

DEREK W. BLACK

1525 SENATE ST., COLUMBIA, SC 29208
blackdw@law.sc.edu; (803) 777-9652

EDUCATION

UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW, J.D., May 2002

High Honors; Order of the Coif; NORTH CAROLINA LAW REVIEW, staff and senior staff

UNIVERSITY OF TENNESSEE, B.A., May 1999

Summa Cum Laude; Majors: African American Studies, Philosophy, and Political Science

TEACHING EXPERIENCE

UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW, Columbia, SC

Professor of Law, June 2012 – present

Ernest F. Hollings Chair in Constitutional Law, July 2019 – present

Director, Constitutional Law Center, July 2020 – present

HOWARD UNIVERSITY SCHOOL OF LAW, Washington, DC

Assistant and Associate Professor of Law, August 2005 – June 2012

Director and Founder, Education Rights Center, October 2008 – June 2012

UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW, Chapel Hill, NC

Visiting Associate Professor of Law, August 2010 – July 2011

Advisor, UNC Center for Civil Rights, August 2010 – July 2011

PUBLICATIONS

BOOKS

DANGEROUS LEARNING: THE SOUTH'S LONG WAR ON BLACK LITERACY (Yale University Press, forthcoming 2024).

SCHOOLHOUSE BURNING: PUBLIC EDUCATION AND THE ASSAULT ON AMERICAN DEMOCRACY (Public Affairs/Hachette 2020) (reviewed or excerpted in NY REVIEW OF BOOKS, TIME, and FORBES).

EDUCATION LAW: EQUALITY, FAIRNESS, AND REFORM (3rd ed. 2021; 2nd ed. 2017; 1st ed. 2013).

ENDING ZERO TOLERANCE: THE CRISIS OF ABSOLUTE SCHOOL DISCIPLINE (NYU Press 2016).

FULL LENGTH ARTICLES, ESSAYS AND REVIEWS

The Education Power, 109 VIRGINIA LAW REVIEW (forthcoming 2024).

Localism, Pretext, and the Color of School Dollars, 107 MINNESOTA LAW REVIEW (forthcoming 2023).

Religion, Discrimination, and the Future of Public Education, 14 U.C. IRVINE LAW REVIEW (forthcoming 2023).

When Religion and the Public-Education Mission Collide, 132 YALE LAW JOURNAL FORUM 559 (2022) (invited).

Freedom, Democracy, and the Right to Education, 116 NORTHWESTERN UNIVERSITY LAW REVIEW 1031 (2022).

Educational Gerrymandering: Money, Motives, and Constitutional Rights, 94 N.Y.U. LAW REVIEW 1385 (2019).

The Right to Education, Equal Opportunity, and the Schoolhouse Gate, 128 YALE LAW JOURNAL 2302 (2019) (review essay with Michelle Adams).

The Fundamental Right to Education, 94 NOTRE DAME LAW REVIEW 1059 (2019).

Preferencing Educational Choice: The Constitutional Limits, 102 CORNELL LAW REVIEW 1359 (2018).

The Constitutional Compromise to Guarantee Education, 70 STANFORD LAW REVIEW 735 (2018).

Abandoning the Federal Role in Education, 105 CALIFORNIA LAW REVIEW 1309 (2017).

Averting Educational Crises, 94 WASHINGTON UNIVERSITY LAW REVIEW 423 (2017).

Reforming School Discipline, 111 NORTHWESTERN UNIVERSITY LAW REVIEW 1 (2016).

Taking Teacher Quality Seriously, 57 WILLIAM & MARY LAW REVIEW 1597 (2016).

The Constitutional Challenge to Teacher Tenure, 104 CALIFORNIA LAW REVIEW 75 (2016).

Federalizing Education by Waiver?, 68 VANDERBILT LAW REVIEW 607 (2015).

The Constitutional Limit of Zero Tolerance in Schools, 99 MINNESOTA LAW REVIEW 823 (2015).

Charter Schools, Vouchers, and the Public Good, 48 WAKE FOREST LAW REVIEW 445 (2013) (invited).

Middle Income Peers as Educational Resources and the Constitutional Right to Equal Access, 53 BOSTON COLLEGE LAW REVIEW 373 (2012).

