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Juvenile & Special Education Law Clinic Research Guide

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D.C. Bar Rules	Databases
United States Statutes	Governmental Organizations
United States Regulations	Non-governmental Organizations
D.C. Statutes & Regulations	Newsletters, Newspapers & Websites
Case Law, US and States	Blogs and Podcasts
Books (legal treatises)	
Periodicals	

D.C. Bar Rules of Professional Conduct

These are rules for "Competent Representation," including the "Duty of Competent Research," Rule 1.1(a); "Diligence and Zeal," Rule 1.3; "Candor to Tribunal," Rule 3.3, and "Truthfulness in Statements to Others," Rule 4.1;

http://www.dcbbar.org/for_lawyers/ethics/legal_ethics/rules_of_professional_conduct/amended_rules/index.cfm

United States Statutes

Individuals with Disabilities Education Act of 2004 (IDEA), 20 U.S.C. § 1400 et seq.,
<http://frwebgate2.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=CitKDv/0/2/0&WAIAction=retrieve>

The IDEA authorizes the Department of Education to publish regulations in the Code of Federal Regulations (C.F.R.). Assistance to States for the Education of Children with Disabilities, 34 C.F.R. Part 300.

Free and Appropriate Public Education (FAPE), 20 U.S.C. § 1401(9);
34 C.F.R. § 300.17

Least Restrictive Environment, 20 U.S.C. § 1412(a)(5);
34 C.F.R. § 300.114

Continuum of Placements, 34 C.F.R. § 300.115

Individualized Educational Program (IEP), 20 U.S.C. § 1414(d)

Related Services, 20 U.S.C. § 1401(26)

Early and periodic screening, diagnostic, and treatment services (EPSDT);
42 U.S.C. § 1396d(r) (Medicaid services for child health)

Americans with Disabilities Act, Title II, Public Entities, 42 U.S.C. §§ 12131-12165 (prohibiting disability discrimination by all public entities); implementing regulations published by the EEOC, Department of Transportation, FCC, and Department of Justice.

Juvenile Justice and Delinquency Prevention Act (JJDP), Pub. L. No. 93-415; reauthorized by the 21st Century Department of Justice Appropriations Authorization Act, Pub. L. No. 107-273, 116 Stat. 1758, as the Juvenile Justice and Delinquency Prevention Act of 2002, , 42 U.S.C. § 5601 *et seq.*

Rehabilitation Act, Section 504, 29 U.S.C. § 794 (prohibiting disability discrimination in “any program or activity that either receives Federal financial assistance or is conducted by an Executive agency”); over 20 implement regulations for federally assisted programs, and over 95 implementing regulations for federally conducted programs.

Supplemental Educational Services, Title I, Section 1116(e) of the **Elementary and Secondary Education Act**, as reauthorized by the **No Child Left Behind Act of 2001**, Pub. L. No. 107-110; 20 U.S.C. § 6316(b)(5)(B); regulations can be found at 34 C.F.R. Part 200.

Medicaid Hearings:

State plans for medical assistance, 42 U.S.C. § 1396a.

Medicaid Services, 42 C.F.R. § 440 *et seq.*, <http://frwebgate2.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=s1XV2g/1/2/0&WAISaction=retrieve>

MCO requirements and due process protections, 42 C.F.R. § 438 *et seq.*, <http://frwebgate3.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=10vuy1/1/2/0&WAISaction=retrieve>

Fair hearings, 42 C.F.R. § 431.200

Informing applicants and recipients, 42 C.F.R. § 431.206

Content of notice, 42 C.F.R. § 431.210

For D.C. hearings, see D.C. Statutes, Title 4, Section 205.55 and D.C. Municipal Regulations, Title 1, Chapter 28.

Sources for statutes:

Statutes in print: U.S.C. (official code), U.S.C.A., & U.S.C.S., in Mason Law Library GPOAccess/FDsys (free, public site), <http://www.gpoaccess.gov/uscode/>

Lexis: USCS

Westlaw: FED-USCA

Federal legislative histories:

Thomas, www.thomas.gov (since 93rd Congress, 1973)

United States Code Congressional and Administrative News (USSCAN), print and Westlaw, LH database), **only for major legislation.**

**U.S. Federal Legislative History Library*, HeinOnline database (password)

Federal Legislative Histories: An Annotated Bibliography and Index to Officially Published Sources, Reserve KF42.2 1994

*UDC-DCSL students have access by password.

