
Intended to help those concerned with the rights and privileges of the handicapped, the bibliography cites approximately 150 print and non-print sources of information on legislation and advocacy for the exceptional individual. Four major sections cover the following: (1) legal factors and problems within the family setting; (2) legal factors and problems in dealing with society at large, and the specific issues society must face relevant to exceptionality; (3) legal factors and problems within the educational setting (including the impact of litigation and legislation on the educational environment), and the professional responsibility and liability of special educators; and (4) legal factors and problems within the medical or psychological service setting, and effects on the medical and psychological professions. Citations include author, title, source, and availability of the resource materials. (1M)
ANOTATED BIBLIOGRAPHY

THE EXCEPTIONAL CHILD AND THE LAW

Prepared by:

Frank Tupper Smith Jr.,
&
Jill Smith

1975
The exceptional individual is a member of a minority group whose rights are slowly being recognized; this emerging recognition is following a path similar to the judicial course taken by the civil rights movement. Each member of this minority of the handicapped requires knowledge, expert advice and a great deal of diligent effort to be assured his full measure of rights and opportunities.

This bibliography has been assembled to be of direct help to all those concerned with the full exercise of the rights and privileges of the handicapped. Exceptional individuals, their families, and the organizations and professionals directly involved with the handicapped might be benefitted by the resources listed herein. Lawyers, judges, teachers, school administrators, psychologists, social workers, law enforcement agents, probation officers and the elected representatives of each concerned citizen would have occasion to utilize the information coordinated in this bibliography.

The bibliography contains four major areas:

I. Legal factors and/or problems relevant to exceptional individuals as they function within the family setting;

II. Legal factors and/or problems the exceptional individual faces when he deals with society at large; the specific issues society must face relevant to exceptionality;

III. Legal factors and/or problems relevant to the exceptional individual within the educational setting; litigation and legislation impacting on the educational environment of the handicapped (the educational environment concept encompasses physical, psychological, academic and professional factors contributing to the educational system); professional responsibility, liability and preparation of special educators in light of new legislation and judicial process;

IV. Legal factors and/or problems relevant to the exceptional individual within the medical or psychological service setting; legal factors and issues which effect the medical and psychological professions as they interface with the handicapped community.
Many of the resources included within this bibliography embrace several or all of these somewhat arbitrary organizational divisions, but an effort has been made to place them in sections reflecting a major theme. In some cases, the non-book resources stretch the title, "bibliography." Several unusual resources deserve special mention because of their comprehensive nature and incisive detail. The National Association for Retarded Citizens Library has compiled a bibliography entitled, Legal Rights and the Mentally Retarded Citizen. This bibliography is the first in a series of nine. It includes sections on Basic Civil Rights, Right to Education, Right to Treatment, Guardianship, and the Mentally Retarded Offender. Bibliography Number IV in this series also has direct bearing upon the legal issues within the family life of the exceptional individual, Marriage, Parenthood, and Family Life for the Mentally Retarded. The bibliography series compiled by the National Association for Retarded Citizens Library lists agency resources, groups which have already involved themselves to improve the position of the handicapped individual by providing information, advice, or by sponsoring legal actions. The series of nine bibliographies can be obtained from the National Association for Retarded Citizens Library, P.O. Box 6109, 2709 Avenue E. East, Arlington, Texas 76011. The fee for this series was not established at the time of this writing.

The periodical, Insight, published monthly by the Council for Exceptional Children also deserves special note because of its constant indepth attention to all facets of governmental factors relevant to the special individual. This publication deals with litigation, legislation, publications, research projects, funding trends, etc.

The National Committee for Citizens in Education has a toll free number available from which one can request information to be sent regarding a parent's rights to see his child's school records and the safeguards to keep others from seeing those records. The committee offers to parents and organizations referral to legal counsel; schoolmen; legislative sources; materials "useful to citizens in dealing within their own schools;" research; and "friend of the Court" legal involvement in lawsuits with national consequences. The toll free number is 800-638-9675.
Section I

Legal Factors and/or Problems Relevant to Exceptional Individuals as They Function Within the Family Setting


Council for Exceptional Children.


