

NORMA V. CANTU

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EXPERIENCE

VISITING PROFESSOR OF LAW AND EDUCATION, UNIVERSITY OF TEXAS AT AUSTIN (2001 to present)

Developed and taught course on disability law offered primarily to 2nd and 3rd year law students at University of Texas at Austin. The course focused on recent cases under the Americans with Disabilities Act in education, employment, transportation, health, housing and related areas.

Developed and taught writing seminar on Changing American Schools offered primarily to 3rd year law students at University of Texas at Austin. The class guided law students through the major cases that have promoted school reform.

Developed and taught writing seminar on Performance Management in Education for graduate students in education at the University of Texas at Austin. The course trained students on state-of-the-art techniques for obtaining improved performance from personnel in large educational settings.

Co-taught course for graduate students in education on politics and policy in education.
Developed three additional teaching sessions on intersection of law and policy in education.

Supervised independent writing for graduation credit of student working on masters' degree at LBJ School of Public Policy.

Supervised independent writing for graduation credit of third year law student employed by the Texas House education committee.

Participated on dissertation committee of Ms. Andrea Rohrer, Ph.D., University of Texas at Austin school of education.

Guest lecturer on school law for various professors of education at University of Texas at Austin.
Guest lecturer at pre-law program at UT- San Antonio. Guest lecturer on policy-making at annual meeting of Hispanic Faculty and Staff Association of the University of Texas at Austin.
Volunteered for recruitment and outreach programs at undergraduate level.

Prepared and delivered remarks to national organizations, such as the National Conference of State Legislators, National Education Association, National Association of College Athletics Directors.

Prepared and delivered continuing legal education to attorneys at the conference hosted by the Texas Community College Attorneys' Association.

Assisted in admissions process of candidates in Ph.D. superintendents program at UT Graduate School of Education.

Assisted as moderator in UT School of Law national conference on Language and the Law.

Member of planning team for UT School of Law national conference on gender and the law.

Selected for editorial board of Hispanic Journal on Law and Policy of University of Texas School of Law.

Wrote and delivered Americo Paredes Distinguished Lecture, May 2002, on the legal and educational implications of the No Child Left Behind Act of 2002.

Volunteered as founding board member of Mexican American Leadership Foundation, a not-for-profit organization to encourage students to gain experience on staff to the Texas legislature.

**FORMER ASSISTANT SECRETARY FOR CIVIL RIGHTS (OCR), U.S.
DEPARTMENT OF EDUCATION (1993-2001)**

Nominated by President Clinton, March 1993. Unanimously confirmed by the U.S. Senate, May 1993. Managed an agency with its own budget. As policy-maker and counselor to the President and Education Secretary on civil rights, set national policy, published guidance, enforced federal laws, resolved cases, with positive impact on over 6 million students annually. Longest-serving Assistant Secretary for Civil Rights, 1993-2001.

Accomplishments:

- Reinvigorated, yet pared down a Federal agency. In 1992, took leadership of an agency with its own budget of \$54 million, approx. 850 staff, a training budget of \$50 per person annually, a goal of one computer for every two staffers, and only 20% of staff connected to e-mail and the Internet. Roughly 80% of staff resources were devoted to responding to 4000 mostly individualized complaints. Transformed the agency. By 1999, the agency obtained a budget of \$71 million, slimmed down staff by more than 100 people through attrition and assisted over 6 million people annually receive discrimination-free education. Our award-winning staff of approximately 724 persons is connected to the Internet, work in an efficient new structure, and receive training on mediation and other current skills. Our mediation approach has been duplicated by other agencies and has made expensive administrative enforcement proceedings a rarity.
- The U.S. Supreme Court and other courts of appeal have cited with approval the agency's published policies that clarify federal civil rights laws. OCR staffers were recognized as national experts in civil rights.
- In 2000, the General Accounting Office documented positive management changes in the agency case resolution practices, resulting in improved customer service, efficiency and

timely responses to complaints.

- Staff reported that morale at agency has increased, as measured by government-wide surveys.
- Delivered testimony before Congress and Senate, hosted international visitors and lectured at various universities.

**U.S. REPRESENTATIVE TO INTERNATIONAL COMMISSION ON THE CHILD,
ORGANIZATION OF AMERICAN STATES (OAS) (1998-2001)**

Selected by the U.S. State Department to represent the U.S. in matters of policy and international diplomacy regarding human rights of children.

**REGIONAL COUNSEL/EDUCATION DIRECTOR, MEXICAN AMERICAN LEGAL
DEFENSE AND EDUCATIONAL FUND, INC. (MALDEF)**

Almost 14 years of trial and appellate experience in federal and state courts in class action impact civil rights cases, with emphasis on minority women and low-income children. 1979-1983. Director of national education litigation project and supervisor of attorneys and investigators in 5 regional offices. 1983-1992. Regional counsel and supervisor of attorneys and staff in Texas, Colorado and New Mexico. 1985-1993.

