



# DISABILITY LAW RESEARCH GUIDE

H. DOUGLAS BARCLAY LAW LIBRARY  
WENDY SCOTT, 9/2004, UPDATED 9/2008

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**Access note:** Westlaw and Lexis databases require valid User I.D.'s and passwords. College of Law licensed databases can be accessed at workstations within the College of Law or remotely by law school students, faculty & staff with valid Syracuse University NetID usernames and passwords.

Classified materials listed here may be located at the H. Douglas Barclay Law Library unless otherwise noted. Libraries within the Syracuse University Library System are indicated by the individual location, e.g., Bird.

## I. FUNDAMENTALS

### **Bibliographies and Web Resource Lists: A Selection**

Bibliographies are collections of sources prepared by experts in a particular field. Many are annotated (i.e., contain brief descriptions). Bibliographies can save you time and expand your research horizons. In addition to the selections below, look for bibliographies and lists of cited works at the end of book chapters, in book appendixes, and at the end of journal articles.

**Bibliography of Law Review Articles on Disability Law** (Professor E. Ann Pucket, Director of the Law Library and Professor of Law, University of Georgia, n.d.)

<http://www.lawsch.uga.edu/academics/profiles/bib/disabilitylawbib.html>

Organized by subject area (e.g., “mental health,” “employment discrimination”).

**Disability Awareness: a Selected Bibliography (2003)**

National Library Service for the Blind and Physically Handicapped, Library of Congress  
Bird-Govt Info-USA, 3rd Floor  
LC 19.11: D 63

**Disability Bibliography: AboutDisability.com**

<http://www.aboutdisability.com/bib.html>

A current list of resources that includes a number of non-scholarly sources, including personal stories, movies, web sites, that emphasize empowerment of persons with disabilities.

**Disability Studies and Mental Retardation:**

**Selected Annotated Bibliography**

Compiled by Steve Taylor and Perri Harris; Syracuse University  
School of Education, Center on Human Policy  
Reprinted from DISABILITY STUDIES QUARTERLY, *16*(3), 4-13.

<http://soeweb.syr.edu/thechp/dsbiblio.htm>

**Disabilities Studies Bibliography. Institute on Disability.org**

<http://www.instituteondisability.org/bib/search/> (temporarily offline as of 8/26/2008)

A searchable (or browsable) database of national and international articles, papers, books and news sources on a wide range of disability-related topics.

**Disability Studies: Information and Resources**

Edited and Compiled by Steven Taylor, Bonnie Shoultz, and Pamela Walker,  
Syracuse University School of Education, Center on Human Policy

[http://soeweb.syr.edu/thechp/Disability\\_Studies\\_2003\\_current.html](http://soeweb.syr.edu/thechp/Disability_Studies_2003_current.html)

Listing of Academic Programs Updated August 2006.

**Education for the Handicapped: Mainstreaming and Discrimination (1987)**

KF4210.A1 W37 1987

**The Education of the Handicapped: Selected References, 1984-1987 Congressional Research Service, Library of Congress**

JK1108 .M34 1987-88, reel 10, fr. 00882 (Floor 2 microform)

**Encyclopedia of Disability (2006), vols. 1- 5**

Reference HV1568 .E52 2006

**Handicapped Persons: Selected References, 1978-1984**

Congressional Research Service, Library of Congress  
JK1108 .M34 1984-85, reel 9, fr. 0417 (Floor 2 microform)

**Law and Medicine Disability Research. University of Washington, WashLaw Web**

<http://www.washlaw.edu/subject/mental.html>

A short list of the most useful web resources on the topic.

**Resources On Inclusive Education:**

**Part II: Bibliography On Inclusive Education**

Syracuse University Department of Education  
Center for Human Policy

<http://soeweb.syr.edu/thechp/titlerev.htm>

Note: published in 1993.

**Women and Disability: An Annotated Bibliography. Syracuse University Center on Human Policy, Law and Disabilities Studies**

<http://disabilitystudies.syr.edu/resources/womenanddisability.aspx>

A home-grown resource that covers a multitude of resources, with extensive annotations.