Part 1-2


Insight. (Reston, Virginia: Council for Exceptional Children). Monthly periodical devoted to governmental decisions, litigation, publications, research projects, funding trends, etc. Available: 1920 Association Drive, Reston, Virginia 22091.

National Association for Retarded Citizens Library. "Guardianship."

**Part 1-3**


SECTION II

LEGAL FACTORS AND/OR PROBLEMS THE EXCEPTIONAL INDIVIDUAL FACES WHEN HE DEALS WITH SOCIETY AT LARGE AND THE SPECIFIC ISSUES SOCIETY MUST FACE RELEVANT TO EXCEPTIONALITY


Part II-2


Part II-3

Insight (Reston, Virginia: Council for Exceptional Children) Monthly periodical devoted to governmental decisions; litigation; publications; research projects; funding trends; etc. Available: 1920 Association Drive, Reston, Virginia 22091.


Part II-4


Part II-5


Student Division of Council for Exceptional Children, Georgia State University. *Georgia Laws Pertaining to Exceptional Individuals.* (Atlanta, Georgia, 1975). Available: Urban Life Center, Georgia State University, Atlanta, Georgia.

Part II-6

*Your Rights in Georgia's Mental Health Facilities.* (Atlanta, Georgia, 1975). Available: Urban Life Center, Georgia State University, Atlanta, Georgia.


LEGAL FACTORS AND/OR PROBLEMS
RELEVANT TO THE EXCEPTIONAL INDIVIDUAL
WITHIN THE EDUCATIONAL SETTING: LITIGATION
AND LEGISLATION IMPACTING ON THE EDUCATIONAL
ENVIRONMENT OF THE HANDICAPPED


Catterall, Calvin D., ed. Litigation in Special Education: Implications for General Education. (Columbus, Ohio: College of Education, Ohio State University, 1973). Available: Faculty for Exceptional Children. The College of Education, Ohio State University, 1945 N. High Street, Columbus, Ohio 43210.


Part III - 4


Part II - 5


Gilhool, Thomas K. "Education: An Inalienable Right". *Exceptional Children,* (May 1973) pp. 597-609


**Part III - 6**


*Insight,* (Reston, Virginia: Council for Exceptional Children) Monthly periodical devoted to governmental decisions; litigation; publications; research projects; funding trends; etc. Available: 1920 Association Drive, Reston, Virginia 22091.


**Part III - 7**

Part III - 7


Kuriloff, Peter; Nue, Robert; Kirp, David; and Buss, William. "Legal Reform and Educational Change: The Pennsylvania Case." Exceptional Children (September 1974) pp.35-42.

Part III - 8


Massachusetts Teachers Association. Puzzled About 766. (Boston, 1975) Three very specific booklets to clarify the meaning and intent of new mandatory special education law in Massachusetts with emphasis on curriculum and instruction accountability and how they affect the teacher. Available: 20 Ashburton Place, Boston, Massachusetts 02108.

Part III - 9


Part III - 10

Part III - 10


Part III - 11


State Profiles. (Reston, Virginia: Council for Exceptional Children, State - Federal Clearinghouse for Exceptional Children, 1974). Summaries of the legal base for delivery of educational services to handicapped children, including state laws, court cases, administrative regulations and attorney general opinions. Available through ERIC Clearinghouse, 75¢ for microfiche and $21.00 plus postage for hardcover set.


"Recent Influences of Law Regarding the Identification and Educational Placement of Children." *Focus on Exceptional Children,* Volume 4, No.2


SECTION IV

LEGAL FACTORS AND/OR PROBLEMS RELEVANT TO THE EXCEPTIONAL INDIVIDUAL WITHIN THE MEDICAL OR PSYCHOLOGICAL SERVICE SETTING: LEGALFACTORS AND ISSUES WHICH EFFECT THE MEDICAL AND PSYCHOLOGICAL PROFESSIONS AS THEY INTERFACE WITH THE HANDICAPPED COMMUNITY


Insight. (Reston, Virginia: Council for Exceptional Children) A monthly periodical devoted to governmental decisions, litigation, publications, research projects, funding trends, etc. Available: 1920 Association Drive, Reston, Virginia 22091.

Part IV - 3


Part IV - 4