Education's Elusive Future, Storied Past, and the Fundamental Inequity in Between, 46 GEORGIA LAW REVIEW 557 (2012) (invited).

Civil Rights, Charter Schools, and Lessons to Be Learned, 64 FLORIDA LAW REVIEW 1723 (2012).

How the Elementary and Secondary Education Act Undermines Equal Protection and Congress's Duty to Remedy It, 90 BOSTON UNIVERSITY LAW REVIEW 313 (2010).

Unlocking the Power of State Constitutions with Equal Protection: The First Step Toward Education as a Federally Protected Right, 51 WILLIAM & MARY LAW REVIEW 1343 (2010).

Cultural Norms and Race Discrimination Standards: A Case Study in How the Two Diverge, 43 CONNECTICUT LAW REVIEW 503 (2010).

In Defense of Voluntary Desegregation: All Things Are Not Equal, 44 WAKE FOREST LAW REVIEW 107 (2009).

Turning Stones of Hope into Boulders of Resistance: The First and Last Task of Social Justice Curriculum, Scholarship, and Practice, 86 NORTH CAROLINA LAW REVIEW 673 (2008) (invited).

The Mysteriously Reappearing Cause of Action: The Court's Expanding Concept of Intentional Discrimination in Gender and Race Discrimination Statutes, 67 MARYLAND LAW REVIEW 358 (2008).

A Framework for the Next Civil Rights Act: What Tort Concepts Reveal about Goals, Results, and Standards, 60 RUTGERS LAW REVIEW 259 (2008).

The Uncertain Future of School Desegregation and the Importance of Good Will, Good Sense, and a Misguided Decision, 57 CATHOLIC LAW REVIEW 947 (2008) (invited).

The Contradiction Between Equal Protection's Meaning and Its Legal Substance: How Deliberate Indifference Can Cure It, 15 WILLIAM & MARY BILL OF RIGHTS JOURNAL 533 (2006).

The Power of Small Schools: Achieving Equal Educational Opportunity Through Academic Success and Democratic Citizenship, 82 NEBRASKA LAW REVIEW 50 (2003) (with Gregory Malhoit) (invited).

Picking Up the Pieces After Alexander v. Sandoval? Resurrecting a Private Cause of Action for Disparate Impact, 81 NORTH CAROLINA LAW REVIEW 356 (2002).

The Case for the New Compelling Government Interest: Improving Educational Outcomes, 80 NORTH CAROLINA LAW REVIEW 923 (2001) (cited by the *en banc* panel of the 9th Circuit in *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 426 F.3d 1162, 1175 (9th Cir. 2005) and also three briefs filed in the appeal before the Supreme Court).

BLOGS

Co-Founder, Co-Editor & Author, EDUCATION LAW PROF BLOG,
http://lawprofessors.typepad.com/education_law/.

Guest Blogger, THE FACULTY LOUNGE, thefacultylounge.org.

SHORTER WORKS: CHAPTERS, ESSAYS, REVIEWS, AND POLICY BRIEFS

“The American Right to Education: The Northwest Ordinance, Reconstruction, and the Current Challenge,” 30 POVERTY & RACE RESEARCH ACTION COUNCIL 5 (Jan. 2021).

NEPC Review: Religious Charter Schools: Legally Permissible? Constitutionally Required?, NATIONAL EDUCATION POLICY CENTER (Feb. 2021).

Old Ideas, Not New Ones, Are the Key to Education — and Democracy, 102 PHI DELTA KAPPAN (Jan. 2021).

Closing Achievement Gaps Through Socio-Economic Integration in OXFORD’S HANDBOOK OF U.S. EDUCATION LAW (Kristi Bowman, ed., 2019).

Implying a Fundamental Right to Education in A FEDERAL RIGHT TO EDUCATION (Kimberly Robinson, ed., NYU Press 2019)

Leveraging Federal Funding for Equity and Integration in EXPLORING NEW PATHS TO EQUAL EDUCATIONAL OPPORTUNITY (Charles Ogletree & Kimberly Robinson eds., HARVARD UNIVERSITY EDUCATION PRESS 2015).