CONSULTANCIES

Syfer Corporation, 2001. Baylor University, 1992. University of Texas at San Antonio, 1992. CRESST Center on Testing, UCLA, 1991-1993. U.S. Department of Education, 1991.

**INVESTIGATOR, NURSING HOME TASK FORCE, TEXAS ATTORNEY GENERAL'S
OFFICE**

Investigated conditions and abuses of the elderly in acute care facilities in Texas. 1977-1978.

ENGLISH TEACHER

Brownsville I.S.D., Texas, 1974, and San Antonio I.S.D., Texas, 1979.

EDUCATION

HARVARD LAW SCHOOL, Cambridge, Massachusetts. J.D. degree awarded 1977 at age 22.

PAN AMERICAN UNIVERSITY, Edinburg, Texas. Bachelor degree awarded *summa cum laude* in December 1973 at age 19.

BROWNSVILLE HIGH SCHOOL, Brownsville, Texas. Graduated in top 5% in 1971. Regional UIL Spelling Champion for five years, representing South Texas, 1967-1971. Rotary Club scholarship recipient, 1971. Outstanding High School Graduate Award, Brownsville Herald, 1971.

BAR MEMBERSHIPS

Supreme Court of Texas, 1978. U.S. District Court, Southern District of Texas, 1979-1983. U.S. District Court, Western District of Texas, 1981. U.S. District Court of Appeals for the Fifth Circuit, 1982. U.S. Court of Appeals for the Eleventh Circuit, 1982. Supreme Court of California, 1985. U.S. Court of Appeals for the Tenth Circuit, 1986.

PUBLISHED CASES

Edgewood v. Kirby, 777 S.W.2d 391 (Tex. 1980) and numerous other citations (co-counsel in Edgewood I- successful challenge by low-wealth students to school finance system. This case prompted Texas legislature to reform its school funding laws and to appropriate approximately \$1 billion to property-poor school districts. Hundreds of scholars wrote extensively on this case; moreover, the record adduced in this case of disparate treatment of poor children in Texas became the subject of national best-seller entitled *Savage Inequalities*).

U.S. v. Texas Education Agency, 506 F. Supp. 405 (E. D. –Tyler- 1981) (co-counsel in partially successful suit to require state education agency to raise quality of services to limited English proficient students. The appellate court found the appeal moot after Texas legislature responded to trial court with significant investments in state funds for hiring and training of teachers of limited English proficient students).

Graves v. Barnes, 700 F.2d 220 (5th Cir. 1983) (co-counsel in successful appeal of award of attorneys' fees in suit to require State of Texas to comply with federal Voting Rights Act. The appeals court affirmed award of multiplier of 2.0 to compensate lawyers for excellent work).

Diaz v. San Jose Unified School District, 633 F. Supp. 808 (N.D. Cal. 1985) (co-counsel in successful school desegregation case. The district agreed to implement changes in programs for educating limited English proficient students).

Keyes v. School District No. 1, Denver, 609 F. Supp. 149 (D. Colo. 1985); also reported at 895 F.2d 659 (10th Cir. 1990); 653 F. Supp. 1536 (D. Colo. 1985) and 670 F. Supp. 153 (D. Colo. 1987). (co-counsel in successful school desegregation suit. District agreed to major changes affecting quality of services to limited English proficient students. This case produced the first appellate ruling that admonished federal courts to consider the impact of school desegregation cases on language minority students).

Castaneda v. Pickard, 781 F.2d 456 (5th Cir. 1986) (co-counsel in partially successful suit to require local districts to hire more qualified bilingual education teachers. The Fifth Circuit set a new rule on the lawful use of standardized tests for non-English speakers, announced a 3-part

test for measuring effectiveness of education services for limited English proficient students and prohibited ability grouping of student unless it served a valid educational purpose. In 1992, the U.S. Department of Education adopted the legal standards from this case as part of its national guidance to school districts).

Gomez v. State Board of Education of Illinois, 614 F. Supp. 342 (E. D. Ill. 1987), affirmed 811 F.2d 1030 (7th Cir. 1987) (lead counsel in successful challenge to the State's failure to enforce and monitor the quality of local programs for limited English proficient students. First case to decide that state agency could not delegate away to local districts its responsibility under federal law for removing barriers to the effective education of limited English proficient students).

Adams v. Bennett, 675 F. Supp. 667 (D. D.C. 1987) (co-counsel in successful challenge to failure by federal agency to enforce civil rights laws. This case prompted the U.S. Department of Education to comply with court-ordered timetables for investigating and negotiating settlements with statewide systems of higher education).

