

# CURRICULUM VITAE

## MARK G. YUDOF

Chancellor  
The University of Texas System  
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EDUCATION LAW SCHOOL, UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA.  
Degree: LL.B. (May, 1968) (*cum laude*)  
UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA.  
Degree: B.A. (May 1965 - Political Science) (*cum laude*, with Honors in Political Science)

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### EMPLOYMENT

8/02 – Chancellor and Professor (Law School), The University of Texas System  
8/02 – Lee Hage and Joseph D. Jamail Regents Chair in Higher Education Leadership, The University of Texas System  
9/02 – Charles Alan Wright Chair in Federal Courts, The University of Texas at Austin School of Law  
7/02 President Emeritus, University of Minnesota  
7/97 – 7/02 President and Professor (Law School), University of Minnesota  
6/94 – 6/97 Executive Vice President and Provost, The University of Texas at Austin  
9/84 - 5/94 Dean, The University of Texas, School of Law  
3/91 - 8/94 John Jeffers Research Chair in Law, The University of Texas, School of Law  
9/83 - 6/97 James A. Elkins Centennial Chair in Law, The University of Texas, School of Law  
1/82 - 5/82 Visiting Professor of Law, University of Michigan Law School  
9/80 - 8/83 Marrs McLean Professor of Law, University of Texas, School of Law  
9/79 - 8/84 Associate Dean for Academic Affairs, University of Texas, School of Law  
6/79 - 8/80 James R. Dougherty Chair for Faculty Excellence, University of Texas, School of Law  
10/76 - 8/80 John S. Redditt Professor in Local and State Government Law, University of Texas, School of Law  
1/77 - 5/77 Visiting Professor of Law, University of California at Berkeley, School of Law  
9/75 - 8/76 Research Leave - Visiting Fellow, University of Warwick (England), Fall Semester; Spencer Foundation Grant, Spring Semester  
9/74 - 6/97 Professor of Law, University of Texas, School of Law  
8/71 - 8/74 Assistant Professor of Law, University of Texas, School of Law  
6/70 - 8/71 Lecturer, Harvard Graduate School of Education; Senior Staff Attorney, Harvard Center for Law & Education; Faculty Member, Program on Education & Social Policy  
10/69 - 6/70 Research Associate, Harvard Center for Law & Education  
7/69 - 9/69 Associate General Counsel of the Commission of American Bar Association to Study the Federal Trade Commission  
7/68 - 7/69 Law Clerk to Honorable Robert A. Ainsworth, Jr., United States Circuit Judge, Fifth Circuit Court of Appeals

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### PUBLICATIONS

#### BOOKS

*Gender Justice* (with David L. Kirp and Marlene Franks), Chicago Press, 1986; Paperback, 1987).  
*Educational Policy and the Law* (with David L. Kirp, Rachel Moran and Betsy Levin); (West Publishing Co., 2002) (four editions).  
*Legal Deskbook for Administrators of Independent Colleges and Universities* (ed. of rev. eds. 1984 and 1988).  
*When Government Speaks: Politics, Law, and Government Expression in America*, (The University of California Press, 1983).

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#### BOOK CHAPTERS

"Disparities in Educational Resources and Outcomes and the Limits of the Law," in National Organizations on Legal Problems of Education, *Critical Issues in School of Law* 38 (1970).  
"Procedural Fairness and Substantive Justice: Due Process, Bureaucracy, and the Public Schools," in J. Newitt (ed.), *Future Trends in Education Policy* 109 (Lexington Books: 1979).  
"Nondiscrimination and Beyond: The Search for Principle in School Desegregation Cases," in J. Feagin & W. Stephan, *Desegregation: Past, Present and Future* (Plenum Books: 1979).  
"Inflation, Property Tax Administration and the Courts," in S. Guariglia and J. Ziemba (eds.), *The Property Tax and Inflation* (International Association of Assessing Officers, 1981).  
"The State as Editor or Censor: Book Selection and the Public Schools," in American Library Association (ed.), *Censorship Litigation and the Schools* 49-67 (1983).