**Additional Research Guides**

**Disability Law Research Guide (Georgetown Law Library)**

<http://www.ll.georgetown.edu/guides/disabilitylaw.cfm>

**Guide to Disability Law. Southwest ADA Center**

[http://www.dlrp.org/html/guide\\_to/index.html](http://www.dlrp.org/html/guide_to/index.html)

“[A] general primer on the various federal laws that impact the lives of people with disabilities. The guide also provides resources and contact information for the federal agencies responsible for enforcing the legislation.”

- [Employment](#)
- [State & Local Governments](#)
- [Public Accommodations](#)
- [Housing](#)
- [Education](#)
- [Travel/Transportation](#)
- [Technology / Telecommunications](#)

## **Who Qualifies as “Regarded as Having an Impairment” for Employment Under the Definition of Disability in the ADA? : A Research Guide**

Library Reserves: Listed under Schwartz/Lowry

This pathfinder (research guide) was prepared by College of Law student Julie Morse for the Advanced Legal Research course. Includes in-depth discussion of relevant sources.

### **Library of Congress Subject Headings**

The following subject headings can be used to search by ‘Subject Heading’ in the Syracuse University online public catalog, SUMMIT. These terms may also be helpful when constructing queries in databases or journal indexes.

- Barrier –free design
- Children with disabilities
- Children with disabilities education United States
- Children with disabilities education Law and legislation United States
- Children with mental disabilities
- Special education law and Legislation United States

- Disability evaluation – *use for disability benefits*
- Discrimination against people with disabilities Law and legislation United States
- Discrimination against the handicapped Law and legislation United States

- Handicapped employment law and legislation United States
- Handicapped legal status, laws, etc.
- Handicapped services for United States

People with disabilities (add state)

*(Terms can be further subdivided by descriptors such as “Case Studies, Digest, History, Statistics, Handbooks, manuals, etc.: e.g., “People with disabilities Attitudes Case Studies.”)*

- Attitudes
- Care
- Civil Rights
- Classification
- Congresses (i.e., conferences)
- Developing Countries
- Developing Countries Family Relationships
- Education
- Education Cross cultural studies
- Education Law and legislation
- Employment
- Employment Government policy
- Employment Law and legislation
- Family relationships
- Functional assessment
- Government policy
- Institutional care
- Legal status, laws, etc.
- Long term care

Medical care  
Mental health  
Rehabilitation  
Research  
Services for  
Transportation  
Women  
Women Attitudes  
Women Health and hygiene  
Women Social conditions

People with disabilities and (add descriptive nouns)

Examples:

People with disabilities and computers  
People with disabilities and architecture

People with mental disabilities (Add descriptor, region or country)

People with social disabilities (Add descriptor, region or country)

People with visual disabilities (Add descriptor, region or country)

## II. SELECTION OF TREATISES & TEXTS

### General

#### **ABA Disability Law Texts**

Westlaw combined database: ABA-DIS

Five disability law texts and one periodical published by the American Bar Association Commission on Mental and Physical Disability Law, including:

ADA and People With Mental Illness: A Resource Manual for Employers (ABA-DISMAN)

Into the Jury Box: A Disability Accommodation Guide for State Courts (ABA-DISJURY)

Mental Disabilities and the Americans with Disabilities Act: A Practitioner's Guide to Employment, Insurance, Treatment, Public Access and Housing (ABA-DISGUIDE)

Mental Disability Law: A Primer (ABA-DISPRIME)

Regulation, Litigation and Dispute Resolution Under the Americans with Disabilities Act: A Practitioner's Guide to Implementation (ABA-DISIMPL)

ABA Mental and Physical Disability Law Reporter (MPHYDLR)

Please note: these databases may also be searched individually.

**Americans with Disabilities Act Handbook, 4<sup>th</sup> ed. (2003)**  
KF3469 .P47 2003

Written primarily as a source for employers, this handout offers practical information on implementation of the ADA in the workplace.

**\*(BNA) Labor and Employment Law Library – Disability Law Analysis (SU COL Access)**  
<http://www.law.syr.edu/lawlibrary/electronic/bna.aspx>

Organized into the following categories:

- Overview
- Employment
- State & Local Governments/Transportation
- Public Accommodations
- Telecommunications
- Policy & Practice

Disability law is a component of this much larger collection. Use the “Site Map” for easy access to the disability law commentary on the site.