D.C. Statutes

Disposition of child who is neglected, delinquent, or in need of Supervision, D.C. Code § 16-2320.
Family Division Proceedings (child welfare, PINS, and delinquency), Purpose, D.C. Code § 16- 2300 *et seq.*
Intake, D.C. Code § 16-2305
Grievances (mental health consumers' rights protection) D.C. Code § 7-1231.12
Initial Hearing and Detention, D.C. Code 16-2310-2312.
Timely and adequate notice of action to discontinue, etc., assistance (Medicaid) D.C. Code § 4-205.55.

D.C. Legislative History

The D.C. Council website, Legislation and Laws, <http://www.dccouncil.washington.dc.us/legislation>, and the D.C. Legislative Service, 202-724-8050, are excellent resources for finding legislative documents.

D.C. Municipal Regulations

D.C. Mun. Regs. tit. 1, § 2800. Office of Administrative Hearings Rules of Practice and Procedure, <http://www.dcregs.dc.gov/Gateway/ChapterHome.aspx?ChapterNumber=1-28>

D.C. Mun. Regs., tit. 5E, § 3000, Special Education Policy, <http://www.dcregs.dc.gov/Gateway/ChapterHome.aspx?ChapterNumber=5-E30>

D.C. Mun. Regs., tit. 5B, § 2500. Student Discipline, <http://www.dcregs.dc.gov/Gateway/ChapterHome.aspx?ChapterNumber=5-B25>

DC Public Schools, Special Education, Student Hearing Office, Due Process Hearing Standard Operating Procedures, <http://www.pdsdc.org/Resources/JUVENILEPANEL/SpecialEducationStudentHearingOfficeDueProcessHearingStandardOperatingProceduresEffectiveJune30-2006.pdf>

D.C. Government

Department of Youth Rehabilitation Services, <http://dyrs.dc.gov/DC/DYRS>
Education Center, <http://educationcenter.dc.gov/ec/cwp/view,a,1306,q,581325.asp>
Juvenile Justice Advisory Group, <http://jga.dc.gov/DC/JGA/Juvenile+Justice+Advisory+Group>
Special Education, <http://dcps.dc.gov/DCPS/In+the+Classroom/Special+Education>

D.C. Superior Court, Family Court Attorney Practice Standards

Attorney Practice Standards for Attorneys Representing Juveniles Charged with Delinquency or as Persons in Need of Supervision, <http://www.dccourts.gov/dccourts/docs/0413a.pdf>

Attorney Practice Standards for Special Education Panel Attorneys, <http://www.dccourts.gov/dccourts/docs/09-03Attachment.pdf>

Child Abuse and Neglect Attorney Practice Standards, http://www.dccourts.gov/dccourts/docs/practice_standards.pdf

D.C. Public Defender Service

The D.C. Public Defender Services (DCPDS) has *Special Education Training Materials* on its Legal Community website, <http://www.pdsdc.org/LegalCommunity/JuvenilePanel.aspx>.

The Civil Legal Services Division provides services relating to children in the delinquency system. <http://www.pdsdc.org/PDS/CivilLegalServices.aspx>.

The Community Defender Division also has a Juvenile Services Program, Institutional Services Program, Community Reentry Program, and a Community Outreach and Education Program, <http://www.pdsdc.org/PDS/CommunityDefenderDivision.aspx>

D.C. Office of the State Superintendent of Education

Office of the State Superintendent of Education (OSSE),

<http://osse.dc.gov/seo/site/default.asp?seoNav=|31191|>

OSSE Special Education, <http://osse.dc.gov/seo/cwp/view,a,1222,q,561151.asp>

OSSE Special Education Policies and Regulations,

<http://osse.dc.gov/seo/cwp/view,a,1222,Q,564539,PM,1.asp>

OSSE Publications on the IDEA, least restrictive environment policy; *Resolution Meeting, Due Process Hearing, and Final Decision Procedure*, etc.

<http://osse.dc.gov/seo/cwp/view,a,1222,q,561151.asp>.

Division of Early Childhood Education Division,

<http://osse.dc.gov/seo/cwp/view,a,1224,q,561963,seoNav,|31193|.asp>

Case Law, Federal and State Cases

Individuals with Disabilities Education Law Report, looseleaf, Reserve, KF4210.A6 E38, Is a resource for current caselaw, statutes, regulations, and special reports, etc.

