Bios of Participants in

Symposium on The Impact of Same-Sex Marriage on Education: Implications for Schools, Curriculum, Students, Their Families, and Educational Communities

Friday, October 29, 2010

at the J. Reuben Clark Law School at Brigham Young University

Room 472 JRCB
**Benton, Tom**

Health Consequences of Same-Sex Education Curricula on Students

**Tom Benton, MD, FCP**, graduated from the University of Florida in 1985. He completed his residency at Baylor College of Medicine (Houston, Texas) in 1988. He has been in private practice in Gainesville, Florida every since. He is also an Adjunct Clinical Assistant Professor at the University of Florida. He was a co-founder of the American College of Pediatricians (www.Best4Children.org), and currently serves as the College’s President. A member of the Florida Chapter of the AAP executive committee from 1999 to 2003, he is not currently a member of the AAP. He has been a member of the Christian Medical and Dental Association since 1996. He served as the medical director of the Gainesville Job Corp (1996 – 2002) and has been a member of a local independent physicians’ association board (FIPA #3, Inc) since 1996. His community service includes participation in the local Safe Kids organization, serving on the Board of the local YMCA, serving on the board of the Woman’s Resource and Medical Center, and as a member of the Emergency Medical Service Citizens Advisory Board. Dr. Benton has been on medical mission trips to the Dominican Republic, Honduras, Haiti, Nicaragua, and the Philippines. Dr. Benton and his wife, Kathy, have five children and one grandchild. He and his wife are members of Servants of Christ Anglican Church in Gainesville, Florida.

**Byrd, A. Dean**

Same Sex Marriage and The Schools: Potential Impact on Children via "Sexuality Education"

**A. Dean Byrd, PhD, MBA, MPH**, is President/CEO of Thrasher Research Fund, a charitable medical research organization that funds pediatric medical research and related humanitarian work. Dr. Byrd also teaches on the faculty, University of Utah School of Medicine with appointments in the Department of Family and Preventive Medicine and in the Department of Psychiatry. Adjunct Professor, Department of Family Studies, University of Utah. He is President of the National Association for Research and Therapy of Homosexuality. His is the author of dozens of books, chapters, and articles in scholarly and professional publications.

**Clark, Stephen**

“Equal Access”: The Importance of Extra-Curricular Student Groups as a Forum for Debating Marriage Equality

**Stephen Clark** is an attorney in private practice with the law firm of Jones Waldo Holbrook & McDonough. He was the Legal Director of the ACLU of Utah from 1998 to 2002. During his tenure, he advocated for policies and litigated cases involving a wide variety of First Amendment issues, including the rights of students who wished to form extra-curricular groups commonly known as “Gay/Straight Alliances” in Utah’s public schools under the Equal Access Act, and the rights of a Utah public school
teacher fired when it became publicly known in her small community that she is a lesbian. He has since continued to both advocate and litigate First Amendment issues involving religious expression and practice, and he has written and spoken publicly in favor of marriage equality for same-sex couples based on principles of classical conservatism.

**Ferrin, Scott Ellis**

The Quest for a Nurturing, Safe and Effective Educational Environment

Scott Ellis Ferrin is an Associate Professor of Educational Leadership and Foundations, Adjunct Professor of Law, and an Affiliated Scholar of the Wheatley Institution at Brigham Young University. He is the Graduate Coordinator in Educational Leadership and Foundations, and the Chair of the Department’s Doctoral Program. He received his BA and J.D. from BYU and his M.Ed. and Ed.D. from Harvard University. He teaches and researches on education law and related constitutional issues, is a member of the Arizona and Utah bars, is the law school faculty advisor to the BYU Education and Law Journal, and is a Due Process Hearing Officer on IDEA issues for the state of Utah. He is the founding chair of the Utah Education Law & Policy Institute and serves on several national academic association committees, several boards of editors and as a reviewer for several peer-reviewed journals.

**Fetter-Harrott, Alli**

The Impact of Same-Sex Marriage on Education: Implications for Schools, Curriculum, Students, Their Families, and Educational Communities

Alli Fetter-Harrott, J.D., is a former high school teacher and an attorney, Alli holds a B.S. in English Education and an M.S. in Special Education. After law school, Alli clerked for the Honorable David F. Hamilton in the U.S. District Court for the Southern District of Indiana, and later practiced school and employment law in Indianapolis. In 2009, Alli co-authored an amicus brief on behalf of the National School Boards Association before the U.S. Supreme Court in Gross v. FBL Financial Services, Inc. Alli teaches school law courses at Butler University and Indiana University – Bloomington, where she is pursuing a Ph.D. in Education Policy.