U.S. v. Overton; Price v. Austin Independent School District, 834 F.2d 1711 (5th Cir. 1988); also reported at 671 F. Supp. 484 (W.D. Tex. 1983) and 729 F. Supp. 533 (W.D. Tex. 1988) (co-counsel since 1979 in successful efforts to produce a unitary school system. When the Fifth Circuit altered its standard of review for post-unitary school districts, this lawyer declined to pursue further appeals. Other counsel persisted on appeal and lost before the Fifth Circuit).

U.S. and CRUCIAL v. Ector County Independent School District, 722 F.2d 1182 (5th Cir. 1983) (lead counsel representing CRUCIAL, a coalition of black, white and Latino parents in Odessa, Texas, in successful efforts to desegregate a school system. The Fifth Circuit affirmed the order by the trial court to have the school district provide quality instruction to students on both sides of the railroad tracks. The facts in this case regarding the role of high school football in a West Texas town undergoing desegregation formed the basis of national best-seller and movie *Friday Night Lights*).

League of United Latin American Citizens, et al, v. Richards, 863 S.W. 2d 449 (Tex. S. Ct. 1993) (co-counsel in partially successful challenge to state funding system brought by low-income residents of counties along Texas-Mexico border. While the Texas Supreme Court declined to extend their rulings in *Edgewood* to the higher education context, this suit prompted the Texas Legislature to appropriate about \$600 million in extra funds for state border colleges and universities that served one-fourth of the state's population but received approval to offer only 3 percent of Ph.D. and professional school degree programs. The suit provided the impetus to create medical and engineering programs in South and border Texas. New campuses started with the border initiative funds include downtown UT-San Antonio and Texas A & M at Laredo).

PARTIAL LISTING OF PUBLICATIONS

Cantu, Norma V. (1988). *Emerging Legal Issues: A Proposed Agenda for Advocacy for Hispanics*, in Villarreal, Roberto E., Hernandez, Norma G. & Neighbor, Howard D. (eds.). *Latino Empowerment: Progress, Problems and Prospects*, Greenwood Press.

Cantu, Norma V. (ed.) (1994, 1995, 1996, 1997, 1998, 1999). *Annual Reports to Congress*, Office for Civil Rights, U.S. Department of Education.

Cantu, Norma V. (ed.) (1994) *Notice of Application of Supreme Court Decision in U.S. v. Fordice*. Fed. Reg. (Jan. 31, 1994).

Cantu, Norma V. (ed.) (1994) *Racial Harassment: OCR Investigative Guidance*. Fed. Reg. (March 10, 1994).

Cantu, Norma V. (1995) *Testimony before the Subcommittee on Postsecondary Education, Training and Lifelong Learning, U.S. House of Representatives*. (May 9, 1995).

Cantu, Norma V. (1995) *Testimony before the Subcommittee on Consumer Affairs, Foreign Commerce and Tourism, U.S. Senate* (October 18, 1995).

Cantu, Norma V. & Moore, Mike (eds.) (1995) *Protecting Students from Harassment and Hate Crimes: A Guide for Schools*. National Association of Attorneys General.

Cantu, Norma V. (ed.) (1996) *Sexual Harassment Guide: Peer Sexual Harassment: Draft Document and Request for Comments*. Fed. Reg. (Aug. 16, 1996).

Cantu, Norma V. (1996) *Dear Colleague Letter to College and University Counsels* (clarifying appropriate consideration of race in making college and university decisions in light of Hopwood v. Texas) (July 30, 1996).

Cantu, Norma V. (ed.) (1997). *Dear Colleague Letter to California Superintendents*. (concerning California's ban on affirmative action) (March 19, 1997).

Cantu, Norma V. (ed.) (1997). *Title IX: 25 Years of Progress*.

Cantu, Norma V. and Heumann, Judith. (1997). *Dear Colleague Letter to Superintendents*. (concerning importance of including students with disabilities in all educational reform activities, including standardized and high stakes assessments) (Sept. 9, 1997).

Cantu, Norma V. (1998). *Testimony before House Appropriations Subcommittee on Labor, HHS and Education*. (April 1, 1998).

Cantu, Norma V. (1999). *Lecture*. Ogletree, Charles and Edley, Christopher (eds.). 43 N.Y. School Law Rev. 129. (co-published by Harvard Law School and N.Y.U. Law School).

Cantu, Norma V. (1999) *Testimony before Subcommittee of Oversight and Investigations*. (concerning Office for Civil Rights enforcement of federal laws in areas of use of standardized tests, Title IX and services for limited English proficient students) (June 22, 1999).

