Education & Disability Clinic

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Introduction

• Librarians are available to help you with your clinic research
• Resources you’ll use in the clinic are different from those used in LWR
• It’s okay to start with Google, but you cannot end there
Administrative Law

• Administrative law makes up a huge portion of “the law”
  • Executive Orders
  • Regulations
  • Agency Decisions
Regulations

• Regulations are “enabled” by statutes
  • Legislature authorizes an administrative agency to promulgate regulations that provide more detail than the statute
  • You need to research both the statute and the regulation
Welcome to the Office of Administrative Law

The Office of Administrative Law (OAL) ensures that agency regulations are clear, necessary, legally valid, and available to the public. OAL is responsible for reviewing administrative regulations proposed by over 200 state agencies for compliance with the standards set forth in California’s Administrative Procedure Act (APA), for transmitting these regulations to the Secretary of State and for publishing regulations in the California Code of Regulations.

Learn More About OAL
Frequently Asked Questions
Select a category below to view document collections by type.

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**Regulatory Information**

- CFR Index and Finding Aids
- CFR Parts Affected from the Federal Register
- Code of Federal Regulations
- Federal Register
- Federal Register Index
- List of CFR Sections Affected
- Privacy Act Issuances
- Unified Agenda
Agency Decisions

- Many agencies are empowered to adjudicate disputes
- How these are published, if they are published, and what legal effect they have varies widely from agency to agency
- Begin research at the agency’s website
Special Education

OFFICE OF ADMINISTRATIVE HEARINGS

As part of the Office of Administrative Hearings, provides fair and neutral resolutions for special education disputes.

Decisions Search

Search OAH’s Special Education Decisions

OAH Secure e-File Transfer System

The OAH Secure e-File Transfer (SFT) system allows users to send to OAH, and receive from OAH, electronic documents.

Special Education Calendar Access

For information on existing mediation, hearing, and prehearing conference dates, visit the Special Education Calendar page.
Search Special Education Decisions

Any person can use the search system to look up decisions for Special Education cases handled by the Office of Administrative Hearings (OAH).

The search system provided herein offers a simple word search with no options for further filtering or refinement of the search. Recognizing that our community would be better served with a more advanced search capability, OAH is actively working on an upgrade to the search capability available through our website to allow more responsive information retrieval. We appreciate your patience and welcome any comments or requests for additional features.

Send Comment

LIST SERVE

OAH maintains a list called a ListServe which allows OAH to send to interested people copies of our decisions when they are issued, as well as the occasional announcement. If you wish to be added to this list please use the quick link to the left entitled, "To Request Copies of Our Decisions Issued" by clicking on the blue box beneath.
SEARCHING SPECIAL EDUCATION ORDERS

Some Special Education Orders will soon be available through our search feature. OAH will only be posting a limited number of orders issued. As OAH issues a large number of orders on an ongoing basis, most of which are extremely similar, posting all orders provides no additional benefit. Additionally, if OAH posted all orders issued, the volume would present a barrier to learning about the types of orders issued.

The orders posted will be based on the type of order, the relief granted such as "request denied" or "request granted," and the relationship of the order to parties' access to due process of law.

SEARCHING SPECIAL EDUCATION DECISIONS

Decisions are accessible through the quick link button to the right.

Special Education decisions issued from 1993 through June 30, 2005, are maintained by California Department of Education. Go to decisions issued 1993 to July 1, 2005 to view these decisions.

General instructions on how to search for decisions or order relevant to a particular issue are provided below.

Instructions:

1. Click on either the Decision button provided on the left hand side of this screen.
Decisions

For information and instructions regarding searches, see the Search Information Page.

"speech therapy"

1 - 25 of 143 Results

[PDF] BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

She recommended that he receive speech therapy services in a self-contained classroom.

[PDF] BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

Mason in speech therapy sessions. 34. Student's IEP dated November 10, 2015.

[PDF] BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS STATE OF CALIFORNIA

He also asked District to provide speech therapy outside of the school day.

ISSUES

1. Did San Bernardino deny Student a free appropriate public education from July 7, 2015 to the date the complaint was filed by failing to:
   a) Provide Student with a one-to-one assistant after parental request;
   b) Develop a behavior intervention plan;
   c) Provide Student with an appropriate amount of speech and language services to meet his unique needs?

2. Did San Bernardino deprive Student’s parents of the ability to participate in the educational decision-making process by failing to provide copies of services records relating to speech and language services offered in Student’s individualized education plan?