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SELECTED ARTICLES:

- "Enjoining State Court Proceedings Which Interfere with National Labor Policy," 115 *U. Pa. L. Rev.* 590 (1967).
- "Serrano in the Political Arena," 2 *Yale Rev. of Law & Social Action* 143 (1971) (with David L. Kirp).
- "Equal Educational Opportunity and the Courts," 51 *Tex. L. Rev.* 411 (1973).
- "The Property Tax in Texas Under State and Federal Law," 51 *Tex. L. Rev.* 885 (1973).
- "Private Repossession, Public Policy, and the Constitution," 122 *U. Pa. L. Rev.* 954 (1974).
- "Student Discipline in Texas Schools," 3 *J. of Law & Education* 221 (1974), revised and reprinted, 21 *Texas School Board J.* 4 (June, 1975).
- "Gathering the Ayes of Texas: The Politics of School Finance Reform," 38 *J. of Law & Contemp. Prob.* 383 (1974) (with Daniel Morgan).
- "Suspension and Expulsion of Black Students From the Public Schools: Academic Capital Punishment and the Constitution," 39 *J. of Law & Contemp Prob.* 374 (1975).
- The Dilemma of Children's Autonomy," 2 *Policy Analysis* 387 (Summer, 1976).
- "Liability for Constitutional Torts and the Risk-Averse Public School Official," 49 *U.S.C. L. Rev.* 1322 (June, 1976).
- "School Desegregation: Legal Realism, Reasoned Elaboration, and Social Science Research in the Supreme Court," 42 *Law & Contemp. Problems* 7 (Autumn, 1978).
- "International Human Rights and School Desegregation in the United States," 15 *Tex. Int. L. J.* 1 (Fall, 1979).
- "Law-and-Education Research: Past and Future," 11 *N.Y.U. Ed. Q.* 10 (1979).
- "Student Rights and Changing Values," 25 *Tex. Sch. Bd. J.* 20 (June 1979).
- "When Government Speaks: Toward a Theory of Government Expression and the First Amendment," 51 *Tex. L. Rev.* 401 (1979).
- "Implementation Theories and Desegregation Realities, 32 *Ala. L. Rev.* 441 (1981)," reprinted in W.D. Hawley (ed.), *Effective School Desegregation* 245 (1981).
- "Law, Policy, and the Public Schools," 79 *Mich. L. Rev.* 774 (1981).
- "Legalization of Dispute Resolution, Distrust of Authority, and Organizational Theory: Implementing Due Process for Students in the Public Schools," *Wisc. L. Rev.* 891 (1981).
- "Plato's Ideal and the Perversity of Politics," 81 *Mich. L. Rev.* 30 (1983).
- "In Search of A Free Speech Principle," 82 *Mich. L. Rev.* 680 (1984).
- "Education for the Handicapped: Rowley in Perspective," 92 *Amer. J. of Ed.* 163 (Feb., 1984).
- "Educational Policy Research and the New Consensus of the 1980's," 65 *Phi Delta Kappan* 456 (March, 1984).
- "Library Book Selection and the Public Schools: The Quest for the Archimedean Point," 59 *Ind. L. J.* 527 (Fall 1984).
- "Effective Schools and Federal and State Constitutions: A Variety of Opinions," 63 *Tex. L. Rev.* 865 (1985).
- "Three Faces of Academic Freedom," 32 *Loyola L. Rev.* 831 (1987).
- "Personal Speech and Government Expression," 38 *Case Western Reserve L. Rev.* (1987-1988).
- "Tea at the Palaz of Hoon: The Human Voice in Legal Rules," 66 *Tex. L. Rev.* 589 (1988).
- Pennzoil v. Texaco* (with John L. Jeffers), 37 *Alberta L. Rev.* 77 (1988).
- "'Contorts' Among Strangers: Blending Contracts and Torts," *The Texas Lawyer*, March 14, 1988, at 24 (reprinted in *Torts & Insurance Practice Section Newsletter*, Winter 1990-1991, at pp. 7-10).
- "Religious Liberty in the Balance," 47 *SMU L. Rev.* 353 (1994).
- "Is the Public Research University Dead?" 48 (18), *The Chronicle of Higher Education* B24 (2002).
- "Higher Tuition: Harbinger of a Hybrid University?" *Change*, March/April 2002, at 17-20.
- "The Purgatory of the Public University," *Trusteeship*, March/April 2003, at 8-12.