Cantu, Norma V. and Riley, Richard W. (eds.) (2000). *The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers*. Fed. Reg. (Dec. 15, 2000).

Cantu, Norma V. (ed.) (2000). *Notice of Availability of Guidance*. Fed. Reg. (Dec. 5, 2000).

Cantu, Norma V. (2000). *Briefing of U.S. Commission on Civil Rights: Civil Rights Implications of Zero Tolerance Programs*. (Feb. 17, 2000).

Cantu, Norma V. (2000) *Dear Colleague Letter* (information on decision to conduct comprehensive civil rights survey of all school districts in U.S.).

Cantu, Norma V. (2001). *Testimony to 106th Congress: House Subcommittee on Education and Workforce*.

Cantu, Norma V. (ed.) (2001). *Applying Federal Civil Rights Laws to Public Charter Schools: Questions and Answers*.

Cantu, Norma V. (ed.) (2001). *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*. Fed. Reg. (Jan. 19, 2001).

HONORS AND DISTINCTIONS

Significant speeches: Keynote, Elie Wiesel Foundation, 2000. Commencement, University of Texas at San Antonio, 2000 (speech televised in entirety on cable television). Lehman Lecture, 1995 (speech reprinted in entirety by Lehman College, The City University of New York). Tomas Rivera Lecture to the American Association of Higher Education, 1994 (later reprinted in AAHE newsletter). Keynote, National Association of State Boards of Education, 1994. Commencement Speaker, University of Texas at Brownsville, 1994. Commencement speaker, University of Texas at Pan American, 1994.

Press Profiles: Chronicle of Higher Education, September 17, 1999 (cover photo and story). College Sports Magazine, "50 Most Influential People in College Sports '96", June 1996. National Education Association TODAY, December 1994. New York Times (Education Section), August 3, 1994. Hispanic Magazine, September 1994. USA Today, June 17, 1993. U.S. News & World Report, June 14, 1993. Chronicle of Higher Education, March 17, 1993 (cover photo and story). Hispanic Business Magazine, "100 Influential Hispanics," 1985.

ILLUSTRATIVE RECOGNITIONS AND APPRECIATIONS:

University of Texas at Pan American Distinguished Alumnus Award, November 14, 1996.

Vice-President Gore's National Performance Review "Heroes of Reinvention-Hammer Awards" (OCR's New York office, 1996; OCR's Cleveland office, 1996; OCR's Kansas City office, 1996; Department's Reinvention Coordination Council, 1996)

Women's Institute on Sports and Education Hall of Fame, September 27, 1996.

National Association of Collegiate Women Athletic Administrators Honor Award, September 22, 1996.

Texas Southmost College Distinguished Alumnus Award, May 19, 1994.

Henry B. Gonzalez Achievement Award, St. Mary's University Hispanic Law Students' Association, February 26, 1994.

Reynaldo G. Garza Award of Merit, State Bar of Texas Hispanic Issues Section, 1993.

Scholarship to Aspen Legal Institute, 1987.

Trainer, Danforth Foundation Training Conference for Federal Judges.

EXAMPLES OF COMMUNITY AND PROFESSIONAL ACTIVITIES

Co-founder, Mexican American Leadership Foundation, 2002 to present.

Keynote speech, Texas LULAC Youth, 2002.

Speaker on civil rights panel, Hispanic Bar Association of the District of Columbia, 2002.

Visiting Committee, Harvard Graduate School of Education, 2001 to present.

National Board of Directors, MALDEF, 2001 to present.

State Coordinator, Ganamos con Gore-Lieberman, 1999-2000.

National spokesperson on educational issues, Democratic National Committee, 2000.

State Coordinator, Adelante con Clinton-Gore, 1995-1996.

Kitchen Cabinet, White House Office on Women's Issues and Initiatives, 1996.

Advisor to Texas Human Rights Commission, 1992.

Steering Committee, Leadership San Antonio, 1992.

Executive Committee, Avance Parent-Child Training Program, 1992.

Chair, Board of Directors, Center for Hispanic Health Policy Development, 1992-1993.

State Committee on Minority Concerns, State Bar of Texas, 1991.

Community Advisory Board to Editorial Board, San Antonio Light, 1991-1992.

City of San Antonio Regionalization Committee, 1989.

Vice President, Mexican American Bar Association, 1982.

Pro Bono Legal Counsel, YWCA of San Antonio, 1981.

Secretary, Mexican American Bar Association of San Antonio, 1981.

Leadership San Antonio participant (nominated by City Councilmember Henry Cisneros), 1980.

PERSONAL

Born November 2, 1954 in Brownsville, Texas.

Fluent in Spanish.

Completed Marine Corps Marathon in 1999 and 2000. Finished Motorola Marathon in 2002.