Defining Discrimination: Intent, Impact, and the Future of Title VI of the Civil Rights Act of 1964 in THE PURSUIT OF RACIAL AND ETHNIC EQUALITY IN AMERICAN PUBLIC SCHOOLS: *MENDEZ, BROWN, AND BEYOND* (Kristi Bowman ed., MICHIGAN STATE UNIVERSITY PRESS 2014).

Reflecting on the 50th Anniversary of the Civil Rights Act of 1964, 23 POVERTY & RACE RESEARCH ACTION COUNCIL 5 (July 2014).

Fisher v. Texas and the Irrelevance of Function in Race Cases, 57 HOWARD LAW JOURNAL 701 (symposium 2014).

In Defense of Voluntary Desegregation: All Things Are Not Equal in CHARLES H. HOUSTON: AN INTERDISCIPLINARY STUDY OF CIVIL RIGHTS LEADERSHIP (James L. Conyers, Jr., ed. 2012).

Middle-Income Peers as Educational Resources and the Constitutional Right to Equal Access, 21 POVERTY & RACE RESEARCH ACTION COUNCIL 3 (2012).

Parents Involved in Community Schools v. Seattle School District No. 1, ENCYCLOPEDIA OF DIVERSITY IN EDUCATION (James A. Banks, eds., 2012).

Book Review, *Martha Chamallas & Jennifer B. Wriggins, The Measure of Injury: Race, Gender, and Tort Law,* 39 JOURNAL OF PSYCHIATRY AND LAW 517 (2011).

Voluntary Desegregation, Resegregation, and the Hope for Equal Educational Opportunity, 98 HUMAN RIGHTS 2 (2011).

Accounting for Historical Forces in the Effort to Align Law with Science, 54 SAINT LOUIS

UNIVERSITY LAW JOURNAL 1511 (2010) (Childress Lecture Symposium).

Ensuring Equity, Deconcentrating Poverty, and Meeting Student Needs Through the Elementary and Secondary Education Act, Policy Brief, EDUCATION RIGHTS CENTER (Feb. 2010).

Leave No Child Out: An Introduction to Homelessness, Joblessness, and Bullying in America's Schools, 51 HOWARD LAW JOURNAL 765 (2008) (symposium introduction).

Beyond Brown: Its Impact upon American Education and Culture, NATIONAL BAR ASSOCIATION MAGAZINE (March 2004).

SELECTED POPULAR MEDIA PUBLICATIONS

What Are the Limits of Presidential Power to Forgive Student Loans? A Constitutional Law Expert Answers 5 Questions, THE CONVERSATION (March 8, 2023)

Legacy of Jim Crow Still Affects Funding for Public Schools, THE CONVERSATION (April 15, 2022).

Could Public Money Finance Private-School Discrimination, Religion and Fake History?, USA TODAY, April 12, 2021 (with Rebecca Holcombe).

The Logjam That Awaits Biden's Education Secretary, CNN, Dec. 14, 2020.

Public Schools Are the Starting Point for Bridging Our Divides, THE HILL, Dec. 24, 2020.

The Future of Public Education Will Be Decided in the 2020 Election, THE INQUIRER, Oct. 21, 2020 (with Jack Schneider & Jennifer Berkshire).

"Originalism" Isn't What You Think It Is, CNN, Oct. 21, 2020.

America's Founders Recognized the Need for Public Education. Democracy Requires Maintaining That Commitment, TIME, September 22, 2020.

Betsy DeVos' Sneak Attack: How the U.S. Secretary of Education Has Diverted COVID Relief Funding to Private Schools, NY DAILY NEWS, August 30, 2020.

Betsy DeVos Just Crossed Another Line, USA TODAY, July 22, 2020 (with David Sciarra).

Supreme Court School Voucher Ruling Threatens American Unity and Public Education, USA TODAY, July 3, 2020.

Federal Court Delivers Holy Grail of Education Advocacy, WASHINGTON POST, April 29, 2020.

Many Public Schools Never Recovered from the Great Recession, WASHINGTON POST, April 2, 2020.

Trump's "Education Freedom" Plan is an Attack on Public Schools, USA TODAY, February 14, 2020.

Teacher Pay Hikes Alone Can't Fix Education, USA TODAY, April 5, 2019.

Congressional Oversight Is at the Heart of America's Democracy, THE CONVERSATION, April 4, 2019 (republished by INTERNATIONAL BUSINESS TIMES).

