

# MICHAEL A. OLIVAS

William B. Bates Distinguished Chair in Law (Emeritus),  
University of Houston Law Center

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## EDUCATION:

<b>J.D., 1981</b>	Georgetown University Law Center Washington, D.C.
<b>Ph.D., 1977</b> (Higher Education, Organizational Theory)	The Ohio State University Columbus, Ohio
<b>M.A., 1974</b> (English)	The Ohio State University Columbus, Ohio
<b>B.A. (magna cum laude), 1972</b> (English, Philosophy)	Pontifical College Josephinum Worthington, Ohio
<b>1968-69</b>	College of Santa Fe Santa Fe, New Mexico

## EXPERIENCE:

William B. Bates Distinguished Chair in Law and IHELG Director  
University of Houston (1982-2019):  
Associate Professor (1982-86); Professor of Law (1986-2019)  
Chair, Higher Education Graduate Program Area (1983-87)  
IHELG Director (1982-2019)  
Associate Dean for Research (1990-1995); Associate Dean for Student Life (2002-2004)  
Wm. B. Bates Professor of Law (1996-2002); Wm. B. Bates Distinguished Chair in Law, (2002-2019)  
Professor Emeritus, 2019-

Interim President, University of Houston-Downtown (January, 2016-April, 2017)

Mason Ladd Distinguished Visiting Professor of Law,  
University of Iowa College of Law, 1997  
Visiting Professor of Law and Special Counsel to Chancellor Donna Shalala,  
University of Wisconsin, Madison (1989-90)  
Director of Research, LULAC National Educational Service Centers,  
Washington, D.C. (1979-82)  
Senior Fellow and Assistant Director for Research, Institute for the Study of Educational Policy,  
Howard University, Washington, D.C. (1977-79)

## SCHOLARLY PUBLICATIONS

### [Books, Chapters in Books, Edited Volumes]

The Dilemma of Access (Washington: Howard University Press, 1979)

The Condition of Hispanic Education (DC: National Center for Education Statistics, 1980) M. Olivas, et al.; in Spanish: El Estado de la educacion para los Hispanos en los E. U. (1981)

"Information Inequities: A Fatal Flaw in Parochial Plans," in E. Gaffney, ed. Private Schools and the Public Good (Notre Dame: University of Notre Dame Press, 1981), 133-152

Latino College Students (ed.), (NY: Teachers College Press, Columbia University, 1986)

Prepaid College Tuition Plans: Promise and Problems (ed.), (NY: College Board, 1993)

"Fear and Loathing in the Classroom: The Clash of Faculty and Student Rights," in Patricia Spacks, ed. Advocacy in the Classroom (NY: St. Martin's Press, 1996), 26-50

"Students," in S. Gillers, ed. Looking at Law School (NY: Meridien Books, 1997), 93-104

"Research on Latino college students: A theoretical framework and inquiry," in A. Darder & R. D. Torres (Eds.), Latinos and education: A critical reader, pp. 468-488. (New York, NY: Routledge, 1997)

"Trends in Student Borrowing and the Ability to Repay Debt," in S. Kipp, ed. The Challenge of Paying for a Graduate Degree, (Wilmington: Law Access, 1998), Ch. 3, 47-68

"The Legal Environment," in P. Altbach, ed. American Higher Education in the 21st Century," (Baltimore: Johns Hopkins University Press, 1998); revised edition (2004); revised 2011 (w/ Benjamin Baez), 174-194

"College Savings and Prepaid Plans: Second Generation Issues" in Proceedings from National Tax Association Annual Conference, November, 2000, pp. 90-95

"The Rise of Non-legal Legal Influences in Higher Education," in R. Ehrenberg, ed., Governing Academia (Ithaca: Cornell University Press, 2004), 258-275

"The Story of *Plyler v. Doe*, The Education of Undocumented Children, and the Polity," in David A. Martin and Peter H. Schuck, eds. Immigration Law Stories (NY: Foundation Press, 2005), 197-220

"Colored Men" and "Hombres Aqui": Hernandez v. Texas and the Emergence of Mexican American Lawyering (Arte Publico Press, 2006)

"Hernandez v. Texas: Jim Crow, Mexican Americans, and the Anti-Subordination Constitution," (w/Ian Haney Lopez) Ch. 8 in Rachel Moran and Devon Carbado, eds. Race and Law Stories (Foundation Press, 2008), 269-306

"University of Missouri v. Horowitz" in Gale Encyclopedia of the Supreme Court of the United States 160 (2008)

"Governance of Colleges and Universities," in Gale Encyclopedia of the Supreme Court of the United States 354 (2008)

"Non-Citizens and Federalism," in Gale Encyclopedia of the Supreme Court of the United States 434 (2008)

“Hernandez v. Texas,” in SAGE Encyclopedia of Race, Ethnicity, and Society 611 (2008)

“Introduction,” in “Colored Men” and “Hombres Aqui”: Hernandez v. Texas and the Emergence of Mexican-American Lawyering, xvii-xxii (Arte Publico Press, 2006)

“Hernandez v. Texas, A Litigation History,” in “Colored Men” and “Hombres Aqui”: Hernandez v. Texas and the Emergence of Mexican-American Lawyering, 209-222 (Arte Publico Press, 2006)

“El Norte,” in Screening Justice: Significant Films of Law, Order and Social Justice, ed. R. Strickland, T. Banks (NY: Hein, 2006), pp. 456-473

Education Law Stories (Foundation Press, 2007) with R. G. Schneider

“Education Law Stories: Law and Society in the Classroom,” in Education Law Stories, 1-17 (Foundation Press, 2007) with R. G. Schneider

"State College Savings Plans and Prepaid Tuition Plans: A Reappraisal and Review," in B. Lauren, ed., The College Admissions Officer's Guide, Chapter 3, pp. 41-69 (DC: AACRAO, 2008)

"The DREAM Act and In-State Tuition for Undocumented Students," in B. Lauren, ed., The College Admissions Officer's Guide, Chapter 25, pp. 337-348 (DC: AACRAO, 2008)

What the “War on Terrorism” Has Meant for US Colleges and Universities, in R. Ehrenberg, and C. V. Kuh, eds., Doctoral Education and the Faculty of the Future (Ithaca: Cornell University Press, 2009), 249-262 [Ch. 17]

No Undocumented Child Left Behind: *Plyler v. Doe* and the Education of Undocumented Children (NYU Press, 2012)

Immigrant Children: Hiding in Plain Sight in the Margins of the Urban Infrastructure, in William F. Tate, IV, ed. Research on Schools, Neighborhoods, and Communities: Toward Civic Responsibility 327-345 (Rowman and Littlefield and American Educational Research Association, 2012)

Suing Alma Mater: Higher Education and the Courts (Baltimore: Johns Hopkins University Press, 2013)

“DREAM ACT,” in James Banks, ed., SAGE Encyclopedia of Diversity in Education, 222 (2012)

“In Defense of My People”: Alonso S. Perales and the Development of Mexican-American Public Intellectuals (Houston, Arte Publico Press, 2012)

“Introduction,” in “In Defense of My People”: Alonso S. Perales and the Development of Mexican-American Public Intellectuals ix-xxxvii (Houston: Arte Publico Press, 2012)

“The Legal Career of Alonso S. Perales,” in “In Defense of My People”: Alonso S. Perales and the Development of Mexican-American Public Intellectuals, 317-345

“The Accidental Historian or How I Found My Groove in Legal History,” in A Promising Problem: The New Chicana/o History, ed. Carlos K. Blanton (Austin: University of Texas Press, 2016), 33-57.