**FitzGibbon, Scott**

Educational Justice and the Recognition of Marriage

Scott FitzGibbon is a graduate of the Harvard Law School (J.D.), where he was an Articles Officer of the Harvard Law Review, and of Oxford University (B.C.L.), where he studied legal philosophy. He is a professor at Boston College Law School, a member of the American Law Institute, and a member of the International Society of Family Law. He is the author of “Marriage and the Good of Obligation” (American Journal of Jurisprudence, 2002); “Marriage and the Ethics of Office” (Notre Dame Journal of Law, Ethics, and Public Policy, 2004); “A City Without Duty, Fault or Shame,” in RECONCEIVING
Mawdsley, Ralph D.

Employment, Homosexuality, and Religious Beliefs: Do Religious Educational Institutions Have a Protected Right to Discriminate in the Selection and Discharge of Employees?

Ralph D. Mawdsley, JD. Ph.D., is a Professor of Educational Administration and the Roslyn Z. Wolf Endowed Chair in Urban Educational Leadership in the Department of Counseling, Administration, Supervision, and Adult Learning, Cleveland State University. With degrees in political science, law and educational administration, he teaches school law, sports law, and special education law. He has received an Honorary Doctorate (D.Ed., honoris causa) from the University of Pretoria (2010), and was a Fulbright Scholar (2005) at the University of Pretoria, South Africa, as well as the Sir Alan Sewell Visiting Professor Fellowship (2007) at Griffith University, Australia, and also was a Fulbright Senior Specialist, (2009) Griffith University and Queensland University of Technology Faculty of Law in Brisbane, Australia, and recipient of the Australia/New Zealand Education Law Association Achievement Award (2009), as well as the Marion McGhehey Award for Contributions to Education Law (U.S. Education Law Association 2004). Among his (more than 500) articles and books are Mark Weber, Ralph Mawdsley, and Sarah Redfield, 3d. ed. (2010) SPECIAL EDUCATION LAW: CASES AND MATERIALS. Newark NJ: LEXIS NEXIS; Ralph Mawdsley The Supreme Court’s Reassessment of Parental Placement under the IDEA: Forest Grove School District v. T.A.,” 251 EDUCATION LAW REPORTER 1-18 (2010); and Ralph Mawdsley, The Rise and Fall of Constitutionally Protected Religious Speech in the United States, 14 INTERNATIONAL JOURNAL OF LAW AND EDUCATION 71-91 (2009).
**Myers, Richard S.**

*Same-Sex Marriage, Education, and Parental Rights*

**Richard S. Myers** is Professor of Law at Ave Maria School of Law. He is a Phi Beta Kappa graduate of Kenyon College. He earned his law degree at Notre Dame, where he won the law school’s highest academic prize. He began his legal career by clerking for Judge John F. Kilkenny of the United States Court of Appeals for the Ninth Circuit. Professor Myers also worked for Jones, Day, Reavis & Pogue in Washington, D.C. His law practice focused on antitrust law and appellate litigation, including work on several cases before the United States Supreme Court. He taught at Case Western Reserve University School of Law and the University of Detroit Mercy School of Law before joining the Ave Maria faculty; he has also served as a Visiting Associate Professor of Law at Notre Dame Law School.

He has published extensively on constitutional law, including articles in the law reviews of Ave Maria School of Law, Catholic University, Case Western Reserve, Notre Dame, and Washington and Lee. He is a co-editor of *St. Thomas Aquinas and Natural Law: Contemporary Philosophical and Theological Perspectives* (Catholic University of America Press 2004) and a co-editor of *Encyclopedia of Catholic Social Thought, Social Science, and Social Policy* (Scarecrow Press 2007). Professor Myers is the President of University Faculty for Life and the Executive Secretary of the Society of Catholic Social Scientists.

Professor Myers is married to Mollie Murphy who is an Associate Professor of Law at Ave Maria School of Law. They are the proud parents of six children—Michael (21), Patrick (19), Clare (17), Kathleen (15), Matthew (13), and Andrew (10).

