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Education Law Association

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Education Law Association

Established in 1954, the Education Law Association (ELA) is a 501(c)(3) nonprofit, nonadvocacy member association that seeks to improve education by promoting interest and understanding of the legal framework of education and the rights of students, parents, school boards, and school employees. ELA's vision is to be known as the premier source of information on education law. The mission of the organization is: "ELA brings together educational and legal scholars and practitioners to inform and advance educational policy and practice through knowledge of the law. Together, our professional community anticipates trends in educational law and supports scholarly research through the highest-value print and electronic publications, conferences, and professional forums" (ELA, 2008, p. 3).

Beginning

In mid-forties, at the urging of Frank Heinich, an attorney from Omaha, Madaline Kinter Remmlein, then an employee of National Education Association (NEA), asked NEA leadership to establish a department on school law issues at the NEA, the request was denied due to a perception of a lack of interest in such a topic. Ed C. Bolmeier, president of Duke University, and Lee Garber suggested to Madaline Kinter Remmlein to create a school law organization independent of the NEA.

In February, 1954, school law research appeared for the first time as one of the topics for round table discussion at the AERA annual convention. The eight discussants' report urged organizing a school law national conference that would facilitate communication between school law specialists and their colleagues. Meanwhile, Garber's suggestion of forming a school-law organization for the exchange of ideas in a School Law Newsletter he wrote garnered significant support.

In June of 1954, the first school-law conference took place at Duke University due, in large part, to Bolmeier's influence. During the proceedings of the conference, what will soon be known as the National Organization on Legal Problems of Education (NOLPE) emerged as an independent organization. Its membership of 57 came from 15 states and the District of Columbia: Alabama, Delaware, Georgia, Massachusetts, Maryland, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, and West Virginia. Madaline Kinter Remmlein became NOLPE's first chairman. The support for the running of the organization during the organizational year came from dues which amounted to the grand sum of \$1.00 and NEA's Research Division clerical help (Kinter Remmlein, 1966).

In order to spread its membership across the country, NOLPE sent out invitations addressed to its members, Duke Conference attendees that did not join the organization, school administrators from 100 largest school districts, 70 officers of state board associations, to 103 deans of law schools, to 100 deans of schools of education, and presidents of teacher-training institutions. Within six weeks of its creation, the buddy system NOLPE used to promote membership, succeeded in increasing its membership number to 205 with representatives from 40 states, the District of Columbia, and Guam. Over one fifth were lawyers connected with school affairs or law schools; over one fifth were county or city school superintendents; one third were professors of educational administration, and the remaining were educators on the staffs of state departments of education, the federal Office of Education, the National Education Association and state education associations. In addition, NOLPE asked many organizations such as National School Boards Association, AASA, AERA, and NEA to announce its creation.

A committee of four members, Lehan Tunks, dean of the law school at Rutgers University, Ed Bolmeier, Ward Keesecker, and O. H. English, a school superintendent in

Pennsylvania framed a tentative constitution which they submitted to the membership for criticism. In September, 1954, the members were asked to vote on the constitution on one of three ways: a) in favor of adoption, b) changes suggested but willing to defer consideration until first annual business meeting. The overwhelming majority responded in favor of adopting the constitution which was immediately adopted.

For the first selection of the executive board, each member had an opportunity to name his choice for president, for secretary-treasurer, and for each of four executive committee members. The four executive members represented different categories of members: a) faculty members of schools of education and teacher training institutions; b) law-school faculty members; c) professional staffs of elementary and secondary school systems; and d) those otherwise engaged in educational activities of an official or advisory nature.

On January 3, 1955, the following results were announced: Madaline Kinter Remmlein, president, Lee O. Garber, secretary- treasurer, Ed C. Bolmeier, executive committee member to represent schools of education and teacher training institutions, Robert R. Hamilton, executive committee member to represent law-school faculties, Nolan D. Pillion, executive committee member to represent professional staffs o elementary or secondary school systems, and Edgar Fuller, executive committee member to represent those otherwise engaged in educational activities of an official or advisory nature. The terms of service were one year with the exception of secretary treasurer who was to serve three years. The longtime executive director (1962-82) was Marion McGhehey, who also served as the head of the Kansas School Boards Association (Kinter Remmlein, 1966).

NOLPE had four standing committees: research, publications, membership, and relationships with other disciplines. The president appointed the chairman of each committee with the approval of the executive board. As a result, NOLPE published a quarterly newsletter which contained digests of important cases, and relationships with other organizations were established. The first annual meeting took place in fall of 1955 at the University of Chicago with 50 participants representing 17 states.

Maturity

In 1997, NOLPE changed its name to ELA and moved its headquarters from Topeka, Kansas, to the campus of the University of Dayton in Dayton, Ohio and is affiliated with the University of Dayton's School of Education and Allied Professions. ELA has come a long way since its modest beginnings. It still serves three divergent constituency groups from across the country: Attorneys, professors, and school administrators. Since its inception, the ELA's common goal has been to stay informed and up-to-date on laws that are shaping educational future in the USA by providing unbiased information about current legal issues affecting education and the rights of those involved in education in both public and private K-12 schools, universities, and colleges. ELA membership has grown to a robust size of more than 1,200 members that include faculty in schools of education and law, public/private school administrators and teachers, administrators, school board members, attorneys, staff members of state and federal education agencies, government officials, and state and federal professional associations.