Regional and federal case reporters in print are in the Mason Law Library, lower level; online at Lexis, Westlaw, Legal Information Institute, and court web sites.

Books (legal treatises and looseleaves)

Judging Delinquents: Context and Process in Juvenile Court, KF 9709. E44 2008

Juvenile Justice Administration in a Nutshell, Res. KF9780.F45 2009

Special Education Law, Reference, KF 4209.3 .L38 2008

Databases

*Special Ed Connection (password)

*HeinOnline, pdf copies of journal articles (password)

*Lexis, State Education Law Cases (password)

*Westlaw, MED-CS (Multistate Education - Cases) (password)

*ERIC (Education Resources Information Center), U.S. Dep't of Education's database of articles, Go to UDC Learning Resources Library page, <http://www.wrlc.org/~lrdudc/>

*JSTOR, full text articles from many fields

http://metalib.wrlc.org/V?func=file&file_name=aladin-home-dc

*Proquest Research Library, full text articles from many fields,

http://metalib.wrlc.org/V?func=file&file_name=aladin-home-dc

*UDC-DCSL students have access by password.

Governmental Organizations

U.S. Department of Education, <http://www.ed.gov/>
IDEA website, <http://idea.ed.gov/>
National Center for Special Education Research, <http://ies.ed.gov/ncser/>
No Child Left Behind Act, <http://www2.ed.gov/nclb/landing.jhtml>
Office of Special Education and Rehabilitative Services,
<http://www2.ed.gov/about/offices/list/osers/index.html>
Research and Statistics section with links to evaluations, reports and statistics,
<http://www2.ed.gov/about/offices/list/osers/reports.html>
Ed Data Express, <http://www.eddataexpress.ed.gov/>
U.S. Department of Justice, Americans with Disabilities Act, <http://www.ada.gov/>
National Council on Disability, <http://www.ncd.gov/>

Non-Governmental Organizations

American Bar Association, Juvenile Justice Center, <http://www.abanet.org/crimjust/juvjus/>
Annenberg Institute for School Reform at Brown University,
<http://www.annenberginstitute.org/>
Brown Center on Education Policy at the Brookings Institution,
<http://www.brookings.edu/brown.aspx>
Center on Juvenile and Criminal Justice, <http://www.cjcj.org/>
Center for Comprehensive School Reform and Improvement, <http://www.centerforcsri.org/>
The Urban Institute's Education Policy Center, <http://www.urban.org/center/epc/index.cfm>
Center on Reinventing Public Education,
http://www.crpe.org/cs/crpe/print/csr_docs/home.htm
Center on Education Policy, <http://www.cep-dc.org/>
Citizens for Juvenile Justice, <http://www.cfjj.org>
Community Alliance for Special Education (CASE), <http://www.caseadvocacy.org/>
Council of Parent's Attorneys and Advocates, <http://www.copaa.org>
Disability Rights Education and Defense Fund (DREDF), <http://www.dredf.org/>
Juvenile Law Center, <http://www.jlc.org>
National Center for Learning Disabilities, <http://www.nclد.org/>
National Disability Rights Network, <http://www.ndrn.org>
National Education Association, <http://www.nea.org/>
National Juvenile Defender Center [I think that the Web site is www.njdc.net.]

Newsletters, Newspapers and Web Sites

Education Week, *Lexis Education Week*; Westlaw *EDUWEEK*
Lexis Combined Legal Newsletters database
Westlaw: LEGNEWSL database of current legal newsletters
SpecialEdLaw.net, www.specialedlaw.net
Wrightslaw, special education advocacy, <http://wrightslaw.com/>

Blogs and Podcasts

Special Education Law Blog, <http://specialedlaw.blogs.com/>
School and Education Law Blog, <http://schoolandeducationlaw.blogspot.com/>
School Law Blog - Education Week, http://blogs.edweek.org/edweek/school_law/
The Edjurist, <http://www.edjurist.com/>
Disability Law Lowdown Podcast, <http://dll.ada-podcast.com/>, produced by a network
of ten regional ADA centers, Disability and Business Technical Assistance Centers
LD Podcast (weekly, about learning disabilities), <http://ldpodcast.com/>

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