US Immigration Policy in the Twenty-First Century, with Special Reference to Education: Examining Crosscurrents of Nativist and Accommodationist Policymaking, in Tony Payan and Erika de la Garza, eds., Undecided Nation: Political Gridlock and the Immigration Crisis, 139-159 (Switzerland: Springer, 2014) [Immigrants and Minorities, Politics and Policy Volume 6, 2014], [http://link.springer.com/chapter/10.1007/978-3-319-06480-2\\_7](http://link.springer.com/chapter/10.1007/978-3-319-06480-2_7)

The Law and Higher Education: Cases and Materials on Colleges in Court (Carolina Academic Press, 2016, 4th edition) and Teacher's Manual (with Amy Gajda); 5<sup>th</sup> ed. Forthcoming, 2022 (w/Amy Gajda and Jonathan Glater)

Perchance to DREAM: A Political and Legal History of the DREAM Act (2020, NYU Press)

Kristine L. Bowman, Preston Green III, Shajuti Hossain, Michael A. Olivas, and Siri Warkentien, *Racial and Ethnic Equity in American Public Schools: Looking Ahead* in Oxford Handbook of U.S. Education Law (Oxford and NYC: Oxford University Press, 2022, forthcoming)

Feminist Judgments: Rewritten Immigration Law Opinions, eds. Kathleen Kim, Kevin Lapp, and Jennifer Lee, "*Plyler v. Doe*," (NYC and Cambridge: Cambridge University Press, forthcoming 2022)

### [Articles, Monographs, Law Reviews]

"Information Access Inequities in Voucher Plans," *Journal of Law and Education*, 10, No. 4 (1981), 441-65

"Indian, Chicano, and Puerto Rican Colleges," *Bilingual Review/Revista Bilingue*, 9, No. 1 (1982), 36-58; reprinted in *ASHE Reader on the History of Higher Education* (Boston: Ginn Press, 1989), 559-578; reprinted in A.S. Lopez, ed. *Latinos in the United States*, vol. 5, *Latino Language and Education* (NY: Garland Press, 1994), 342-364

Research on Hispanic Education: Students, Finance, and Governance (Stanford University, Institute for Research on Educational Finance and Governance, 1981); reprinted in *Aztlan*, 14 (1983), 111-146; reprinted: *The Chicana/o Education Pipeline: History, Institutional Critique, and Resistance* (Daniel Solorzano and Michaela J. López Mares-Tamayo, eds. 2018)

"State Residency Requirements: Postsecondary Authorization and Regulation," *College Law Digest*, 13 (1983), 157-176; reprinted in *Legal Guide for Admissions Officers and Registrars* (DC: NACUA, 1985), 47-63

"State Law and Postsecondary Coordination," *Review of Higher Education*, 7 (1984), 357-395

"The Tribally Controlled Community College Assistance Act of 1978: The Failure of Federal Indian Higher Education Policy," *American Indian Law Review*, 9, No. 2 (1982), 219-252; reprinted in *Specialty Law Digest: Education*, 3, No. 11 (1984), 7-38

"Legalization in the Academy: Higher Education and the Supreme Court" (with K. Denison), *Journal of College and University Law*, 11, No. 1 (1984), 1-50

"Financial Aid Packaging Policy: Access and Ideology," *Journal of Higher Education*, 56, No. 4 (1985), 463-475

"Postsecondary Residency Requirements: Empowering Statutes, Governing Types, and Exemptions," *College Law Digest*, 16 (1986), 268-299

"*Plyler v. Doe* and Postsecondary Admissions: Undocumented Adults and 'Enduring Disability,'" *Journal of Law and Education*, 15, No. 1 (1986), 19-55

"Financial Aid and Student Self-Reports," *Research in Higher Education*, 25, No. 3 (1986), 245-252

"Administering Intentions: Law, Theory, and Practice in Postsecondary Residency Requirements," *Journal of Higher Education*, 59, No. 3 (1988), 263-290

"Faculty Attitudes Toward Industrial Research on Campus" (w/ A.Nora), *Research in Higher Education*, 29, No. 2 (1988), 125-147

"A Legislative History of the Ohio Board of Regents," *Capital University Law Review*, 19, No. 1 (1990), 81-14

"The Chronicles, My Grandfather's Stories, and Immigration History," *St. Louis University Law Journal*, 34, 3 (1990), 425-441; reprinted in R. Delgado, ed. *Critical Race Theory: A Reader* (Philadelphia: Temple University Press, 1995), 9-20; reprinted in Alex Johnson, ed. *Readings in Race and Law* (St. Paul: West, 2000); reprinted in Richard Delgado, ed. *The Latino Condition: A Critical Reader* (NY: NYU Press, 1998), 253-258; reprinted in A. Aguirre and D. Baker, *Notable Selections in Race and Ethnicity* (Guilford, CT: McGraw-Hill, 1998), 377-385; reprinted in T. Davis et al., *A Reader on Race, Civil Rights and American Law: A Multiracial Approach* (Durham: Carolina Academic Press, 2001)

"Unaccompanied Refugee Children in the United States: Detention, Due Process, and Disgrace," *Stanford Law and Policy Review*, 2 (1990), 159-166

"Breaking the Law on Principle: An Essay on Lawyers' Dilemmas, Unpopular Causes, and Legal Regimes," *University of Pittsburgh Law Review*, 52 (1991), 815-857

"Federal Law and Scholarship Policy: An Essay on the Office for Civil Rights, Title VI, and Racial Restrictions," *Journal of College and University Law*, 18 (1991), 21-28

"The Political Economy of Immigration, Intellectual Property, and Racial Harassment: Case Studies of the Implementation of Legal Change on Campus," *Journal of Higher Education*, 63, No. 5 (1992), 570- 598

"Legal Norms in Law School Admissions: An Essay on Parallel Universes," *Journal of Legal Education*, 42, No. 1 (1992), 103-117

"Professorial Academic Freedom: Second Thoughts on the 'Third Essential Freedom,'" *Stanford Law Review*, 45 (1993), 1835-1858

"Latinos and the Law: An Essay on Crop Cultivation," *UCLA Chicano-Latino Law Review*, 14 (1994), 117-138

"Preempting Preemption: Foreign Affairs, State Rights, and Alienage Classifications," 35 *Virginia Journal of International Law*, 217-236 (1994)

"Storytelling Out of School: Undocumented College Residency, Race, and Reaction," 22 *Hastings Constitutional Law Quarterly*, 1019-1086 (1995)