Ensuring Racial Equity—from Classrooms to Workplaces—Depends on Federal Regulations Trump Could Roll Back, THE CONVERSATION, March 6, 2019 (republished by BUSINESS INSIDER, SALON).

Charter Schools Exploit Lucrative Loophole That Would Be Easy to Close, THE CONVERSATION, Feb. 19, 2019 (republished by INTERNATIONAL BUSINESS TIMES, SALON, TRUTHOUT).

Fight for Federal Right to Education Takes a New Turn, THE CONVERSATION, Dec. 7, 2018.

New Mexico Case Should Serve as Wake-up Call on School Funding, THE CONVERSATION, July 25, 2018 (republished by UNIVISION).

Don't Divert Taxpayer Money to Vouchers, USA TODAY, August 16, 2018.

On Racial Diversity, Schools Should Heed Obama and Courts, Ignore Trump Scare Tactic, USA TODAY, July 6, 2018.

We Shouldn't Call Teacher Salary Hikes "Raises," EDUCATION WEEK, May 4, 2018.

Don't Cheer Too Loudly at Massachusetts' Charter-School Ruling, SLATE, May 1, 2018.

The Arizona Teacher Walkouts Are Just a Skirmish in the Larger War on Public Education, L.A. TIMES, April 26, 2018.

States Are Favoring School Choice at a Steep Cost to Public Education, THE CONVERSATION, April 24, 2018 (republished by HUFFINGTON POST, SALON, NEWS AND OBSERVER).

Zero Tolerance Discipline Policies Won't Fix School Shootings, THE CONVERSATION, March 15, 2018 (republished by UPI, GOOD MAGAZINE, SALON).

The Constitutional Right to Education Is Long Overdue, THE CONVERSATION, Dec. 4, 2017 (republished by L.A. TIMES, CHICAGO TRIBUNE, SALON, TIME).

Why Schools Still Can't Put Segregation Behind Them, THE CONVERSATION, June 6, 2017 (republished by NEWSWEEK, INTERNATIONAL BUSINESS TIMES, BUSINESS INSIDER).

Trump Budget Would Abandon Public Education for Private Choice, THE CONVERSATION, May 23, 2017 (republished by SALON, HUFFINGTON POST).

"Moonlight" Schooled Hollywood on Race. Can It Take on School Discipline, Too?, THE CONVERSATION, May 9, 2017 (republished by HUFFINGTON POST).

Why Integration Matters in Schools, EDUCATION WEEK, May 14, 2014.

SIGNIFICANT APPELLATE BRIEFS

Amicus Brief of Education Law Center and Constitutional and Education Law Scholars, *Cruz-Guzman v. State of Minnesota* (Minn. S.C. 2023).

Amicus Brief of Education and Constitutional Law Scholars, *Carson v. Makin*, U.S. Supreme Court (2021).

Amicus Brief of First Amendment and Education Law Scholars, *Mahanoy Area School District v. B.L.*, 141 S.Ct. 2038 (2021).

Amicus Brief of Lawyers' Committee for Civil Rights Under Law and Constitutional and Education Law Scholars, *In Re Renewal Application of Team Academy Charter School* (N.J. S.C. 2020).

Amicus Brief of Education Law Center and Constitutional and Education Law Scholars, *Cruz-Guzman v. State of Minnesota* (Minn. S.C. 2017).

Amicus Brief of Law Professors, *Vergara v. State* (Cal. App. 2015).

Amicus Brief of NAACP Legal Defense and Education Fund, *Doe v. Lower Merion School Dist.*, 665 F.3d 524 (3rd Cir. 2011).

Brief of Petitioner, Lawyers' Committee for Civil Rights Under Law, *Holton v. City of Thomasville School District*, 521 F.3d 1318 (11th Cir. 2008) (*en banc*).

Civil Rights Clinic at Howard University School of Law, Brief of Amicus Curiae, *Parents Involved in Community Schools v. Seattle School District* and *Meredith v. Jefferson County Board of Education*, Supreme Court Nos. 05-908 and 05-915 (2007).

Brief of Appellant, Lawyers' Committee for Civil Rights Under Law, *Holton v. City of Thomasville School District*, 490 F.3d 1257 (11th Cir. 2007).