SUMMARY OF DECISION

Student met his burden on Issue 1(c). The evidence established that San Bernardino did not provide Student with an appropriate amount of speech therapy services. At hearing, Special Education Director Mr. Dominguez admitted Student should have received more speech therapy sessions and he was entitled to make up missed sessions. San Bernardino eventually gave Parents the speech therapist’s service logs which reflected missing weeks of services, without explaining to Parents that a discrepancy existed in Student’s initial IEP regarding the amount of speech therapy he was entitled to receive. However, Student did not prove he had communication needs that required more speech therapy services during the regular school year than those San Bernardino offered in his July 7, 2015 initial IEP.

Student also met his burden on Issue 2. San Bernardino deprived Parents the opportunity to meaningfully participate in the development of the October 28, 2015 IEP meeting regarding speech services. Parents asked for but did not receive service logs from
CALIFORNIA DEP’T OF EDUCATION
SPECIAL EDUCATION

HTTP://WWW.CDE.CA.GOV/SP/SE/
Special Education

Information and resources to serve the unique needs of persons with disabilities so that each person will meet or exceed high standards of achievement in academic and nonacademic skills.

Administration & Support
Activities of special education advisory groups and other related information.

Announcements & Current Issues
Current and upcoming events, time-sensitive issues, and hot topics.

Common Core Resources for Special Education
Resources and guidelines on the Common Core State Standards (CCSS) for the Special Education Community.

Data Collection & Reporting
Searchable databases and software for reporting and retrieving special education related information.

Equal Opportunity & Access
Discloses the practices of the California Department of Education to ensure equal, fair, and meaningful access to its employment and program services.

Family Involvement & Partnerships
Resources and support for parents, guardians, and families of children with disabilities.

Laws, Regulations, & Policies
Federal and state legislation, laws, regulations, policies, legal advisories, and guidance.

Quality Assurance Process
Resources to improve educational outcomes for students with disabilities while ensuring compliance with state and federal laws and regulations.

Secondary Transition Planning
Resources and guidelines to assist youth with disabilities as they transition from school to adult life, including education and...
Laws, Regulations, & Policies
Federal and state legislation, laws, regulations, policies, legal advisories, and guidance.

State

Laws

- **California Special Education Reference (CASER)** (Posted 22 Jan-2015)
  A word-searchable database of special education-related state and federal statutes and regulations, federal guidance documents, and editions of the Federal Register.

- **Assembly Bill 2657**
  AB 2657 added sections 49005–49006.4 to California’s Education Code regarding the use of restraint and seclusion with students receiving both general education and special education.

Policy

- **Size And Scope** (Updated 30-May-2008)
  Of Special Education Local Plan Areas as approved by the State Board of Education at the November 17-18, 1983 meeting.

Guidance

- **Official Letters from the California Department of Education, Special Education Division, State Director of Special Education** (Updated 16-Apr-2019)
  Provides program clarification on procedural and/or implementation issues.

- **Special Education Transportation Guidelines** (Updated 28-Dec-2018)
  Guidelines for use by Individualized Education Program (IEP) Teams when determining required transportation services.
assigned under either of those sections to be a surrogate parent.

(24) Parent organization

The term "parent organization" has the meaning given the term in section 1471(g) of this title.

(25) Parent training and information center

The term "parent training and information center" means a center assisted under section 1471 or 1472 of this title.

(26) Related services

(A) In general

The term "related services" means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

(B) Exception

The term does not include a medical device that is surgically implanted, or the replacement of such device.

(27) Secondary school
The San Diego Unified School District is dedicated to identifying, locating and assessing all students within the district from birth to 21 years of age who may have disabilities, and providing appropriate support and/or related services to those students determined by an educational evaluation.

The District is committed to providing eligible students with disabilities a free and appropriate public education consistent with federal and state laws, including those students enrolled in private schools, wards of the state, highly mobile students with exceptional needs, etc. For information call 619-725-7700.

These services are provided based on the individual needs of the student. After a team, comprised of educational professionals and the parent(s), determines a students' unique needs and consider a variety of factors, an Individual Education Program (IEP) is created. An IEP is a legal document that describes how the San Diego Unified School District provides services to a student with exceptional needs. Special Ed support and services are provided under the Individuals with Disabilities Education Act (IDEA 2004).
CALIFORNIA DEP’T OF DEVELOPMENTAL SERVICES

HTTP://WWW.DDS.CA.GOV/
Competitive Integrated Employment
Success in the Workplace

Serving Californians with Developmental Disabilities

The California Department of Developmental Services (DDS) ensures that Californians with developmental disabilities have the opportunity to lead independent, productive lives in their community of choice. DDS oversees the coordination and delivery of services to more than 330,000 individuals who have cerebral palsy, intellectual disabilities, Down syndrome,
When you click the "Contact Us" button, you will find a list of phone numbers, email addresses, and other contact information for the Department of Developmental Services (DDS). This page is designed to help you locate the right contact person or department for your needs.