"Teachers with Language Deficiencies," 24 *Planning and Higher Education* 19-26 (no. 2, 1995), (w. A.H. Reyes)

"Constitutional Criteria: The Social Science and Common Law of College Admissions," 68 *University of Colorado Law Review*, 1065-1121 (1997)

"Higher Education Admissions and the Search for One Important Thing," 21 *University of Arkansas-Little Rock Law Review*, 993-1024 (1999)

"Paying for a Law Degree: Trends in Student Borrowing and the Ability to Repay Debt," 49 *Journal of Legal Education*, 333-341 (1999)

“Ideological Balance in Immigration Law Teaching and Scholarship: Reflections Upon ‘Race Matters,’” 2000 *University of Illinois Law Review*, 101-126 (2000)

“Prepaying and Saving for College, Opportunities and Issues,” Vol. 3 *POLICY PERSPECTIVES SERIES* (w/B. Jennings) (DC: College Board, 2000)

“Rodrigo, Richard, and Repatriation: The “Rodrigo Chronicles” and Citizenship,” 4 *Harvard Latino Law Review* (Fall, 2000), 1-18

“A Rebuttal to FAIR,” *University Business*, (June 2002), 72; reprinted in 7 *Bender’s Immigration Law Bulletin*, 652 (June 1, 2002)

“The Tao of Campus Parking,” *Journal of Higher Education*, 73 (2002), 642-51

“Faculty Issues in Three Acts,” 6 *Employee Rights and Employment Policy Journal*, 156 (2002)

“DREAM Act, the DREAM Act, and Undocumented College Student Residency,” *Journal of College and University Law*, 30, No. 2 (2004), 435-464; reprinted in *Bender's Immigration Bulletin*, Vol. 9, No. 6 (March, 2004), 307-329; reprinted in 25 *Immigration & Nationality Review* 323-352 (2004)

“State College Savings and Prepaid Tuition Plans: A Reappraisal and Review,” *Journal of Law and Education*, 32, No. 4 (October, 2003), 475-514; reprinted in *Tax Law Abstracts: Tax Law and Policy*, Vol. 5, No. 10 (March 12, 2004) <www.ssra.com>

"Brown and the Desegregative Ideal: Higher Education, Location, and Racial College Identity," *Cornell Law Review*, 90 (No. 2), (2005), 101-127; reprinted in *Review of Higher Education*, Vol. 28, No. 2 (2005), 169-189

"Law School Admissions After Grutter: Student Bodies, Pipeline Theory, and the River, 55 *Journal of Legal Education*, 16-28 (2005)

"Foreword," in M.A. Olivas, ed. "Colored Men and Hombres Aqui": *Hernandez v. Texas* and the Emergence of Mexican American Lawyering, (Houston: Arte Publico Press, 2006); reprinted in *UCLA Chicano-Latino Law Review*, Vol. 25 (2005), 1-8

"Reflections on Academic Merit Badges and Becoming An Eagle Scout," 43 *Houston Law Review* 81 (2006)

"Immigration-Related State and Local Ordinances: Preemption, Prejudice, and the Proper Role for Enforcement," *University of Chicago Law Forum* (2007) 27-56; reprinted in 12 *Bender’s Immigration Bulletin*, 901 (2007); reprinted in 28 *Immigration & Nationality Law Review* (2008)

Lawmakers Gone Wild? College Residency and the Response to Professor Kobach 61 *SMU Law Review* 99 (2008)

Immigrants in the Modern Administrative State and the Polity Following Hurricane Katrina, 45 *Houston Law Review* 1 (2008)

"Majors in Law"? A Dissenting View, 43 *Harvard Civil Rights-Civil Liberties Law Review* 629 (2008)

Reflections Upon Old Books, Reading Rooms, and Making History, 76 *UMKC Law Review* 811 (2008)

The “Trial of the Century” that Never Was: Staff Sgt. Macario Garcia, the Congressional Medal of Honor, and the Oasis Café, 83 *Indiana Law Journal*, 1391 (2008)

Review of Religion and Social Justice for Immigrants, Pierrette Hondagneu-Sotelo, ed., Rutgers University Press, 2007 in 24 *Journal of Law & Religion* 339 (2008-9)

“Colleges and Undocumented Students,” *Change Magazine* 25 (May/June, 2008)

An Essay on Friends, Special Programs, and Pipelines, 35 *Journal of College & University Law* 463 (2009)

Undocumented College Students, Taxation, Financial Aid: A Technical Note, 32 *Review of Higher Education* 407 (2009)

Introduction: The Art and Science of Casebooks: Latinos and the Law: Cases and Materials, 12 *Harvard Latino Law Review* 1 (2009)

Book review, Alejandra Rincon, *Undocumented Immigrants and Higher Education: Si Se Puede*, 33 *Review of Higher Education*, 296 (2010)

Book review, Bruce A. Kimball, *The Inception of Modern Professional Education: C.C. Langdell, 1826-1906*, University of North Carolina Press, 2009, in 81 *Journal of Higher Education* 157 (2010)

The Political Economy of the DREAM Act and the Legislative Process: A Case Study of Comprehensive Immigration Reform, 55 *Wayne Law Review*, 1757-1810 (2010); reprinted in 15 *Bender’s Immigration Bulletin*, 1661-1689 (December 1, 2010)

The Arc of Triumph and the Agony of Defeat: Mexican Americans and the Law, 60 *Journal of Legal Education* 354 (2010)

*Plyler’s* Political Efficacy, 45 *UC-Davis Law Review* 1-26 (2011)

“The First Latina & Latino Lawyers To Argue Before Supreme Court,” *NewsTaco.com*, March 31, 2011, <http://www.newstaco.com/2011/03/31/the-first-latina-latino-lawyers-to-argue-before-supreme-court/>

Governing Badly: Theory and Practice of Bad Ideas in College Decisionmaking, 87 *Indiana Law Journal* 1-27 (2012)

*Plyler’s* Legacy: Immigration and Higher Education in the 21<sup>st</sup> Century, 2011 *Michigan State Law Review* 261-273 (with Kristi L. Bowman)

If You Build It, They Will Assess It (or, An Open Letter to George Kuh, with Love and Respect), 35 *Review of Higher Education*, 1-15 (Fall, 2011)

Build It and They Will Publish Finding Aids: The Maturing of Higher Education Law, 37 *Journal of College & University Law* 435 (2011)

Case C- 34/09 Ruiz Zambrano: A Respectful Rejoinder, SSRN: January 22, 2012, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1989900](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1989900) (with Dmitry Kochenov)

Dreams Deferred: Deferred Action, Discretion, and the Vexing Case(s) of DREAM Act Students, 21 *William & Mary Bill of Rights Journal* 463-547 (2012)

“The First and Last Mexican American Federal Judge in Houston: James DeAnda and JFK,” *Historia Chicana* (20 March 2012)  
[Michael+A.+Olivas+1+The+First+%26+Last+Mexican+American+Federal+Judge+in+Houston+1+3.19.12.pdf](http://www.historiachicana.com/2012/03/20/the-first-and-last-mexican-american-federal-judge-in-houston-13.19.12.pdf)