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SELECTED ESSAYS AND BOOK REVIEWS

- Review of Coons, Clune, and Sugarman, *Private Wealth and Public Education*, 6 *Harvard Civ. Lib. Law Rev.* 619 (1971) (with David L. Kirp).
- "An Essay: Federal Child Development Programs and the Helplessness of the Helping Professions," 56 *Tex. L. Rev.* 135 (1977).
- Review of G. Orfield, *Must We Bus?*, 5 *Policy Analysis* 547 (1979).
- Essay Review of H. Kalodner and J. Fishman, *Limits of Justice*, 1 *West. New Eng. L. Rev.* 691 (1979).
- "The Passing Virtues of Privatism: Public Service and the Legal Profession," 44 *Tex. B. J.* 500 (1981).
- Review of R. Salomone, *Equal Education Under Law*, 95 *American J. of Ed.* 629 (August, 1987).
- Review of G. R. LaNoue and B. A. Lee, *Academics in Court*, 239 *Science* 656 (1988).
- "Balancing Equality, Personal Autonomy," *The Texas Lawyer*, August 1, 1988, at 24.
- Review of A. Gutmann, *Democratic Education*, 99 *Ethics* 439 (1989).
- "Edgewood and the Slow March Toward Equality," 5 *The Texas Lawyer*, August 14, 1989, at 16-17.
- "The Jurisprudence of Chief Justice Rehnquist" in *The Supreme Court of the United States: Hearings and Reports on Successful and Unsuccessful Nominations of Supreme Court Justices by the Senate Judiciary Committee, 1916-1986, Vol 12A, at 1837-1845.* (1989).
- "Religion, Textbooks, and the Public Schools," 54 *Educ. Forum* 271 (Spring, 1990).
- "Equal Protection, Class Legislation, and Sex Discrimination: One Small Cheer for Mr. Herbert Spencer's *Social Statics*," 88 *Michigan L. Rev.* 1366 (May 1991).

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#### SELECTED BRIEFS AND CASES

Serrano v. Priest, 5 Cal. 3d 584 (1971), Brief Amicus Curiae in the Supreme Court of California, 1971 (with David L. Kirp, Paul Dimond).  
Wood v. Strickland, 420 U.S. 308 (1975), Brief Amicus Curiae in the Supreme Court of the United States (with Raymond Marks, Robert Mnookin, and Laurence Tribe).  
Lau v. Nichols, 414 U.S. 563 (1974), Brief Amicus Curiae in the United States Supreme Court (with Stephen D. Sugarman, F. Raymond Marks, David L. Kirp, and Robert H. Mnookin).  
San Antonio Independent School District v. Rodriguez, 411 U.S. 1 (1973), Brief in Chief in the United States Supreme Court (with Arthur Gochman and Warren Weir).  
Texaco v. Pennzoil Co., 729 S.W. 2d 768 (Tex. Ct. App.--Houston 1987) (of counsel).  
City of Austin v. Houston Lighting and Power (of counsel).  
The Advertising and Policy Committee of The Avis Rent A Car System, *et al.* v. Avis Rent A Car System, Inc., *et al.* (of counsel to defendant).  
The Prudential Insurance Company of America v. Jefferson Associates Ltd.(of counsel).

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#### REPORTS

Report to Legislative Property Tax Committee, Texas Legislature, *The Property Tax in Texas: A Legal Analysis* (1973) (86 pp.).  
Report to UNESCO, *International Human Rights and School Desegregation in the United States* (1979) (109 pp.).  
Report to Texas Department of Human Resources, *Pre-Adjudication Children's Protective Services and Due Process of Law* (1983) (171 pp.).  
Report from the Association for Supervision and Curriculum Development Panel on Religion in the Curriculum, *Religion in the Curriculum* (co-author, 1987) (36 pp.).

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#### COURSES AND SEMINARS TAUGHT

Selected Topics in Higher Education Law (freshman seminar 2006)  
First Amendment (freshman seminar, 2005)  
Students and the Constitution (freshman seminar, 2002; 2003, 2004)  
Race, Equality and Public Education (freshman seminar, 2001)  
Students and the Constitution (freshman seminar, 1998, 1999, 2000)  
The Constitution on Campus (freshman seminar, 1995, 1996)  
Educational Policy and the Law  
Commercial Transactions  
Contracts  
Consumer Credit Seminar  
Local Government Law  
Children and the Law  
State Constitutional Revision Seminar  
Constitutional Law  
First Amendment Seminar  
Texas School Finance Seminar