For more information, you can visit the DDS website at www.dds.ca.gov. The website offers a variety of resources, including information about eligibility and services, individual program planning, and self-determination programs. You can also find links to consumer rights, appeals, laws, regulations, competitive integrated employment, and information packets for consumers and families.

This page also includes a photo of children and adults with disabilities, highlighting the importance of supporting individuals with developmental disabilities. The DDS website is a valuable resource for anyone seeking information about services and support for individuals with developmental disabilities.

If you have any questions or need further assistance, you can reach out to the DDS at 1-800-511-2376. They are committed to providing excellent customer service and are available to answer your questions 24 hours a day, 7 days a week.
SAN DIEGO REGIONAL CENTER
HTTP://SDRC.ORG
Apply for Services
Any resident of San Diego or Imperial County believed to have a developmental disability, may apply for services. The intake procedure will determine eligibility based on social, medical and psychological information gathered.

Who We Are
The San Diego Regional Center is one of 21 regional centers that provide services to persons with developmental disabilities in California. Are you interested in working for the best regional center? View the current Employment Openings.

Services We Offer
The San Diego Regional Center provides a variety of services to persons with developmental disabilities and their families. Services are based on the client’s individual needs and intended to maximize their independence and full potential.
Welcome to the U.S. Department of Education's Individuals with Disabilities Education Act (IDEA) website, which brings together IDEA information and resources from the Department and our grantees.

Whether you are a student, parent, educator, service provider, or grantee, you are here because you care about children with disabilities and their families and want to find information and explore resources on infants, toddlers, children, and youth with disabilities.

Thank you for visiting the IDEA website. If you have feedback regarding the site, please let us know on our blog.
https://www2.ed.gov/about/offices/list/osers/policy.html
Probate Forms

- Probate Packets
- Judicial Council Forms
- Local Probate Forms
- California Department of Public Health Forms
- Preissued Subpoena Forms

Probate Packets

Guardianship of the Person Packet
PKT-012 (Rev: 02/18)

General Conservatorship of the Person Packet
PKT 045 (Rev: 01/19)

Limited Conservatorship of the Person
PKT-030 (Rev: 01/19)

Fee Waiver Packet – Guardianships and Conservatorships
PKT-041 (Rev: 03/19)

Fee Waiver Packet
PKT-010 (Rev: 03/19)

Probate Mediator Packet
PKT-037 (Rev: 12/17)

Judicial Council Probate Forms

Decedents' Estates

Guardianships and Conservatorships

Miscellaneous
http://www.sandiego.edu/law/library

- **Special education law and litigation treatise 4th ed.** | LRC Clinic | KF4210 .W4 2017-

- **Special Education Law in a Nutshell** | LRC Reserve | KF4209.3 C66 2018. Also available online at [http://0-subscription.westacademic.com.sally.sandiego.edu/Book/Detail?id=25555](http://0-subscription.westacademic.com.sally.sandiego.edu/Book/Detail?id=25555)

- **Special Education Law** | LRC Reading Room | KF4210 .R68 2014

- **Special Education Advocacy** | LRC Reading Room | KF4209.3 C65 2011

- Many non-law titles at Copley Library
Westlaw & Lexis have little to offer

No education law treatises

Few education law treatises
Statutes

• If there’s a statute on your issue, start there

• Use the annotations
  • important cases on topic
  • valuable secondary source analysis and practice guides

• Don’t forget regulations!
Case Law Research

- Avoid keyword searching, at least initially
- Use the statutes and secondary sources to identify important cases
- Use those cases to branch out to others that address your specific issues.
- Use the digest topic and key numbers on Westlaw; use the Headnotes on Lexis.
- Don’t forget to Shepardize/KeyCite!
Other resources for your clinic work

- Client interviewing and counseling
- Legal reasoning & writing
- Trial & advocacy skills
- Citation
- Legal research guides
- Rules Governing the Practical Training of Law Students
  - http://www.calbar.ca.gov/Admissions/Special-Admissions/Practical-Training-of-Law-Students
Slides available on LRC website

https://www.sandiego.edu/law/library/research-trainings/clinics.php
Questions?

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