Ask Not For Whom the Law School Bell Tolls: Professor Tamanaha, Failing Law Schools, and (Mis)Diagnosing the Problem, 41 *Washington University, St. Louis Journal of Law & Policy* 101-130 (2013)

58,000 Minutes: An Essay on Law Majors and Emerging Proposals for the Third Year of Law Study, 45 *McGeorge Law Review* 115-132 (2013)

From a “Legal Organization of Militants” into a “Law Firm for the Latino Community”: MALDEF and the Purposive Cases of *Keyes*, *Rodriguez*, and *Plyler*, 90 *Denver Law Review*, 1151-1208 (2013)

Book review, Patrick D. Lukens, *A Quiet Victory for Latino Rights: FDR and the Controversy Over “Whiteness,”* 116 *Southwestern Historical Quarterly* 326 (January, 2013)

A Voice Stilled But the Memories Sing On, Review of Linda Ronstadt, *Simple Dreams, A Musical Memoir*, also in Spanish: *Suenos Sencillos, Memorias Musicales, Somos En Escrito* (October, 2013): <https://somosenescrito.weebly.com/writings-escritos/archives/10-2013>

A Personal Reflection on Law Teaching, or How I Became an Establishment Insider on the Outside, 98 *Radical Teacher* 1 (2014)

The Burden of Persuasion: Affirmative Action, Legacies, and Reconstructing History: Russell K. Nieli’s *Wounds that Will Not Heal: Affirmative Action and our Continuing Racial Divide* and Randall Kennedy’s *For Discrimination: Race, Affirmative Action, and the Law*, 40 *Journal of College and University Law* 101-116 (2014)

Who Gets to Control Civil Rights Case Management? An Essay on Purposive Organizations and Litigation Agenda-Building, *Michigan State Law Review* (2015) 1617-1655

In Response to Rafael I. Pardo’s *The Undue Hardship Thicket: On Access to Justice, Procedural Noncompliance, and Pollutive Litigation in Bankruptcy*, 66 *Florida Law Review Forum* 1-8 (2015)

The Growing Role of Immigration Law in Universal Higher Education: Case Studies of the United States and the EU, 37 *Houston Journal of International Law*, 353-431 (2015)

New Insights into Latino Film History – and the Future, SOMOS En Escrito.com (September 2015), <https://somosenescrito.weebly.com/writings-escritos/archives/09-2015>

Book Review Essay: DREAMers in Three Acts, 86 *Journal of Higher Education* 955 (2015)

Legal Resources in Immigration and Higher Education: Data and Materials on Undocumented and “DACA-mented” Students, 21-1 *Bender's Immigration Bulletin* 13 (January 1, 2016)

Within You Without You: Undocumented Lawyers, DACA, and Occupational Licensing 52 *Valparaiso Law Review*, 1-100 (2018)

“Undocumented College Students and the DREAM Act,” in *Oxford Bibliographies in Latino Studies*, Ilan Stavans, ed. (New York: Oxford University Press, 2018): <http://www.oxfordbibliographies.com/view/document/obo-9780199913701/obo-9780199913701-0003.xml?rskey=ASMv3I&result=82>

## **FESTSCHRIFT**

**Law Professor and Accidental Historian: The Scholarship of Michael A. Olivas**, ed. Ediberto Roman (Carolina Academic Press, 2017)



**NON-LEGAL/SOCIAL SCIENCE PUBLICATIONS**  
**(Partial listing)**

[Books]

John Updike Criticism (NY: Garland Press, 1975)

Minorities in Two-Year Colleges (DC: Howard University Press, 1979)

[Articles and Essays]

John Updike, A Selected Checklist," (w/A. Meyer), *Modern Fiction Studies*, 20 (Spring, 1974), 121-133

"John Updike, A Bibliography," *John Updike Newsletter*, 1, No.2 (1975), 3-5; 2, No.1 (1976), 3; No.2 (1977), 1-2; 4, No .1 (1978), 1-2; 5, No. 1 (1981), 2-7

Book Reviews in *Journal of Higher Education* 49, 2 (March/April, 1978),197-199; 50, 6 (November/December, 1979), 776-779; 53, 6 (November/December, 1982), 728-730; 54, 4 (July/August, 1983), 472 -475; 58, 1 (January/February, 1987), 113-115

"Hispanics in Higher Education: Federal Barriers," *Educational Evaluation and Policy Analysis*, 4, No.3 (1982), 301-10

"New Populations, New Arrangements," in S. Adolphus, ed. *Equality Postponed* (NY: College Board, 1984), 85-94

"Foreword," in R. Duran, *Hispanics' Education and Background: Predictions of College Achievement* (NY: College Board, 1983)

"The Retreat from Access," *Academe*, 76 (1986), 16-18

"Houston Pride and Prejudice," in Houston in Search of Vision (Houston: Center for Humanities, 1988), 30-35; reprinted in Texas Journal of Ideas, History and Culture (Spring/Summer, 1988)

"Latino Faculty at the Border," Change (May/June, 1988), 6-9

"Hard Cases, Hard Times: Reflections on Preparing a Higher Education Law Text," Teaching Education, 2 (Winter, 1988), 22-27

"An Elite Priesthood," Chronicle of Higher Education, 24 May, 1989, B1-2

"The Law and Higher Education," Change (March/April, 1990), 64-69

"Mr. Justice Marshall, Dissenting," Chronicle of Higher Education, 17 July 1991, B1-3; reprinted in Southern University Law Review, Vol. 20, No. 1 (1993), 21-26.

"Introduction: Racial Harassment on Campus," Journal of Higher Education, 63, No. 5 (1992), 479-484

"Trout Fishing in Catfish Ponds," Minorities in Graduate Education (Princeton: ETS, 1992), 46-54

"Professor Graglia, Meet My Father," Bilingual Review, (1998) 106-107

"Introduction: Intellectual Property on Campus," Journal of College and University Law, 27 (No. 1) (Summer, 2000), 1-4

"The War on Terrorism Touches the Ivory Tower--Colleges After September 11: An Introduction," Journal of College and University Law, 30 (2004), pp. 233-238

Foreword, Ediberto Román, *Those Damned Immigrants: America's Hysteria over Undocumented Immigration* (NY: NYU Press, 2013)

Foreword, Dorothy H. Evensen and Carla D. Pratt, *The End of the Pipeline*, xi-xvi (Durham: Carolina Academic Press, 2012)

"Foreword: Then and Now," in Anne-Marie Núñez, Sylvia Hurtado, and Emily Calderón Galdeano, eds., *Hispanic-Serving Institutions: Advancing Research and Transformative Practice* (2015), vii-xii

Foreword: "The Decade of Higher Education and the Summer of Love," in John R. Thelin, *Going to College in the Sixties* (Johns Hopkins University Press, 2021)

