## Special Reminders

- Don’t forget to register and check Symplicity (www.law.pace.edu/symplicity) on a regular basis for our calendar of events, job postings, employer recruiting and other helpful and important information.
- Meet with a CCD Career Counselor — remember, we can’t help you if we don’t know you!
- Attend a CCD or PILC program to learn about career paths and meet practicing attorneys.

## Education Law

From *Brown v. Board of Education* to the Bush administration’s controversial No Child Left Behind legislation, education law in the U.S. has undergone dramatic and sweeping changes in the past fifty years. These changes have provided fertile ground for the development of education law as a vibrant and challenging practice area that requires a wide variety of skills and knowledge.

Education Law relates generally to the branch of laws and regulations that govern federal and state education, including the administration and operation of educational institutions, athletic programs and student and employee rights. This area of law focuses on protecting the rights of both students and teachers and safeguarding the educational process.

Although Education Law is often thought of as a highly specialized area focusing on disputes involving students with special needs, an attorney practicing in this field may actually work on a wide range of matters requiring many different legal skills.

Following are some types of issues and matters that might be handled by an Education Law practitioner:

- school governance, elections and voting;
- real property and facilities acquisition, sales and construction;
- school finance, funding and tax matters;
- disputes between parents and schools about the evaluation, placement and education of students with special needs, including those arising under the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA) and The Rehabilitation Act of 1973;
- labor and employment-related matters, including actions for discrimination, violation of constitutional rights, contract disputes, tenure, workforce reduction, workers’ compensation, retirement benefits and collective bargaining;
- disputes regarding student rights, e.g., to education without regard to race, free speech and expression, privacy and safety;

## A Student’s Perspective

Terrance DeRosa, a third-year student, grew up hearing about many aspects of education from his mother and several relatives who work as teachers. As a law student, Terrance began to think more specifically about how laws affect children. In particular, he was struck that school children, as minors, are subject to numerous compulsory laws related to education, and even face restrictions on their civil liberties, yet don’t necessarily have a voice in the formulation or implementation of education laws.
A Student’s Perspective—Continued from Front Cover

During his second year, Terrance took Pace’s Education Law course. Then, at a Career Roundtable event sponsored by the CCD during his second year, Terrance visited the Family Law table and struck up a conversation with Susan Mills Richmond, Esq., of the Suffern law firm Lexow Berbit & Associates, P.C. That conversation lead to an interview and, ultimately, to his 2L summer associate position with the firm.

At Lexow Berbit, Terrance worked on a variety of matters related to the firm's representation of a large local school district. Terrance was exposed to a wide range of education law issues including those relating to the formulation and implementation of individualized education plans under the Individuals with Disabilities Education Act (IDEA). He was also struck by the broad range of legal issues that arise in the representation of school districts, including labor and employment, contract, and civil rights issues.

As a result of his summer associate experience, Terrance also became increasingly interested in laws relating to special education. With so many children needing services, and only limited funding available to states and local governments and school districts to meet these needs, Terrance was struck by the difficult decisions school districts must make about programs and plans for addressing student needs and providing special education services. Now a third-year law student, Terrance will be helping under-represented clients in need of special education services navigate the process as an intern in Pace’s John Jay Legal Services Health Law/Disability Law Clinic, Special Education Concentration (further information below under “Education Law Courses at Pace”).

Terrance is interested in continuing to work on Education Law issues after graduation, and would certainly encourage other students to consider pursuing experiences and careers in education law. He has found that those interested in the field should enjoy working with diverse populations and, as always, have strong legal research, writing and analytical skills.

Education Law Courses at Pace

Pace University School of Law offers numerous courses that can prepare a law student for a career in Education Law. In addition to courses and clinics relating to the various areas listed in “Education Law” on page 1, several courses focus specifically on Education Law as a topic of study:

LAW 725 - Law and Education, Prof. Emily Waldman. This survey course will provide a broad overview of developments and current issues in education law and policy relating to K-12 public education. A wide range of topics will be covered, including student speech rights, student discipline, and authority over curriculum, religion in the schools, racial and gender equality, affirmative action, special education, school-finance reform, and the No Child Left Behind Act.

In addition, Prof. Don Doernberg is now offering a year-long Special Education Clinic as a specialty concentration under the John Jay Legal Services, Equal Justice America: Disability Rights/Health Law Clinic. Students will represent children with special education issues who may be entitled to services or accommodations under the Individuals with Disabilities Education Act and Section 504 of The Rehabilitation Act. Interested students should speak with Prof. Doernberg.
The Briefcase

Bar Associations

As with any other area of law, the value of joining bar association committees or sections that focus on a particular practice area cannot be overstated for a law student or newly admitted attorney. Bar associations provide networking opportunities, as well as the chance to learn about and contribute to projects relating to a specific practice area.