Brief of Appellant, Lawyers' Committee for Civil Rights Under Law, *Holton v. City of Thomasville School District*, 425 F.3d 1325 (11th Cir. 2005).

Brief of Amicus Curiae, Lawyers' Committee for Civil Rights Under Law, *Comfort v. Lynn School Committee*, 418 F.3d 1 (1st Cir. 2005) (*en banc*).

Brief of Appellee, U.S. Postal Service, *Martinez v. Potter*, 347 F.3d 1208 (10th Cir. 2003).

SELECTED PRESENTATIONS

Schoolhouse Burning and the Evolving Threats to Public Education, Keynote Address, National Education Association UniServe Managers Annual Conference (March 1, 2023).

50 Years After San Antonio Independent School District v. Rodriguez, Panelist, University of Virginia Law Review Symposium (February 17, 2023).

Intersectionality in Federal Anti-Discrimination Law, Lecture, Civil Rights Summit, Federal Emergency Management Agency (November 30, 2022).

Schoolhouse Burning, Keynote Address, McCarthy Institute, Indiana University-Bloomington School of Education (October 20, 2022).

The Impact of Recent Supreme Court Decisions on Public Education, Panelist, National Organization of Lawyers for Education Associations Annual Conference (October 7, 2022).

Parents and Schools: Whose Responsibility Is It to Teach Our Children about Race, Gender, and Sexuality?, Debater, Davidson College, (September 29, 2022).

The Racial Inequality Links Between Elementary, Secondary, and Higher Education, Guest Lecture, University of Maryland School of Education (September 13, 2022).

The Privatization of Public Education in Arizona, Keynote Address, Arizona Association of School Administrators Annual Conference (June 13, 2022).

From Tennessee to Schoolhouse Burning, Keynote Address, Tennessee Education Association Annual Conference (June 9, 2022).

Theoretical Trends in Charter School and Voucher Litigation, Network for Public Education Annual Conference (April 30, 2022).

Systemic Inequality in South Carolina Schools, Panelist, Center for Civil Rights History and Research, University of South Carolina (April 5, 2022).

The Legacy of Rose v. Council, Keynote Address, Kentucky Association of School Administrators Annual Conference (March 18, 2022).

The Past, Present, and Future of Public Education, Keynote Address, American Association of Colleges for Teacher Education Annual Conference (March 4, 2022).

Rule of Law and Civics, Panelist, Inaugural William Hubbard Conference on Law and Education (Feb. 25, 2022).

The Changing Dynamics of the Fight for Public Education, Luncheon Speaker, American Association of School Administrators Annual Conference (Feb. 17, 2022).

State Options in Light of Evolving Supreme Court Doctrine, Expert Testimony, Vermont Senate (Jan. 25, 2021).

School Vouchers in the Context of South Carolina's Constitutional Commitment to Public Education, Keynote Address, South Carolina School Boards Association Annual Conference (Dec. 4, 2021).

State and Federal Developments Regarding the Privatization of Public Education, Lecture, American Association of School Administrators, State Executives Conference (Dec. 3, 2021).

The Fight for Public Education, Plenary Lecture, American Association of School Administrators, Superintendent of the Year Conference (Nov. 5, 2021).

Slavery, Freedom, and the Right to Education, Distinguished Lecture, University of Kentucky School of Law (Nov 4, 2021).

School District Lines and the Perpetuating of Inequality, Plenary Panel, Education Law Association Annual Conference, San Antonio, TX (Oct. 22, 2021)

Schoolhouse Burning, Book Club, American Bar Association, Section of Civil Rights and Social Justice (Oct. 22, 2021).

Racial Disparities in School Discipline, Expert Testimony, U.S. Commission on Civil Rights, West Virginia Advisory Committee (Aug. 26, 2021)

The History of the Right to Education, Keynote Address, Annual Conference, Education Law Institute, Indiana University-Bloomington (April 14, 2021).

Historical Tipping Points in the Funding of Public Education, Keynote Address, National Education Finance Academy Annual Conference (April 7, 2021).

Congress's Role in Education as Civil Right, Lecture, U.S. Capitol Historical Society (March 11, 2021).

Fundamental Questions for Our Democracy Regarding a Federal Right to Education, Panelist, University of Virginia School of Law (Feb. 25, 2021).