## EDITORIAL ACTIVITIES

Contributing Editor, JURIST [e-journal], (2001- )

Editorial Board, Bender's Immigration Bulletin (2001- )

Editorial Board, SSRN Education Law Journal (2008-present)

Editorial Board, SSRN Immigration, Refugee, and Citizenship Law [e-journal], (2000- )

Editorial Board, The Review of Higher Education (1979-83; 1997-2001; 2003-2015)

Editorial Board, American Journal of Education (1983-86)

Consulting Editor, Change Magazine (1986-1996)

Editor and Bibliographer, John Updike Newsletter (1973-1983)

Board of Editors, Journal of Higher Education (Chair, 1992-94) (1987-94)

Editorial Board, Bilingual Review (1986-2019)

Consulting Editor, Journal of Higher Education, (2002-pres)

Editorial Board, Mexican Studies/Estudios Mexicanos (1987-2019)

Editorial Board, The Americas Review /Arte Publico Press (Chair, 1983-93)

Editorial Board, Journal of College and University Law (1982-86; 1997-pres; Vice Chair, 2011- pres)

Editorial Board, Freedom (2000 -2019)

Editorial Board, Journal of Latinos and Education (2001-2006)

Editor, Special issue on higher education law, The Review of Higher Education (1984)

Editor, Special issue on undocumented children, Journal of Law and Education (1986)

Editor, Special issue on racial harassment, Journal of Higher Education (1992)

Editor, Special issue on intellectual property, Journal of College and University Law (2000) Foreword,

Special issue on colleges after 9/11, Journal of College and University Law (2004)

Editor, Special Issue on Hernandez v. Texas, UCLA Chicano-Latino Law Review (2005)

Editorial Board, Latinos in the United States (Garland Press, 1994) (6 vol.)  
Editor/Advisor, Hispanic American Almanac (Gale Press, 1993)  
Editorial Board, Carolina Academic Press (1995-present)  
Editorial board, NYU Press Series in Citizenship and Migration in the Americas  
International Editorial Board, Handbook of Qualitative Research, 2<sup>nd</sup> ed.  
(Los Angeles: Sage Publ., 1999); 3<sup>rd</sup> ed. (2005); 4<sup>th</sup> ed. (2010)  
Editorial Board, Oxford Bibliographies Online: Latino Studies  
Consulting Oxford Editor, Encyclopedia of Latinos and Latinas in Contemporary Politics, Law and Social Movements

Manuscript Reviewer: Bilingual Press, American Education Research Journal, Journal of Educational Equity, Allyn & Bacon, SUNY Press, Educational Researcher, The International Lawyer, Hispanic Journal Behavioral Sciences, Johns Hopkins University Press, Social Science Quarterly, Journal of Educational Finance, Routledge Press, Temple University Press, Law and Society Review, Research in Higher Education, AERJ, Educational Policy, Carolina Academic Press, New York University Press, Social Forces, Educational Administration Quarterly, Harvard University Press, Educational Policy, Latino Studies, Journal of College and University Law

## **PROFESSIONAL ACTIVITIES AND BAR MEMBERSHIPS**

(Partial listing)

**Association for the Study of Higher Education** (Board member, 1989-1991; Chair, Publications Committee, 1990-93; Chair, President's Task Force on Inequality, 2005)

**American Association of University Professors:** Member, Committee on Government Relations, 1987-1994; Chair, 1992-1994; General Counsel, 1994-1998; Chair, Elections Committee, 1994-1998; Committee on Litigation, 1998-pres; Governing Board of the Legal Defense Fund (Chair, 1998-2007; member, 1998- present)

Licensed to practice law, **Supreme Court of Pennsylvania**

**Houston Hispanic Bar Association** (founding Vice President), board member 1984-2010

**Association of American Law Schools:** Chair, Law and Education Section, (1985-86, 1990-91, 1998- 99); Chair, Section on Immigration Law (1993-94; 2002-03); Member, Government Relations Committee (1983-86); Chair, Committee on Annual Meeting and Sections (1993-95); Committee on Minorities in the Profession (1985-88); Chair, Plenary Session Planning Committee (1995-96); Member, Nominating Committee (1997-1998); AALS/ABA accreditation teams (17, including chairing 5); Chair, Committee on New Teacher Workshop (1999-200); Committee on Academic Freedom and Tenure (1998-2002); Executive Committee (2005- 2009); MRC (2009-2010); President-elect (2010); President (2011); Immediate Past President (2012); Chair CAFT; Chair Law & Film Series (2011- 2017)

**National Association of College & University Attorneys, NACUA Fellow**

**Society of American Law Teachers** (Board Member, 1991-95)

**Hispanic National Bar Association** (Chair, Law Professors Committee, 1985-2003; Amicus Committee, 1999- present)

**American Bar Association** (Member, Diversity in the Profession Committee, 1997-2002, Chair, 2000; Council, Section on Legal Education and Admissions to the Bar, 1999-2005 member, Special Committee on Security of Position, 2007-8);

## **American Immigration Lawyers Association**

**American Law Institute** (Elected) (Consultative Group, The Law Governing Lawyers; Committee on Institute Size)

**Law School Admissions Council** (Chair, LSAC Conference Planning Committee, 1994; Chair, LSAC/ABA/AALS Conference Planning Committee, 1999-2000); Elected to Executive Committee, assigned to Law Access Board, 1992-1998

**National Academy of Education** (Elected)

**American Education Research Association** (AERA Fellow 2011)

**American Bar Foundation** (Elected)

## **Faculty Tenure and Promotion Reviewer (partial listing):**

University of California (24); Pennsylvania State University (4); Stanford University; SUNY-Albany (2); University of Arizona (3); Arizona State University; University of Oklahoma (4); West Virginia University; Indiana University (2); Tulane (2); University of Iowa; University of Maryland (3); San Diego State University; University of Kentucky (2); University of Florida (3); Rutgers-Newark (3); University of Minnesota (2); University of New Mexico (5); Texas Tech University; Northeastern University; Southern Methodist University (3); St. John's University; Howard University (2); University of Judaism; Rutgers-Camden; University of Michigan (2); Loyola University, New Orleans (4); California Western School of Law; University of Pittsburgh (4); Vanderbilt University; University of Hawaii (2); Ohio State University (2); New York Law School; University of Cincinnati (3); University of Wisconsin (3); Michigan State University (2); University of Kansas; University of Utah (2); NYU; Case Western Reserve; University of Georgia (2); University of San Diego (2); Texas A&M University (3); University of Missouri-St. Louis; North Carolina State University; University of Louisville; Prairie View A&M University; University of Wisconsin; Cornell University (3); University of Indiana-Indianapolis (2); University of South Carolina; University of Southern California (2); Emory University; University of Houston (3); University of Illinois; University of Richmond; Tulane University; University of Nebraska; Seattle University (2); Loyola-Chicago; American University; Brandeis; University of Tennessee; University of Miami, Brigham Young University; Southern Illinois University; University of DC (4); Oregon State University (2)

