U.S. House of Representatives,  
104th Congress, September 18, 1996.

"Contracting after *Adarand*," Joint Hearings: Senate Judiciary Committee; Subcommittee on the Constitution, Federalism, and Property; House Judiciary Committee; and the Subcommittee on the Constitution. September 22, 1995.

"Educational Vouchers," April, 1971. House Committee on Education and Labor. On behalf of the ACLU.

"Elementary and Secondary Education," House Committee on Education and Labor, April, 1964 On behalf of the National Council of Churches.

"Shared Time," Senate Committee on Education, June, 1964. Individually.

"Becker Amendment," House Committee on Education and Labor. June, 1964. Individually.

U.S. Commission on Civil Rights  
Briefing on "Disparity Studies as evidence of Discrimination in Public Contracting," December 16, 2005

### **Biographical Listings**

American Men and Women of Science: Social and Behavioral Science  
Leaders in American Education  
Contemporary Authors  
Who's Who in the East  
Who's Who in American Law  
International Who's Who in Education

### **University Service**

## University of Maryland Baltimore County

Chair, Athletics and Recreation Policy Committee. 2005-2008

Member, Planning Committee for the new Public Policy building 2000

Co-Chair, Public Policy Task Force 1996

Member - Joint Task Force on UMAB-UMBC Unification, 1991-92.

Member, University of Maryland System Task Force on Peer Institution Selection, 1988.

Member, President's Committee on Land Use Development, 1988-1992.

Co-Chair, Senate Committee on State Wide Reorganization, 1987-88.

Chair, Senate Committee on State Wide Reorganization, 1992-92.

Member, UM Graduate School, Baltimore, Graduate Council 1985\_1991.

Member, UMBC Graduate Council, 1979\_1985.

Member, Vice-Chancellor's Select Committee on University Goals, 1984,  
Chair, Student Subcommittee.

Chairman, Dean's Ad Hoc Committee on Research Support, 1982\_1983.

Member, President's Advisory Committee for Graduate Studies and Research,  
1981\_1983.

Member, University Committee on Center for Educational Research and  
Development, 1977\_1978.

Member, Chancellor's Advisory Council on Athletics, 1974\_1976,  
1985\_1987.

Member, University Senate, 1973\_1978, 2000-.

Member, Entrepreneurial Technology Committee, 1999-2000.

Member, Faculty Affairs Committee, 1973\_1975. Chairman, 1973\_1974.

Assistant Coach, Lacrosse, 1974\_1976.

Member, Chancellor's Ad Hoc Committee on Scholarship Reform, 1975\_1976.

Chairman, Faculty Review (Grievance) Committee, 1974\_1976.

Member, Policy Sciences Director Search Committee, 1974\_1976.

Member, University Search Committee for Dean, School of Public Affairs, 1979-1980, 1984.

Faculty Sponsor, UMBC, Pep Band, 1975.

Member, Afro-American Coordinator Search Committee, 1973\_1974.

Teachers College, Columbia University

Member, Vice Chancellor's Search Committee, 1977\_1978.

Member, Faculty Advisory Committee, 1970\_1972. Chairman, 1971\_1972.

Player-Coach Columbia Lacrosse Club, 1968\_1972.

Member, Vice Chancellor's Promotion and Tenure Advisory Committee, 1979, 1981.