Race, Money, and Public Education Values, Lecture, Pennsylvania State University Center for Education and Civil Rights (Feb. 19, 2021).

Pressing Legal Issues in Public Education, Brown Bag Lecture, Education Week (Feb. 5, 2021).

Rule of Law, Public Education, and the Insurrection at the U.S. Capitol, Special Address, U.S. Capitol Historical Society (Jan. 7, 2021).

The Reconstruction of Race Relations Post Election 2020, Panelist, Baruch College-CUNY (Dec. 10, 2021).

Litigating the Right to Education, Guest Lecture, New York University School of Law (Nov. 23, 2020).

Adams v. McMasters, Panelist, South Carolina School Board Association Council of School Attorneys (Nov. 20, 2020).

Schoolhouse Burning, Webinar, National Organization of Lawyers for Educational Associations (Oct. 9, 2020).

Socio-economic Integration and the Right to Education, Guest Lecture, University of California-Irvine School of Law (Oct. 6, 2020).

School Funding, Vouchers, and the Assault of Public Education, Public Funds Public Schools (Oct. 6, 2020).

Schoolhouse Burning, Book Event, Town Hall Seattle (Sept. 30, 2020).

The Foundational Role of Public Education in American Democracy, Keynote Address, 2020 Program on Law and State Government Symposium, Indiana University-Indianapolis (September 25, 2020).

Schoolhouse Burning, Book Event, Network for Public Education (Sept. 23, 2020).

Pressing Legal Issues in the Reopening of Public Schools, Panelist, National Governor's Association (June 23, 2020).

A Federal Right to Education: From Brown to Rodriguez and What Lies Ahead, Panelist, Center for American Progress (May 13, 2020).

Gerrymandering School Funding Inequality, Presentation, Education Law Association Annual Conference (November 16, 2019).

The Legal and Fiscal Implications of School Vouchers in South Carolina, South Carolina Association of School Administrators Symposium (October 3, 2019).

The Growing Risks and Illogic of School Vouchers, Keynote Address, South Carolina School Boards Association Annual Law Conference (Aug. 24, 2019).

The Federal Role in Education and the Statutory Structure for Encouraging Civics and Service Learning in Public Schools, Testimony, National Commission on Military, National and Public Service (June 20, 2019) (congressional commission).

The Role of State Policy in Segregation and Inequality, 65th University of Brown v. Board Conference, Center for Education and Civil Rights at Pennsylvania State University (May 10, 2019).

Taking the Right to Education in Pauley v. Kelly Seriously, Keynote Address, 2018-19 West Virginia Law Review Symposium (Feb. 22, 2019).

A Federal Right to Education?, Debater, American Enterprise Institute (Jan. 24, 2019).

What Norms Should We Break When We Reform Schools?, Keynote Address, 2018-19 Arkansas Law Review Symposium (Nov. 2, 2018).

New Insights into School Privatization, Public Education Network Annual Conference, Indianapolis, IN (Oct 20, 2018).

The Foundations of Democracy: Critical Literacy, Civics Knowledge, and Public Education, Tedx, University of South Carolina (Oct. 9, 2018).

Empirical Trends, Constitutional Challenges, and School Privatization, Annual Conference, National Organization of Lawyers for Education Associations (Oct. 5, 2018).

Free Speech and Student Conflict on the Modern University Campus, Panelist, 80th Judicial Conference of the Fourth Circuit (June 29, 2018).

Theorizing a Constitutional Right to Education, Presidential Session, American Educational Research Association (April 14, 2018).

Charter Schools and Educational Equity, Debate, Harvard Graduate School of Education (March 29, 2018).

Social Science and Education Law Reform: Discipline, Special Education, and School Funding, University of Colorado School of Education (Nov. 29, 2017).

Preferencing Educational Choice, University of North Carolina School of Law (Nov. 16, 2017).

The Constitutional Compromise to Guarantee Education, Temple University School of Law (Oct 26, 2017).

Preferencing Educational Choice, University of North Carolina School of Law (Nov. 16, 2017).

The Constitutional Compromise to Guarantee Education, Temple University School of Law (Oct 26, 2017).

Abandoning the Federal Role in Education, Drexel University School of Law (March 8, 2017).