## **CONSULTING ACTIVITIES AND PROFESSIONAL APPOINTMENTS**

(Partial listing)

Proposal Reviewer and Consultant, U.S. Department of Education

Consultant, National Center for Education Statistics

Federal Education Data Acquisition Council (FEDAC) (Appointed by U.S. Secretary of Education)

Consultant, Carnegie Corporation, Ford Foundation, Kellogg Foundation, MacArthur Foundation, Sachs Foundation, Spencer Foundation

Consultant, National Opinion Research Center (University of Chicago)

Board Member, ERIC Clearinghouse on Higher Education (1986-1989)

Consultant, California Postsecondary Education Commission

Consultant, Committee on Institutional Cooperation (CIC)

Senior Scholar, Tomas Rivera Center (Claremont Graduate School)

Member, Ford Foundation/IHEP New Millennium Finance Project, 1997- 2003

Consultant, Texas Tomorrow Fund

Consultant, Spencer Foundation

Consultant, Belgian Federal Science Policy Office, 2008 Chair,

Advisory Board, PBS film project (A CLASS APART)

Advisory Committee, La Guardia and Wagner Archives/City University of New York

Recommender: various fellowships (Fulbright, Guggenheim, Ford, AERA Fellows, ALI, etc.)

Proposal Reviewer, Utrecht

AERA, Dissertation Fellowship Selection Committee (2015-2018)

**INVITED PRESENTATIONS** (Partial listing of Keynote and Endowed Lectures)

"The Changing Legal Status of Foreign Students: A Comparative Study," Hiroshima University, November, 1988

"The Development of Student Rights in Japan," Osaka Gakuin University, November, 1988

"The Chronicles, My Grandfather's Stories, and Immigration Law," Harvard Law School, March, 1990

"Regulating Racial Harassment on Campus," Association of the City Bar of New York, February, 1992

"Science, Social Science, and Social Responsibility," University of Illinois, CIC, July, 1992

"The Measurement of Campus Legal Change: Intuitive and Counterintuitive Observations," Keynote Address, ASHE Annual Convention, October, 1993

"The Political Economy of the Law Professoriate," Hatfield Lecture, Cornell University Institute for Industrial and Labor Relations, February, 1994

"The Fear of Success in Prepaid Tuition Plans," National Association of State Treasurers, New Orleans, July, 1994

"The Rise of Non-Legal Legal Influences Upon Higher Education," Bates Professorship Lecture, UHLC, March, 1997

Convocation Lecture, Lehman College, September, 1997

"Disabilities in Higher Education," ABA, AALS, LSAC, MBE Conference on Disabilities, DC,

October, 1997 "Five Myths About Immigration to the U.S.: America at the Crossroads"; UH-Rockwell Lecture, January, 1999

"Higher Education and The One Big Thing," Alzheimer Symposium Lecture, University of Arkansas, Little Rock Law School, February, 1999

"A Higher Education Case in 3 Acts," Convocation Lecture, UH-D, November, 2000

"Higher Education and the Search for Metaphors," MLK Lecture, University of Michigan, January, 2001

"Governing Badly," Neal Rappoport Lecture, AAUP, Atlanta, October, 2002

"Why Do Faculty Do the Things They Do?" UH Research & Scholarship Day, 2002

"*Plyler v. Doe* and its Legal Strategy," Ernesto Galarza Lecture, Stanford University,

May, 2005

“Higher Education and 9/11,” Presidential Lecture, Rice University, January, 2006

“Terrorism and Colleges,” Moore Distinguished Lecture, NC State University,

October, 2005

Tomas Rivera Distinguished Lecture, Association of Hispanic Higher Education, April, 2006

Henry Salvatori Lecture, Chapman University, November 6, 2006

“Higher Education After 9/11,” Distinguished Lecturer Series, St. Thomas University,

February, 2006

Sixth Annual Distinguished Lecture, University of North Texas, February, 2007

Distinguished Lecture, Loyola University, New Orleans, April, 2007

Distinguished Presidential Lecture, Texas A&M, February, 2007

Kamm Distinguished Lecture, Oklahoma State University, February 2008

Lyceum Series Distinguished Lecture, North Harris College, April 2008

Buttrill Endowed Fund Lecture, Texas A&M, 2008

E. N. Thompson Distinguished Lecture, University of Nebraska, 2009 Distinguished

Keynote, City University of New York, 2010

Davis, Markett, and Nickerson Lecture on Academic Freedom, University of

Michigan

2010 Witten Distinguished Lecture, University of South Carolina, 2010

Keynote Lecture, Wayne State University, 2010

Developments in Section 529 Prepaid Tuition Plans and College Savings Plans, Wuhan University, Center for Social Security Studies (PRC), September, 2010

Lecture, Texas Supreme Court Historical Society, October

22, 2010

MLK Distinguished Lecture, University of Utah, 2011

Bodenheimer Lecture, UC-Davis, 2011

Jerome Hall Lecture, Indiana University, 2011

Distinguished Lecture, Brown University, 2011

Keynote Address, Northern Virginia Community College, 2011

Invited Presidential Lecture, American Association for Educational Research, 2011

Presidential Presidential Lecture, AALS, January, 2011

Commencement Speaker, UC-Riverside, July, 2011

AERA Presidential Presentation, “*CLS v. Martinez: Trademarking Christianity*,”  
April, 2011

Invited Keynote Lecture, Texas A&M University, September 2011

Victor S. Johnson Lecture, Vanderbilt University Law School, September, 2011

St Mary’s Law School, keynote lecture, St Mary Scholar Annual Lecture, March, 2012

NIU College of Law, Marla Dickerson Public Interest Law Lecture, Lessons Learned about the  
Legalization Debate, April 2012

UH CLASS Immigration Conference Plenary Lecture, Why Comprehensive Immigration Reform is in the  
Public Interest, April 2012

Dr. Hector P. Garcia Distinguished Lecture, TAMU-Corpus Christi,  
2012

USC Center for the Study of Immigrant Integration, Invitational  
Lecture, 2012

Forty Years Since Keyes v. School District No. 1 Lecture, Denver U Law School, January, 2013

AERA, San Francisco, Keynote Plenary Lecture, DREAMS Deferred, April, 2013

Boston College Symposium on Migration invitational lecture, March,  
2013

Keynote Address, McGeorge conference on Legal Education, April,  
2013

Rice University, Baker Institute Immigration invitational lecture,  
April, 2013

TA&MU History Keynote, Accidental Historian, October, 2013

Howard Bowen Lecture, Claremont Graduate University, Suing Alma Mater,  
October, 2013

People of Color Law Conference, Texas Southern University, Keynote February,



2014

Texas State Historical Association, San Antonio, Keynote Address: Alonso Perales, February, 2014

University of North Texas Higher Education Law Conference, Plenary Address, Higher Education Law/Suing Alma Mater, February, 2014

Keynote Address, American Dental Education Association, San Antonio (March, 2014)

Dean's Distinguished Lecture, UTSA School of Public Policy (March, 2014)