The following bar associations have Education Law–related committees or sections, the focus of which may vary:

- The Association of Bar of the City of New York (www.nycbar.org) (Standing Committee on Education and the Law)
- Westchester Women’s Bar Association (www.wwbany.org) (Ad hoc Committee on Education)
- Connecticut Bar Association (www.ctbar.org) (Education Law Committee)
- New Jersey State Bar Association (www.njsba.com) (Special Committee on Higher Education)
- New York State Bar Association (www.nysba.org) (various)
- American Bar Association (www.abanet.org/publiced; Division for Public Education)

Employer Perspective

“Students interested in Education Law should read Part 200 and 201 of the Regulations of the Commissioner of Education of the State of New York and the Individuals with Disabilities Act on the federal level. They should also read EVERY State Review decision available on the New York State Department of Education website. If possible, they should take a course on disability law and an education law class. If possible, they should try to intern with a firm or practitioner who practices in this area. There are not enough lawyers who practice in this area so I urge students to consider this practice area. It is extremely rewarding and fast paced.”

—— Adrienne Arkontaky, Pace Law School Class of 2003, Special Education Attorney, Littman Krooks LLP

www.littmankrooks.com

Links and Resources

Numerous resources exist to educate and inform attorneys and other professionals in the Education Law field. Below is a list of internet sites and texts that can provide substantive and practical information:

Links
www.martindale.com (see Education Law listings for attorneys practicing in this area)
www.educationlaw.org (Education Law Association)
www.ed.gov (US Dept. of Education)
www.nysed.gov (NYS Dept. of Education)
www.edweek.org (American education’s newspaper of record)
http://chronicle.com/ (the leading sources of news, information and jobs in higher education)
http://www.law.syr.edu/ (Syracuse University Law School’s Education Law Research Guide)
http://www.virtualchase.com/topics/education_law.shtml (resources for legal professionals on topic of Education Law)
http://www.wrightslaw.com (compilation of legal information on education with a focus on special education law)
http://www.copaa.org (Council of Parent Attorneys and Advocates focusing on special education)
http://www.ipig.org/educ.html (Law & Policy Institutions Guide)
http://www.abajournal.com/blawgs/education+law (Education Law Blawg Directory)
http://www.law2.byu.edu/jel/ (Brigham Young University Education and Law Journal)

Textual Resources
Kern Alexander & M. David Alexander, The Law of Schools, Students and Teachers in a Nutshell (Thomson West)
Education Law Career Path—Continued from Front Cover

- intentional and non-intentional tort-based matters and actions, including, for example, those for assault and battery, sexual assault, libel and negligence;
- sports law-related issues, including those applicable to both students and employees under a myriad of laws and regulations, such as Title IX, Title VII and the Rehabilitation Act of 1973, among others; and
- Intellectual Property issues relating to professorial and other work products.

Attorneys practicing Education Law can work in a variety of contexts, including small, mid-sized or large law firms; in the general counsel’s office of a college or university; or at a federal or state department of education office. They may represent individuals, towns or school districts. Stephanie Vullo (Class of 1994), for example, carved her own interesting career path from a Congressional Aide prior to law school to her current position as Associate General Counsel at New York University. Following her graduation from Pace Law School she worked as a Senior Court Attorney with the New York State Supreme Court, handling issues related to employment, discrimination (including disability law), constitutional law, labor, education and health. She then became a trial attorney at the Office of the NYS Attorney General representing CUNY, SUNY, the Department of Transportation, the Governor’s Office and other State agencies. Her advice to students? “First, you should consider whether you like transactional work or litigation, because you can practice in the area of education, employment, etc, in or out of court.” Practical experience during law school, such as through one of Pace’s clinics or at a Legal Services organization or law firm, is also key in helping law students figure out their preferred area of practice before they graduate.

Regardless of the specific area, Education Law can be a gratifying and exciting area of law in which to build your career.

Upcoming Programs and Events

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<tr>
<th>CCD Events</th>
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<th>Public Interest Events</th>
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<td>Tuesday, Oct. 7</td>
<td>Women &amp; The Law Conference With Keynote Speaker New York Times columnist, Lisa Belkin (Judicial Institute) 3:00-9:00pm</td>
<td>Tuesday, Oct. 7</td>
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<tr>
<td>Tuesday, Oct. 14</td>
<td>Evening Table (Outside the Cafeteria) 5:00-8:00pm</td>
<td>Public Interest Career Panel (C-02) 5:00-6:00pm</td>
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<tr>
<td>Monday, Oct. 20</td>
<td>Alumni Mentor Reception (Tudor Room) 5:30-8:30pm</td>
<td>Friday, Oct. 10–Saturday, Oct. 11</td>
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