**Americans with Disabilities: Practice and Compliance Manual**  
WESTLAW database: AMDISPCM

“This database is designed to provide the attorney representing businesses, transportation carriers, schools, and municipalities with the information they need to comply with this new Act. The database also prepares an attorney for handling an ADA case by providing coverage of other key disability statutes, such as: the Rehabilitation Act of 1973, the Architectural Barriers Act of 1968, the Individuals with Disabilities Education Act, and the Fair Housing Amendments Act of 1988.”

**Westlaw: Disabilities Law Topical Databases**

In the Directory: All Databases > Topical Materials by Area of Practice > Civil Rights > Americans with Disabilities Act

Collection of ADA-related primary sources and selected secondary sources.  
See scope notes for complete details for each database.

- Education Law: First Amendment, Due Process and Discrimination (EDULAW)
- Texts & Periodicals (AWD-TP) [journals, treatises & practice tools]
- Americans With Disabilities: Practice and Compliance Manual (AMDISPCM)
- Americans with Disabilities Act Technical Assistance Manuals (ADA-TAM)
- Public Accommodations Under the Americans With Disabilities Act (ADA-PUBACC)

**Disability Civil Rights Law and Policy / by Peter Blanck . c2004.**  
KF480 .D57 2004

**Disability Law Compliance Manual**  
Westlaw database: DLCM

Addresses topics under ADA Title I addressing employment of the disabled, and ADA Title III, addressing public accommodations. Appendices contain relevant federal statutes and regulations, agency interpretive guidelines and positions, and forms.

**Disability Law Deskbook (last updated June 2008)**

KF 3469.A75 F34 2000

Westlaw database: PLIREF-DISLAW

- Provides an issue-by-issue discussion of the ADA
- Analyzes on how the courts have resolved issues
- Examines controversies and divergent opinions that exist in the interpretation of the Act

**Federal Disability Law in a Nutshell, 3rd edition (2004)**

Reserve, KF480.Z9 T83 2004

**Legal rights of persons with disabilities** / by Bonnie P. Tucker, Bruce A. Goldstein

KF4210 .T83 1991- (with supplements)

**Mental and Physical Disability Law Reporter (current loose-leaf)**

Westlaw Database: MPHYDRL (online version contains selected information only)

c.1 Law - Office of Clinical Programs

c.2 Law Library - Floor 2 - Law Reviews

- Summaries of key federal and state disability law cases.
- Summaries of federal and state legislation and regulations.
- Articles and news stories.

**National Disability Law Reporter c1990- (current loose-leaf)**

KF480.N37

Lexis database: National Disability Law Reporter (DLTR) [cases only]

In the print version, there are binders on:

[1] Current decisions

[2] Statutes/regulations

[3] Highlights, indexes, tables

[4] Decisions

"Updated 24 times per year through biweekly supplements; periodic special reports are also issued."

**Understanding disability law** / by Mark Weber (2007)

Reserves KF480.Z9 W43 2007

**Employment Discrimination**

**Disability Discrimination in Employment Law / Robert Burgdorf (1995)**

KF 3469 .B8 1995

## **Disability Discrimination in the Workplace**

Westlaw database: DISDW

### **Employment Discrimination, 2<sup>nd</sup> edition / Larson (current loose-leaf)**

KF 3464.L37

- *See* Volume 9 for disability law topics
- Volume 9 appendixes include the texts of the Rehabilitation Act, ADA, and relevant regulations

### **Employment Discrimination Law and Practice, 2nd edition (2004)**

KF3464 .L4862 2004

A West Hornbook containing a general overview.

*See* Chapter Ten; Disability Discrimination in Federal Programs and the Private Sector; the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

### **Employment Litigation in New York (2001 - )**

KFN5572 .E48 2001

## **Mental Disability**

### **ABA Disability Law Texts**

Westlaw: ADA and People With Mental Illness: A Resource Manual for Employers (ABA-DISMAN)

Mental Disabilities and the Americans with Disabilities Act: A Practitioner's Guide to Employment, Insurance, Treatment, Public Access and Housing (ABA-DISGUIDE)

Mental Disability Law: A Primer (ABA-DISPRIME)

ABA Mental and Physical Disability Law Reporter (MPHYDLR)

### **Mental and Physical Disability Law Reporter**

Westlaw Database: MPHYDRL (online version contains selected information only)

c.1 Law - Office of Clinical Programs

c.2 Law Library - Floor 2 - Law Reviews

- Summaries of key federal and state disability law cases.
- Summaries of federal and state legislation and regulations.
- Articles and news stories.