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#### CONSULTANT

Fair Hearing Project, Texas Department of Human Resources (1983-1984)  
Wisconsin Research and Development Center, Social Policy Program (1981-1984)  
Educational Policy Research Institute, Educational Testing Service (1981-1983)  
Texas Senate Interim Urban Education Committee (1973)  
Texas Legislative Property Tax Committee (1973)  
Childhood & Government Project - University of California at Berkeley (1972-1975)

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#### AWARDS

The James Wilson Award, University of Pennsylvania Law School, 2004  
The Association of Academic Health Centers John R. Hogness Award, 2003  
Big Brothers Big Sisters of Greater Minneapolis, Odyssey Award, 2001  
Honorary Guest Professor of the Law School, Peking University, 2000  
Honorary Guest Professor, Fudan University, 2000  
University of Pennsylvania Law Alumni Award of Merit, 1999  
Jewish National Fund Tree of Life Award, Co-Recipient with Judy Yudof, 1993  
Austin Region, National Conference of Christians and Jews, Humanitarian Award; Co-Recipient with Judy Yudof, 1988  
American Bar Association, Certificate of Merit (1984)  
Scribes, The American Society of Writers on Legal Subjects, Most Meritorious Book Award (1983)  
Student Bar Association Teaching Excellence Award, 1974-1975

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## OTHER ACTIVITIES AND HONORS

Member, Business-Higher Education Forum (2007 - )  
Chair, Council of Public University Presidents and Chancellors (2007)  
Member, President's Council on Service and Civic Participation (2006 - )  
Board Member, HealthTronics, Inc. (2005 - )  
Board Member, World Congress on Information Technology (2004 - 2007)  
Senior Fellow, Salzburg Seminar, Changing Concepts of International Educational Exchange and Mobility, July 24-29, 2004  
Member, Council of Presidents, Association of Governing Boards of Universities and Colleges, (2004 - )  
Advisory Board, National Institute for Literacy (2002 - 2005)  
Member, Executive Committee, National Association of System Heads  
Fellow, American Academy of Arts and Sciences (2001- )  
Member, Board of Directors, Education Testing Service, (2000-2002)  
Member, Committee on Leadership and Institutional Effectiveness, American Council on Education, (2000)  
Member, Advisory Board, Juran Institute, (2000-2004)  
Member, Texas Telecommunications Infrastructure Board, elected Vice Chairman (1995-1996)  
Member, Board of Trustees, Austin Diagnostic Medical Center (1995-1997)  
Member, Advisory Board of *American Journal of Education* (1991)  
Honorary Fellow, Queen Mary and Westfield College, University of London, England (elected by Council in 1990)  
Vice-chair, Governor's Task Force on Public Education (1989)  
Member, Board of Trustees, Freedom to Read Foundation (1989-1991)  
Chair, Board of Contributors, *The Texas Lawyer* (1988-94)  
Member, National Board of Contributors, *American Lawyer Newspapers Group, Inc.* (1988-94)  
Member, Executive Committee of the Association of American Law Schools (1988-1991)  
Fellow, American Bar Foundation and Texas Bar Foundation  
Member, Governor's Select Committee on Education (1988)  
Member, Research Advisory Committee, Center for Policy Research in Education  
(Rutgers University, The Rand Corporation, University of Wisconsin-Madison) (1985)  
Finley Carpenter Lecture, School of Education, University of Michigan (February 9, 1984)  
Harris Lecturer, Indiana University Law School-Bloomington, Government  
Expression and Liberal Paradoxes: Library Book Selection and the Public Schools," (March 28, 1984)  
Member, American Law Institute (1983- )  
Chair, Study Group on Educational Policy for Labs and Centers, National Institute of Education (1983)  
Member, State Executive Committee, University Interscholastic League (1983-1986)  
Chair, Law and Education Section, Association of American Law Schools (1983-1984)  
Member, Board of Directors, Jewish Children's Regional Service (1980-1986)  
Member, B'nai B'rith Advisory Board (Austin) (1979-1983)  
Chair, National Study Group on Legal and Governmental Studies, National Institute of Education (1978-1981)  
Member, National Advisory Board of the Institute for Research on Educational  
Finance and Governance - Stanford University (1978-1983)  
Member, Ford Foundation National Panel on School Desegregation Research (1977-1980)  
Lecturer, Practising Law Institute (1977-1980)  
Member, Board of Directors, Congregation Agudas Achim (1976-1977)  
Participant, Symposium on Constitutional Law, Institute for International Law,  
Kiel University (Bonn, Germany, July, 1976)