The Intersection of School Quality and Student Discipline, Fordham University School of Law (March 6, 2017).

Legislative Barriers to School Funding Reform, Virginia Commonwealth Institute, Richmond, VA (Nov. 11, 2016).

Averting Educational Crises, Education Law Association Annual Conference, Orlando, FL (Nov. 3, 2016).

Choosing the Correct Measuring Stick for Charter Schools and Vouchers, NYU School of Law (April 5, 2016).

Half a Step Forward, Three Steps Back: The Every Student Succeeds Act, American Association of Law Schools, New York City (Jan. 6, 2016).

Ending Zero Tolerance, American Const. Society, Harvard Law School (Sept. 17, 2015).

Creating Access and Equity: Have Charter Schools Made The Dream More Real?, National Alliance for Public Charter Schools, Memphis, TN (April 16, 2015).

Due Process Implications of School Discipline, Guest Lecture, Washington University School of Law (Feb. 24, 2015).

The Constitutional Requirements of Abbeville v. State, SC House of Representatives Education Policy Review and Reform Task Force, Columbia, SC (Feb. 23, 2015).

Recognizing the Right to Education at the Federal Level, Constitutional Personhood Summit, New York University School of Law: Hosted in Princeton, NJ (Nov. 7, 2014).

The Constitutional Limits of Zero Tolerance, Law and Society, Minneapolis, MN (May 30, 2014).

Balancing Competing Values in School Desegregation: The Beginning of the End, 50th

Anniversary of the Civil Rights Act of 1964 Conference, Michigan St. Univ. College of Law-Univ. of Missouri-KC School of Law (April 11, 2014).

Ending Zero Tolerance, University of North Carolina School of Law, Chapel Hill, NC (Jan. 23, 2014).

Getting Started on Your Scholarly Agenda: Topic Selection, Scheduling, Scope, and Pitfalls, AALS New Law Teachers Conference, Washington, DC (June 2 2013).

NCLB Waivers, No Child Left Behind Symposium: 10 Years in Review, Thurgood Marshall School of Law (Feb. 8, 2013).

Leveraging Federal Funding for Equity and Integration, 40th Anniversary of *San Antonio v. Rodriguez*: Exploring New Paths to Equal Educational Opportunity, University of Richmond School of Law (March 7, 2013).

Pursuing the Public Good in Education: The Competing Interests of Individual Autonomy and Collective Action, Privatizing the Public Good: Emerging Trends in K-16 Education Symposium, Wake Forest University School of Law (October 26, 2012).

A Legal History of Disparate Impact Analysis in Education and Civil Rights, Applying Disparate Impact in Civil Rights Complaints to Derail the School to Prison Pipeline Teleconference, ABA Children's Rights Litigation Committee (October 17, 2012).

Getting Started on Your Scholarly Agenda, AALS New Law Teachers Conference, Washington, DC (June 22, 2012).

Implicit Bias Across the Educational Spectrum: Ability Grouping, Special Education and Discipline, Implicit Racial Bias Across the Law: A Book Conference, Harvard Law School (June 14, 2012).

Parallel Movements: Incorporating School Integration into School Reform Agendas, Advancing the Legacy of Mendez and Brown: A National Conference on School Diversity, Georgetown University Law Center (May 17, 2012).

Racially Unequal Access to Middle Income Peers, Charles Hamilton Houston Institute for Race and Justice, Harvard Law School, Boston, MA (Jan. 25, 2012).

Hearing Testimony on the Benefits of Racial Integration, Minnesota Department of Education Integration Revenue Replacement Task Force (Dec. 20, 2011).

Education's Elusive Future, Storied Past, and the Fundamental Inequity in Between, Civil Rights or Civil Wants Conference, University of Georgia School of Law (August 26, 2011).

Civil Rights and the K-12 Education Reform Agenda, Panelist, Southeastern Association of Law Schools (July 26, 2011).

The Limits of Educational Equity, Paper Presentation, Wake Forest University School of Law (April 28, 2011).

Economic Justice for Families and Communities, Panelist, “The Unfinished Work”: Advancing New Strategies in the Struggle for Civil Rights, University of North Carolina School of Law (Nov. 1, 2010).

