

Contents

Introduction	1
Why You Need This Book.....	1
How This Book is Organized	3
In Summation.....	3
Chapter 1. Legal Concepts and Education Laws.....	5
Types of Law	5
Federal Education Statutes.....	6
Evolving Case Law & Judicial Interpretations	11
Table 1. States in Each Circuit	13
Legal Research	14
In Summation.....	16
Chapter 2. Special Education Legal News and Developments.....	17
Special Education News	17
Cases of the Year for 2016.....	18
Supreme Court Grants Certiorari in Two Special Ed Cases	18
Update on Service Dog Cases.....	18
Denied! How Texas Keeps Tens of Thousands of Children out of Special Education	19
Discrimination and Abuse Cases	20
Guidance, Policy Letters, Publications from OSERS, OSEP, & OCR	23
Section 504 and Students with ADHD.....	25
Behavioral Intervention and Supports	26
Juvenile Justice and Students with Disabilities	29
Preventing Racial Discrimination in Special Education.....	29
Parent and Educator Resource Guide to Section 504 in Public Schools	30
Guidance on Restraint and Seclusion.....	31
Rights of Students with Disabilities in Public Charter Schools	31
OSEP Policy Letters in 2016	32
IEP Team Meetings and and Independent Educational Evaluations (IEEs)	32
Membership on State Advisory Panels	33
IEP Meeting: Parent Accompanied by an Attorney	33
IEP Development, Review and Revision, Placement and Hearing Decisions	33
Evaluation, Eligibility, Dyslexia, Dyscalculia and Dysgraphia Specific Learning Disabilities.....	34

Extended Part C Option	34
Due Process Hearings, Open or Closed	35
Multidisciplinary Evaluations, Eligibility, Screening Procedures Under Part C of the IDEA	35
Due Process, RTI, General Supervision	36
Children with Disabilities Placed in Private Schools by Their Parents & Early Intervening Services	37
Parent's Right to Examine Education Records	37
Independent Educational Evaluations (IEEs)	37
Procedural Safeguards, Communication with Attorneys	38
Transportation for Parentally-Placed Private School Children, Equitable Services, Consultation with Private School Reps	38
State Advisory Panel Membership	38
In Summation	39

Chapter 3. Special Education Legal Decisions in 2016 41

***Fry and Andrew F.* 42**

Fry v. Napoleon 42

Andrew F. v. Douglas Sch. Dist. RE-1 42

Table 2. Special Education Legal Decisions in 2016 44

Table 3. Decisions in 2016 in Alphabetical Order & Hyperlinked 53

Summaries of Cases 54

AR v. Santa Monica Sch. Dist. 55

Norristown Sch Dist. v. FC 55

Seth B v. Orleans Parish Sch. Bd. 56

TK v. NYC DOE 57

Crawford v. San Marcos Sch. Dist. 57

Frank v. Sachem Sch. Dist. and NY SEA 2nd Cir. 2016 58

RK v. Scott County Bd. of Ed. 59

Oliver v. Hofmeister 59

JV v. Albuquerque Pub. Sch. 60

Anaheim Union High Sch. Dist. v. JE 60

Tina M. v. St. Tammany Parish Sch. Bd. 61

AG v. Paradise Valley Unif. Sch. Dist 61

LK v. Sewanhaka Cent. High Sch. Dist. 64

Cripps v. Hurst-Euless-Bedford Indep. Sch. Dist. 65

Rockwall Indep. Sch. Dist. v. MC 66

JC v. NYC DOE 66

EC v. Philadelphia Sch. Dist. 67

<i>BD v. DCPS</i>	66
<i>SM v. Gwinnett County Sch. Dist.</i>	68
<i>Rideau v. Keller Indep. Sch. Dist.</i>	69
<i>SB v. Harford County Bd. of Ed.</i>	70
<i>R. M-G v. Bd. of Ed. Las Vegas</i>	71
<i>Se.H v. Anne Arundel Bd. of Ed.</i>	72
<i>HB v. Byram Cent. Sch. Dist.</i>	72
<i>JS v. NYC DOE</i>	73
<i>MS v. Utah Sch. for Deaf and Blind</i>	74
<i>Douglas v. CA OAH v. JC + Cupertino Sch. Dist.</i>	75
<i>LO v. NYC DOE</i>	76
<i>Smith + Munoz v. Los Angeles Unif. Sch. Dist.</i>	79
<i>Timothy O v. Paso Robles Unif. Sch. Dist.</i>	80
<i>WR v. Ohio Dept. Health</i>	81
<i>AL v. Jackson County Sch. Bd.</i>	82
<i>Binno v. American Bar Assoc.</i>	82
<i>Ramona Smith v. Cheyenne Mountain Sch. Dist. 12</i>	83
<i>Baquerizo v. Garden Grove Unif. Sch. Dist.</i>	83
<i>Moore v. Kansas City Sch.</i>	84
<i>Spring v. Allegany-Limestone Cent. Sch. Dist.</i>	85
<i>Ms. S v. Regional Sch. Unit 72</i>	86
<i>Gibson v. Forest Hills Sch. Dist.</i>	87
<i>AM v. Holmes</i>	88
<i>MM v. NYC DOE</i>	89
<i>Doe v. Cape Elizabeth Sch. Dist.</i>	89
<i>SD v. Haddon Heights Bd. of Ed.</i>	90
<i>Swanger v. Warrior Run Sch. Dist.</i>	91
<i>LJ v. Pittsburg Unif. Sch. Dist.</i>	91
<i>Gohl v. Livonia Public Sch. Dist.</i>	92
<i>Montesa v. Schwartz + East Ramapo</i>	94
<i>BC v. Mt. Vernon Sch. Dist.</i>	95
<i>Pollack v. Regional Sch. Unit 75</i>	96
<i>Dervishi v. Stamford Bd. of Ed. and CTDOE</i>	97
<i>NG v. ABC Unif. Sch. Dist.</i>	97
<i>Cobb County Sch. Dist. v. DB.</i>	98

<i>NE v. Seattle Sch. Dist.</i>	98
<i>Campbell v. Lamar Inst. of Tech.</i>	100
<i>Powers v. Northside Indep. Sch. Dist.</i>	101
<i>Forest Grove Sch. Dist. v. Student</i>	102
<i>Emma C v. Eastin + CA DOE</i>	103
<i>Reed v. DCPS</i>	104

Chapter 4. Legal Research: How to Use Google Scholar to Find Cases 106

Tutorial: Using Google Scholar	106
Troubleshooting	108
Create a Google Scholar Alert	109
In Summation	109

Index 109