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**Peterson, Richard**

*Examining Context in the Conflict over Same-Sex Marriage and Education: The Relevance of Substance, Processes and the People Involved*

**Richard Peterson** is an Assistant Professor of Law at Pepperdine University School of Law in Malibu, California where he teaches Dispute Resolution in Education, Special Education Law, Disability Law, and is Director of the Pepperdine University Special Education Advocacy Clinic. In addition to his law degree, Peterson holds Masters in Dispute Resolution (MDR) and LLM in Dispute Resolution degrees from Pepperdine’s Strauss Institute for Dispute Resolution. He frequently provides training and workshops for school districts and parent organizations in resolving education law issues. Prior to joining the Pepperdine Law faculty Peterson served as an educational consultant for school districts across the country in connection with implementing conflict management curriculum in middle schools and high schools.

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**Randall, E. Vance and Clifford Mayes**

*Same-Sex Marriage and Education: Implications for Schools, Students, and Parents*

**E. Vance Randall, Ph.D.** is a professor of education policy and former chair of the Department of Educational Leadership and Foundations at Brigham Young University. He received his Ph.D. from Cornell University in 1989. He is the author of over 40 scholarly and professional publications and three
books: Private Schools and Public Power: A Case for Pluralism (Teachers College Press, 1994), Advocacy or Accuracy: The Politics of Research in Education, co-edited with Bruce Cooper (Sage, 1999), and Better Policies, Better Schools, co-authored with Bruce Cooper and Lance Fusarelli (Allyn & Bacon, 2004). His scholarly interests are in the field of social and political philosophy of education policy. He served as a legislative fellow for the U.S. Senate in the office of Senator Orrin G. Hatch (2005-2006).

Clifford Mayes, Ph.D., Psy.D., is a professor of educational psychology at Brigham Young University. He is the author of seven books and over 40 scholarly articles in educational psychology, curriculum theory, and multiculturalism. His book Jung and Education: Elements of an Archetypal Pedagogy is the first book-length study in English of the pedagogical implications of archetypal psychology. His two most recent books are Inside Education: Depth Psychology in Teaching and Learning and The Archetypal Hero’s Journey in Teaching and Learning: A Study in Jungian Pedagogy. His research revolves around the psychospiritual dynamics of educational processes.

Russo, Charles J.

Respect for Me But Not for Thee: Reflections on the Impact of Same Sex Marriage on Education

Charles J. Russo, J.D., Ed. D., is the Joseph Panzer Chair in Education in the School of Education and Allied Professions and Adjunct Professor in the School of Law at the University of Dayton. The 1998-99 President of the Education Law Association, and 2002 recipient of its McGhehey (Achievement) Award, he authored or co-authored more than 200 articles in peer-reviewed journals; authored, co-authored, edited, or co-edited thirty-seven books and has in excess of 750 publications. Dr. Russo also speaks extensively on issues in Education Law in the United States and other Nations on all six inhabited continents.

Schimmel, David

Teaching the Case and the Controversy: Studying the Massachusetts Goodridge Decision as an Antidote to Mutual Misunderstanding and as a Lesson in Law and Civics

David Schimmel is Professor of Education at the University of Massachusetts, Amherst and Visiting Professor at Harvard University’s Graduate School of Education. He is author of over 70 articles and co-author of 7 books about law and education including School Law: What Every Educator Should Know (2008) and Principals Teaching the Law (2010) and is recipient of the Education Press Association of America’s Distinguished Achievement Award for Excellence in Educational Journalism. After graduating from Yale Law School, he briefly practiced law, was an Army Infantry Officer, and served on the Peace Corps staff for 6 years before starting his teaching career at UMass. His current research and writing focuses on the legal literacy of teachers.
Smit, Marius H.

Same-Sex Life Partnerships in South Africa: The Impact on Education

Marius H. Smit (BCom PGCE LLB LLM PhD) is an attorney, qualified educator and associate-professor at the Faculty for Education Sciences at the North-West University, Potchefstroom campus, South Africa. He has published several articles in academic journals and has co-authored seven books in the field of Education Law. He serves as a member of the school governing body of Potchefstroom Gimnasium (High School), a member of the provincial committee of the Federation of South African School Governing Bodies (FEDSAS) and is the secretary of the national executive of the South African Education Law Association. His research focus is on human rights and democracy from an Education Law perspective with the aim of contributing towards the improvement of administration, governance and leadership in education.

Strasser, Mark

On Same-Sex Marriage and the Public Schools

Mark Strasser is Trustees Professor of Law at Capital University Law School in Columbus, Ohio. Much of his research focuses on sexual minorities and the law.