Racially Unequal Access to Middle Income Peers, Study Presentation, NC NAACP State Convention, Charlotte, NC (Oct. 8, 2010).

Public Perceptions of Race Discrimination and Intent: What Matters Most?, Panelist, Southeastern Association of Law Schools Annual Meeting (July 30, 2010).

What the Federal Government Is Doing, and What It Can Do, to Reduce Racial and Socioeconomic Isolation and Promote Diversity in K-12 Schools, Moderator, Reaffirming the Role of School Integration in K-12 Education Policy Conference, Howard University School of Law (Nov. 13, 2009).

The Misdirection of Federal Education Funds: Helping Poor Kids or Pushing Educational Agendas?, Paper Presentation, Poverty and Economic Mobility Conference, American University Washington College of Law (Oct. 26, 2009).

How the No Child Left Behind Act Shortchanges Minority Students Through Its Funding Formulas and Congress’s Constitutional Duty to Fix It, Congressional Black Caucus Foundation Conference on Breaking Barriers for African American Males, Russell Senate Office Building (April 24, 2009).

When Old Enemies Become New Friends: Desegregation Lawyers, School Districts, and Communities, Panelist, National Summit on Interdistrict School Desegregation, Harvard Law School (January 18, 2009).

Education Is a Civil Right, Presentation, National Alliance of Black School Educators, Washington, DC (January 2009).

Racial Bias in School Room Discipline, Panelist, George Washington University School of Education (April 2008).

Solidifying Education as a Civil Right: The Choice Between a Constitutional Amendment and the Courts, Panelist, National Alliance of Black School Educators Annual Convention, Washington, DC (April 2008).

Teaching Hope to Social Justice Students, Presenter, Teaching for Social Change Conference, University of California School of Law (March 2008).

Can We Continue Brown v. Board’s Promise by Suing Kennedy’s Taste?, Presenter, Supreme Court Update, Southeastern Association of Law Schools Annual Meeting (July 2007).

The Future of Voluntary Desegregation, Panelist, The Marshall-Brennan Constitutional Literacy

Project Conference, American University Washington College of Law (March 2007).

A Reason to Hope, Opening Address, 4th Annual Norman Amaker Public Interest Law Retreat, Indiana University School of Law-Indianapolis (Feb. 2005).

Connecting the Dots from Brown to Grutter, Brown v. Board 50th Anniversary Lecture Series, Georgetown University (April 2004).

The Right to a High Quality Education under Florida Law, Presenter, Brown v. Board 50th Anniversary Event, University of Miami School of Law (March 2004).

Recognizing Inequity in Ability Grouping Practices, Panelist, Georgia Branches of NAACP Annual Convention, Atlanta, GA (Oct. 2003).

When Discrimination Can't Be Proven: The Uphill Battle of Alexander v. Sandoval, Tennessee Branches of the N.A.A.C.P Annual Convention, Nashville, TN (Sept. 2003).

Proving Intent by Alternative Means: An Answer to Alexander v. Sandoval, Panelist, Lawyers' Committee for Civil Rights Under Law 40th Anniversary Symposium, Washington, DC (June 2003).

SELECTED PRO BONO ACTIVITIES AND COMMUNITY SERVICE

Fellow, American Bar Foundation (2022-present).

Fellow, National Education Policy Center (2020-present).

South Carolina Advisory Committee, United States Commission on Civil Rights (2015-2017).

Steering Committee and Member, National Coalition for School Diversity (2009-present).

Counsel, Brief of Amici Curiae NAACP Legal Defense & Education Fund, et al., *Doe v. Lower Merion School District*, Civ. No. 09-2095 (3rd Cir. 2011).

Counsel, Lawyers' Committee for Civil Rights Under Law (trial, appellate and post-trial proceedings in *Holton v. City of Thomasville School District*, 425 F.3d 1325 (11th Cir. 2005) (2005-2009).

Volunteer Regional Supervisor, Election Protection, Lawyers' Committee for Civil Rights Under Law (2008).

Supervisor, New Orleans Alternative Spring Break (2008, 2009).

Co-Author, Amicus Brief of Howard University School of Law, *Parents Involved in Community Schools v. Seattle School District*, 551 U.S. 701 (2007).

Coordinator, Student Hurricane Network *pro bono* program (2006–07).