ELA is governed the Board of Directors which consists of the President, President-Elect, Vice President, Immediate Past President, and nine directors. The Executive Committee which

comprises of the President, President-Elect, Vice President, Immediate Past President, and the Executive Director (ex officio) has ultimate responsibility in the administration and supervision of ELA activities, including the authority to enter into contracts on behalf of ELA. Each office is held by a different person who must be a member of ELA. The Nominating Committee selects the slate for the Office of Vice President and directors for election at the annual meeting which is announced prior to the election at which time additional nominations are accepted from the floor. The President appoints an elections subcommittee to count the ballots, and the nominees with the highest number of votes are elected to office. At the conclusion of the President's term of office, the President-Elect automatically assumes the office of President, at which time the Vice President automatically assumes the office of the President-Elect. ELA members elect the Vice President at the annual business meeting of the membership. Eligible candidates must be current ELA members who have completed at least one year on the ELA Board of Directors. Each officer serves a one-year term starting at election time while directors serve three-year terms. In addition, ELA has four standing committees: Membership Committee, Publications Committee; Convention Program Committee; and a Nominating Committee. Lastly, ELA has the following committees: McGhehey Award Committee, Joseph C. Beckham Dissertation of the Year Committee, Professional Partnership Committee, Ambassadors Committee, Seminar Committee, *Education Law Into Practice* (ELIP) Committee, Development Committee, Steven S. Goldberg Award for Distinguished Scholarship in Education Law Committee, and George Jay Joseph Education Law Writing Award Committee.

For more than 50 years, the ELA has hosted an annual conference each year with approximately 350 people attending. The ELA annual conference provides an opportunity for members and education law professionals to stay abreast of current issues as well as the

opportunity to network with peers from across the world. The format is designed to stimulate dialogue among educational and legal scholars and practitioners to inform and advance educational policy and practice through knowledge of the law. This four-day event features experts from around the country speaking on a wide range of current topics. Some of the themes in recent years included: Brown and ELA at 50: The Journey Continues held in 2004; The Courts, the Congress, and Education: A New Look at Accountability and Responsibility convened in 2005; Accountability and Equal Opportunity on the Line took place in 2006; Education and Society: Accountability, Safety, and Climate assembled in 2007; and Relevance and Reform: Building the Bridge Between Theory and Practice wrapped up its proceedings in 2008. Also, the ELA sponsors regional seminars and webinars throughout the year.

Publications have also grown since the early beginnings. Currently, the ELA keeps its members informed of current cases, decisions, and relevant information by publishing monographs and books on a wide variety of topics within education law. Typically, ELA publishes three to four new titles and the Yearbook of Education Law annually. In addition, the ELA publishes two newsletters: *ELA Notes* and the *School Law Reporter*.

ELA books and monographs provide thorough and authoritative analyses of education law issues. Many of these publications contain practical suggestions and sample policies and forms that are useful to education administrators and to attorneys who practice education law. These publications cover a myriad of topics on education law such as school discipline, special education, discrimination based on color, national origin, sex, and disability, implementation of Educational Opportunities Act, Title IX, the No Child Left Behind Act, The Americans with Disabilities Act, The individuals with Disabilities Education Act, First Amendment issues, Furth Amendment issues, and school violence. Some of the recent book titles include: The Principal's

Legal Handbook, Law of Student Expulsions and Suspensions, Legal Problems of Religious and Private Schools, Educational Finance Law: Constitutional Challenges to State Aid Plans-An Analysis of Strategies, Research Methods on Legal Issues, Sexual Orientation, Public Schools, and the Law, the Law of Teacher Evaluation, Death Threats by Students: The Law and its Implications, Contemporary Issues in Higher Education Law, School Law for Busy Administrators, Students, Colleges, and Disability Law, and Supreme Court Digest. Many of these publications are adopted as course texts in education law classrooms. On the other hand, the Yearbook of Education Law contains analyses of the previous year's federal and state court decisions affecting private and public elementary and secondary schools and higher education. Each volume covers all phases of education law and includes a detailed index and table of cases.

The ELA publishes the *School Law Reporter* monthly and *ELA Notes* quarterly. The *School Law Reporter* is a compilation of recent court decisions affecting education. Topics covered include: Elementary and Secondary Education (Tort liability; students with disabilities; teacher and administrator employment; and dismissal, nonrenewal and RIF), higher education (students, professors and administrator employment) and the U.S. Supreme Court Docket. *ELA Notes* keeps ELA members informed on education law related conferences and seminars as well as member activities. It also contains articles from West's *Education Law Reporter*, letters to the editor, "Online" articles, and new member updates.

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