Drafting Justice: Statutory Language, Public Policy, and Legislative Reform (AERA Social Justice in Education Award, April, 2014)

UCLA Keynote lecture, Latino/a Educational Summit (October, 2014)

Michigan State U Julian Samora Center Keynote: The Undocumented and the DACAmented: State and Federal Immigration-related Litigation and Legislation Concerning Higher Education (October, 2014)

HGSE Lecture: DACA, MPI (November 2014)

AALS, Panel on HEA at 50, DC (January, 2015)

AALS, Keynote Lecture Section on Libraries (January, 2015)

ABA Midyear, immigration, law lectures, Houston (February, 2015)

Temple University Law School: Clifford Scott Green Lecture (March, 2015) Persuasion in Civil Rights Advocacy, Michigan State U (April, 2015) World IP Day, panel on law of music, Houston (April, 2015)

CLE, Entertainment Law, Tulane University, (June, 2015)

Immigration Lecture, Swansea University, Wales (June, 2015)

UC-Irvine law conference Keynote address (September, 2015)

Lecture on 50th Anniversary, HEA, Texas State U-San Marcos (November, 2015)

Rucker Lecture, Valparasio University Law School (2016)

La Canoa Lecture, National Hispanic Cultural Center (2017) “Latinos in the Public Media and the Popular Imagination”

Keynote, University of Cincinnati, Immigration and Nationality Law Review

(2017)

UH-Victoria Provost's Lecture Series, *Hernandez v. Texas* (2017)

UH Libraries, “Culture Remix: Illegal Art, Copyright and the Music Industry” (2017)

Annual Meeting Keynote Address, Texas Council of Faculty Senates: “Sanctuary” campuses and college immigration issues, Austin (2017)

American Educational Research Association, Annual Meeting’s Opening Plenary Session, “The Challenges of Higher Education in a Diverse and Divergent World,” San Antonio (2017)

Keynote Address, Arte Publico Press Annual Banquet (“The Accidental Historian”), Houston

(2017)

Keynote Address, Ohio State University

Keynote Address, University of Southern California

Zoom Lectures & presentations, partial listing (50)

## **RESEARCH IN PROGRESS**

Casebook for Higher Education Law (Cases and Materials on Higher Education Law), supplements and teacher guide

Research on Residency Requirements in U.S. Colleges

Research on Comparative Residency Requirements

Immigration and Postsecondary Education (Immigration and Intellect)

Research on Postsecondary Prepaid Tuition Plans and Sec. 529 Plans

Administrative Law and Intentionalities: Legal Measures for Durational Requirements and Distribution of Benefits

Scholarly Subcultures, a study of independent research groups

## **GUEST LECTURER, COLLEGES AND LAW SCHOOLS (Partial listing)**

University of Alabama, Stanford University, University of Michigan, University of Southern California, Wayne State University, Federal Executive Institute, Yale University, Harvard University, University of Texas, University of London, University of Chicago, University of California-Berkeley, Claremont Graduate Center, City University of New York, Institute for Educational Management (Harvard), American Council on Education, University of Utah, Arizona State University, University of California-Davis, Georgetown University Law Center, University of California-Irvine, Princeton, University of New Mexico (6), University of California-Riverside, SUNY-Albany, Osaka Gakuin University, New York University, University of Minnesota, University of Iowa, University of Illinois-Chicago, Harvard Law School, Hiroshima University, California-Los Angeles, Hofstra University, Cornell University, Texas A&M University, University of Akron, University of Virginia, Cleveland State University, Ohio State University, Lehman College (CUNY), St. Thomas University (FL), University of Arkansas-Little Rock, Trinity University, Georgia State University, University of St. Thomas (TX), Washington University-St. Louis, UT-Arlington, American University, North Carolina State University, Texas A&M – Commerce, Texas Tech University, University of North Carolina, Boston College, Texas A&M, Sam Houston State University, Brigham Young University, University of Nevada-Las Vegas, John Marshall Law School, Wayne State University, Suffolk University Law School, Mississippi College of Law, DePaul, Rutgers, Catholic University, Vanderbilt Peabody College, Denver University, UT-San Antonio, University of Kentucky, University of Cincinnati (3), University of Colorado (2), Galveston College

## **TEACHING AREAS, CLE (Partial Listing)**

Immigration Law and Policy  
Legislation, Legislative Drafting, Legal Process  
The Law and Higher Education  
Entertainment Law  
Clinical supervision (College Law Clinics)  
Dissertation Research Supervision  
Business and Immigration Law

(Specialized Teaching)

Administrative Law and Higher Education - Harvard University,  
Institute for Educational Management (non-credit)  
Immigration Law and Policy - U H Mexican Legal Studies Program, Mexico City  
Seminar in Organizational Theory - University of Southern California (1981)  
Higher Education and the Law Seminar - University of Michigan  
Workshop on College Law and Finance - University of Illinois (noncredit)  
Immigration Law and Business - University of Iowa (Visiting Professor, Summer, 1994)

Tulane Entertainment Law CLE, (Spring, 2015)  
Cornell Law Inter-term, Music Law (Spring, 2016)

Bar CLE Lecture, NM (2017)  
Super Bowl CLE, Sports & The Law –Real World Legal Issues and the Impact on Sport (immigration and worldwide athletics), UHLC  
CLE on Entertainment Law (Cutting Edge Copyright Issues), co-sponsored by IPIL, HIPLA, and Intellectual Property Section of the State Bar of Texas (2017)

## **HONORS** (Partial listing)

Outstanding Alumnus Award, Ohio State University, 1982  
American Law Institute (elected to membership)  
National Academy of Education (elected to membership)  
Clyde Ferguson Award, AALS, 1992  
Distinguished Scholar, Division J (Postsecondary Education), American Educational Research Association, 1993  
Research Achievement Award, Association for the Study of Higher Education, 1994  
Outstanding Professor of the Year, Hispanic National Bar Association, 1996  
Outstanding Latino Professor of the Year, American Association for Higher Education, 1997  
Legal Services Award, Mexican American Legal Defense and Educational Fund (MALDEF), 2000  
Special Merit Award, Association for the Study of Higher Education, 2000  
Lifetime Achievement Award, Hispanic Bar Association - Houston, Spring, 2001  
Ethel Baker Award for Outstanding Service, UHLC, Spring, 2001  
Esther Farfel Award for Outstanding UH Faculty Member, Spring, 2001  
Arthur K. Smith Award for Educational Leadership, UH, 2003  
Fellow, National Association of College and University Attorneys, 2003  
Life Fellow, American Bar Association, 2008  
William Kaplin Award for Outstanding Higher Education Law Scholarship, Stetson Law School, 2009  
Outstanding Immigration Professor of Year, IMMPROF (2011)  
AERA Fellow (elected 2011)  
AERA (Social Justice Award, 2014)  
Steven S. Goldberg Award for Distinguished Scholarship in Education Law, 2014 for *SUING ALMA MATER*—given annually by the Education Law Association “in recognition of an outstanding article, book, book chapter, or other form of scholarly legal writing in the field of education law.”  
Houston Mayor’s Hispanic Heritage Award (2014)  
Faculty Distinction Award, UH Law Alum Association (2017)  
Howard Bowen Distinguished Career Award, ASHE (2017)  
Lifetime Achievement, Houston Mexican American Bar Association (2019)