Thro, William E.

The Heart of the Constitutional Enterprise: Affirming Freedom and Equality in Public Education

William E. Thro is University Counsel and Assistant Professor of Government at Christopher Newport University, and is an accomplished appellate advocate, constitutional scholar, and education lawyer. As State Solicitor General of Virginia from 2004 to 2008, he was responsible for the Virginia State Government’s U.S. Supreme Court litigation (except capital cases) as well as lower court appeals involving the constitutionality of statutes or politically sensitive issues. He argued two cases in the U.S. Supreme Court and thirty-two cases in the lower appellate courts. He was on brief for six cases in the U.S. Supreme Court and seventy cases in the lower appellate courts. A recipient of two National Association of Attorneys General “Best Brief” awards, he has co-authored eleven U.S. Supreme Court amicus briefs on the merits and more than fifty briefs at the petition stage. His scholarship focuses on constitutional law in education contexts in both the United States and South Africa. He has authored or co-authored more than ninety publications and has presented more than fifty times at regional, national, and international conferences. He currently serves on the Board of Directors of the Education Law Association, the Editorial Advisory Committee or Boards of the Education Law Reporter, International Journal of Educational Reform, the Journal of College and University Law, and as a Contributing Author to the Yearbook of Education Law. In 2007, he became a Fellow of the National Association of College and University Attorneys. He served previously as Interim General Counsel at Old Dominion University, chief counsel for Norfolk State University, and litigation counsel for the Colorado State University and the Colorado Department of Education. He began his legal career as judicial clerk to Judge Ronald E.
Meredith of the U.S. District Court for the Western District of Kentucky. He received his undergraduate degree summa summa laude from Hanover College where he received the Crowe Citation as the outstanding male in his class, and was the first Hanover student to become a Harry S. Truman Scholar. He earned a graduate degree with honours from the University of Melbourne while attending as a Rotary Foundation International Ambassadorial Scholar. His law degree is from the University of Virginia where he was a published member of the Virginia Law Review and research assistant to constitutional law professor A.E. Dick Howard. He serves as an Elder in the Presbyterian Church (U.S.A.), teaches an adult Sunday school class, and is Vice Chair of the Board of Directors for the local chapter of the American Red Cross. He is married to the Rev. Julie U. Thro, and has three children (Sandra, Will, & Noah)

Wardle, Lynn D.

Who’s Your Daddy? The Impact of Legalizing Same-Sex Marriage on the Constitutional Rights of Parents to Educate Their Children

Lynn D. Wardle is the Bruce C. Hafen Professor of Law at the J. Reuben Clark Law School at Brigham Young University where he has taught for over three decades. His primary fields of teaching and writing are family law, comparative family law, conflict of laws, U.S. constitutional history, and biomedical ethics and law. Professor Wardle was President (2000-02) and Secretary-General (1994-2000) of the International Society of Family Law (ISFL), and still serves on the ISFL Executive Council. He also is a member of the American Law Institute, and has been an academic visitor at Howard University School of Law, Sophia University Faculty of Law, University of Queensland T.C. Beirne Law School, China University of Political Science and Law, Nanjing Agricultural University Faculty of Law, and University of Aberdeen Faculty of Law. Among his recent publications are Comparative Perspectives on Adoption of Children by Cohabiting, Nonmarital Couples and Partners, 63 Ark. L. Rev. 31-112 (2010); Gender Neutrality and the Jurisprudence of Marriage in THE JURISPRUDENCE OF MARRIAGE AND OTHER INTIMATE RELATIONSHIPS 37-65 (S. FitzGibbon, L. D. Wardle, & A.S. Loveless eds., 2010); Alimony on the Margins: Protecting Homemaking Service in the Public Interest, in FAMILY FINANCES 475-490 (Jan Sramek Verlag, 2009), WHAT’S THE HARM? DOES LEGALIZING SAME-SEX MARRIAGE REALLY HARM INDIVIDUALS, FAMILIES OR SOCIETY (Lynn D. Wardle, ed., 2008); From Slavery to Same-Sex Marriage: Comity Versus Public Policy in Inter-jurisdictional Recognition of Controversial Domestic Relations, 2008 B.Y.U. L. Rev 1855-1926; and MARRIAGE AND QUASI-MARITAL RELATIONSHIPS IN CENTRAL AND EASTERN EUROPE (Lynn D. Wardle & A. Scott Loveless, eds. 2008).