## **UH COMMITTEES, SERVICE (Partial listing)**

Search Committees (Education, History, Chair-University Counsel, Provost, President/Chancellor, Chair-Dean of College of Business Administration)  
Chair, Higher Education Graduate Program Area (1983-87) Special Tenure Review Committee, appointed by Provost (1985) Presidential Task Force on Teacher Education (1985)  
Faculty Development Leave Committee (elected campuswide) (1984-87) Chancellor's Advisory Committee on the Budget (1984-86)  
Chair, UH-UP Task Force on Governance and Administrative Processes Joint Appointment with UH Colleges of Law and Education (1982-87)  
Director/Professor, UHLC Mexican Legal Studies Program, D.F. Mexico, (1985-1997) UH Academic Council (1986-88)  
Special Consultant to UH Counsel

UH: Promotion and Tenure Committee (1985-86; Chair, 1993-96); Technology Transfer Policy Committee; Residency Appeals Committee (Chair, 1985-present); Committee on Honorary Degrees (2000-2003); Farfel Award Committee (Chair, 2001-2003); UHLC: Committees on Admissions (Chair), Personnel, Curriculum, Promotion & Tenure (chair), Faculty Development and Library (chair), Mexican Legal Studies Program (Director, various summers), Self Study Committee (Chair), Faculty Appointments (Chair), Post-tenure Review, Executive Committee, Lateral Hiring (Chair)

## **LEGAL CONSULTANTSHIPS AND EXPERT WITNESS (Partial listing)**

Consultant, Leticia A v. UC Board of Regents (residency), 1986, 1992  
Expert Witness, Than v. UT Health Sciences Center (student due process), 1991, 1992 Binding Arbitrator, textbook authorship dispute, 1990 (Carolina Academic Press)  
Expert Witness, Loren Smith v. UH, et al. (residency), 1992  
Expert Witness, Sosniak v. Washington University St. Louis (tenure), 1995  
Expert Witness, CSB v. Florida Prepaid (patent), 1994-1996  
Expert Witness, Carlyle v. Computer Learning Centers, Inc. (financial aid), 1999-2000  
Consultant, faculty personnel litigation, 1990, 1993, 1995, 1996, 1997, 2002, 2004, 2007, 2008  
Consultant, law school admissions litigation, 1994  
Consultant, law school accreditation, 1996  
Consultant/mediator, university mediation, 1997, 1999 Consultant, Texas Legislature (admissions, finance)  
Consultant, Texas Tomorrow Fund (finance)  
Consultant, Texas State Comptroller (Hopwood disparity study)  
Consultant, Texas Higher Education Coordinating Board (trustee)

training)  
Expert Witness, Day v. Sibelius (residency), aka/ Day v. Bond  
Consultant, Belgian Federal Science Policy Office, 2008  
Consultant, Mannschreck v. Regents (Nebraska residency)  
Consultant, fraternity reinstatement  
Member, National Advisory Board, BYU Law School

### **LEGISLATIVE TESTIMONY (Partial Listing)**

Congressional Testimony presented to Subcommittee on Postsecondary Education, U.S. House of Representatives, 13 June 1979; Appropriations Committee, 17 April 1980; Subcommittee, 3 March 1982

Invited Testimony, Texas State Legislature, Committee on Postsecondary Education, April, 1985 (residency requirements)

Invited Testimony presented to U.S. Department of Education, Advisory Committee on Student Financial Assistance, Austin, TX, May 1990

Invited Testimony, Texas State Legislature, Committee on Postsecondary Education, April, 1995 (Prepaid Tuition Fund Program)

Invited Testimony, Texas State House of Representatives, Committee on Postsecondary Education, September, 1998 (graduate and professional admissions)

Invited Testimony, Texas State House of Representatives, Committee on Postsecondary Education, March 13, 2001 (residency)

Invited Testimony, Texas State House of Representatives, Committee on Postsecondary Education, March 20, 2001 (legacy admissions)

Invited Testimony, ABA Commission on Loan Repayment and Forgiveness, October 20, 2001 (law student indebtedness); Consultant, Commission Law School Work Group

Invited Testimony, U.S. House Subcommittee on Capital Markets, Insurance, and Government-Sponsored Enterprises (college savings plans), May, 2004

Invited Testimony, New Mexico Senate, Committee on Higher Education, December, 2005 (residency statutes)

Invited Testimony, U.S. Senate Subcommittee on Immigration, Refugees, and Border Security, Committee on the Judiciary, June 28, 2011

Texas House and Senate Appropriations Committees (higher education funding, 2016 and 2017)

Amici Briefs: 43 cases in state, federal courts

## **GRANTS FUNDED (Partial listing)**

Joyce Foundation (\$100,000)

Ford Foundation (\$15,200); (\$35,900); (\$330,000)

Fund for the Improvement of Postsecondary Education (\$120,000)

TRIO Program (\$1.19 million, 1980; \$1.23 million, 1981; \$1.2 million, 1982)

Fund for the Improvement of Postsecondary Education (Hispanic Higher Education Coalition) (\$120,000)

National Education Association (HHEC) (\$40,000)

Tinker Foundation (\$20,000)

Keck Foundation (\$200,000)

Kellogg Foundation (\$295,000)

Spencer Foundation (\$100,000)

Andrew Mellon Foundation (\$200,000)

UHS Development Office (\$7500)

Houston Endowment (\$240,000)

TIAA-CREF Institute (\$6,000)

Hernandez at 50 Conference (\$60,000 from LSAC, College Board, law firms)

CLEO/ABA (\$34,500)

TG Foundation (\$83,000)

TX Bar Foundation (\$30,000)

Ford Foundation: research roundtables and training workshops, legal and finance junior scholars (in conjunction with University of Southern California and ASHE), 2006-2010

## **CORPORATE AND PHILANTHROPIC BOARD MEMBERSHIPS**

Trustee, College Board, 1990-94

Chair, Arte Publico Press Board, 1983-1993 (Immediate Past Chair, 1993-94)

Trustee, Law Access, Inc., d/b/a The Access Group, 1992-1998

Trustee, Houston Craniofacial Foundation, 1998-2001

Trustee, Mexican American Legal Defense and Education Fund (MALDEF)  
(Board member, 2002-2008; 2009-present)

Trustee, National Hispanic Cultural Center Foundation (2006-2011)

## **PUBLIC MEDIA**

Radio Show: The Law of Rock and Roll, KANW, 89.1 FM NPR, in Albuquerque, NM and national licenses

## **ADDITIONAL ACTIVITIES (partial listing):**

Novel in the works (*The Mt. Carmel Rd. Murders*); experienced book, records, manuscripts appraiser for donors and recipients (public and private institutions & libraries)

(2021)