### **Mental Health and Disability Law in a Nutshell**

KF3828.Z9 H47 1997

## **Social Security - Disability Benefits**

### **Social Security Disability Claims: Practice and Procedure (2003-)**

KF3649 .R87

### **Social Security Disability: Law and Procedure in Federal Court (2008)**

Carolyn A. Kubitschek.

KF3649 .K83

## **Special Education**

### **Complete OSEP Handbook, 2<sup>nd</sup> ed. (2007-)**

KF4209.3 .P58

### **Education Law: First Amendment, Due Process and Discrimination**

Westlaw Database: EDULAW

### **Free Appropriate Public Education: The Law and Children with Disabilities, 7<sup>th</sup> ed. (2007)**

Bird-4th Floor KF4210 .T87 2007

### **The Individuals with Disabilities Education Act (IDEA) / Ian O. Javier, editor (2005)**

KF4210 .I53 2005

Related electronic resource: Table of contents

<http://www.loc.gov/catdir/toc/fy0607/2006276070.html>

### **Individuals with Disabilities Education Act (IDEA): Background and Issues (2004)**

KF4210 .J668 2004

### **Individuals with Disabilities Education Law Report (current loose-leaf)**

KF4210.A6 E38

Library has v. 18-

Cumulated digest & tables, v. 16-19-

### **The Law and Special Education, 2nd edition (2006) / Yell, Mitchell**

KF 4210 .Y45

A current textbook that provides an overview of special education law.

### **Special Education Law / Latham (2008)**

KF4209.3 .L38 2008

### **Special Education Law, 3rd. ed (2000) / Rothstein, Laura,**

Bird Library at: KF4210 .R68 2000

Among the most frequently cited treatises.

**Special Education Law, 2nd. ed. (2001)** / Guernsey, Thomas and Kathe Klare,  
KF4210 .G84 2001

**Special Education Law & Litigation Treatise, 3<sup>rd</sup>.**

On order – please inquire at the Law Library about current status

**Students with Disabilities and Special Education Law (2007)**

KF 4210 .H36

### III. SOURCES OF LAW & GUIDANCE DOCUMENTS

#### **Federal: Major Legislation, Regulations & Related Sources**

##### Collections

**BNA Labor and Employment Law Library: Disability Law Library  
(College of Law Access)**

<http://www.law.syr.edu/lawlibrary/electronic/bna.aspx>

- Disabilities Cases
- Disabilities (Federal Laws, Regs, Agency Docs)
- Disabilities (State Laws)
- Disabilities Index
- Disabilities Classification Outline
- Disabilities Classification Outline by Topic
- Disabilities Classification Outline by Statute

Disability law is a component of a broader collection. There are a number of ways to search for disability law in this collection. You can locate documents by citation, by collection, by index or through a broad search. For specific pointers, ask a reference librarian and/or read the “Getting Started” documents on the database home page.

**A Guide to Disability Rights Laws (2005)**

U.S. Department of Justice, Civil Rights Division  
Disability Rights Section

<http://www.usdoj.gov/crt/ada/cguide.htm>

**Americans with Disabilities Documents Center  
Job Accommodation Network (JANWEB)**

<http://www.jan.wvu.edu/links/adalinks.htm>

- Links to primary sources on the web, including accessibility guidelines and ADA technical assistance manuals.

**Westlaw: Disabilities Law Topical Databases** (see description, page 4)

From the Directory: All Databases > Topical Materials by Area of Practice > Civil Rights > Americans with Disabilities Act

Collection of ADA-related primary sources and selected secondary sources.

See scope notes for complete details for each database:

- Education Law: First Amendment, Due Process and Discrimination (EDULAW)
- Federal & State Cases (AWD-CS)
- Federal & State Statutes (AWD-ST)
- Code of Federal Regulations (AWD-CFR)
- Federal Register (AWD-FR)
- Americans With Disabilities: Practice and Compliance Manual (AMDISPCM)
- Americans with Disabilities Act Technical Assistance Manuals (ADA-TAM)

**Individual Acts**

**Americans with Disabilities Act, 42 U.S.C. 12101 et seq.**

Implementing Regulations and Related Documents:

29 C.F.R. Parts 1630, 1602 (Title I, EEOC)

Selected EEOC enforcement guidance and other policy documents on the ADA, *see*:

<http://www.eeoc.gov/ada/adadocs.html>

Title I Technical Assistance, *see* Westlaw database:

Americans with Disabilities Act Technical Assistance Manuals (ADA-TAM)

Westlaw: EEOC Multibase (FLB-EEOC-ALL)

Search all of these databases concurrently in the Multibase, or separately, using the Database Identifiers

- Decisions (FLB-EEOC)
- Compliance Manual (FLB-EEOCCM)
- Guidance (FLB-EEOCGUID)
- Management Directives (FLB-EEOCMD)

28 C.F.R. Part 35 (Title II, Department of Justice)

49 C.F.R. Parts 27, 37, 38 (Title II, III, Department of Transportation)

28 C.F.R. Part 36 (Title III, Department of Justice)

Title II & Title III Technical Assistance, *see* Westlaw database:

Americans with Disabilities Act Technical Assistance Manuals (ADA-TAM)

47 C.F.R. 64.601 et seq. (Title IV, FCC)

**Air Carrier Access Act, 49 U.S.C. 41705**

Prohibits discrimination in air transportation by domestic and foreign air carriers against qualified individuals with physical or mental impairments.

Implementing regulations:

14 C.F.R. Part 382

**Architectural Barriers Act (ABA) of 1968**, 42 U.S.C. 4151 et seq.

Implementing Regulations:

41 C.F.R. Subpart 101-19.6

**Civil Rights Act of 1964**, 42 U.S.C. 2000a et seq.

**Civil Rights of Institutionalized Persons Act**, 42 U.S.C. 1997 et seq.

Authorizes the U.S. Attorney General to investigate conditions of confinement at state and local government institutions such as prisons, jails, pretrial detention centers, juvenile correctional facilities, publicly operated nursing homes, and institutions for people with psychiatric or developmental disabilities

**Fair Housing Amendments Act of 1988**, 42 U.S.C. 3601 et seq.

Implementing Regulations:

24 C.F.R. Parts 100 et seq.

**Individuals with Disabilities Education Act**

**Individuals with Disabilities Education Act Amendments of 1997**

**Individuals with Disabilities Education Act Reauthorization Act 2004** 20 U.S.C. § 1400 et seq.

Implementing regulations:

34 CFR Parts 300 & 301

For texts and a good analysis of the regulations, see Robert Silverstein's Commentary on Wrightslaw at: <http://www.wrightslaw.com/idea/commentary.htm>

**Rehabilitation Act of 1973**, 29 U.S.C. 701 et seq.

**Section 501 of the Rehabilitation Act of 1973, as amended**, 29 U.S.C. 791

Implementing Regulations:

29 C.F.R. 1614.203

**Section 503 of the Rehabilitation Act of 1973, as amended**, 29 U.S.C. 793

Implementing Regulations:

41 C.F.R. Part 60-741

**Section 504 of the Rehabilitation Act of 1973, as amended**, 29 U.S.C. 794

Implementing Regulations:

Over 20 Implementing Regulations for federally assisted programs, including:

- 34 C.F.R. Part 104 (Department of Education)
- 45 C.F.R. Part 84 (Department of Health and Human Services)
- 28 C.F.R. 42.501 et seq.

Over 95 Implementing Regulations for federally conducted programs, including:  
28 C.F.R. Part 39 (Department of Justice)

**Section 508 of the Rehabilitation Act of 1973, as amended 29 U.S.C. 794d**

*See also:*

**United States Access Board. ADA & ABA Accessibility Guidelines & Standards**

<http://www.access-board.gov/ada%2Daba/t>

Architectural and Transportation Barriers Compliance  
Board Regulations and Guidelines 36 C.F.R. 1191 et seq.

- These regulations are guidelines for accessibility standards for new construction and alterations in places of public accommodation and commercial facilities

Electronic and Information Technology Accessibility  
Standards 36 C.F.R. Part 1194

- Section 508 of the Rehabilitation Act requires access to electronic and information technology procured by Federal agencies

**Telecommunications Act of 1996, 47 U.S.C. 255**

Section 255 of the Act requires telecommunications products and services to be accessible to people with disabilities

**Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. § 1973 et seq.**

This Act requires polling places across the United States to be physically accessible to people with disabilities for federal elections

**Pending Legislation**

**ADA Amendments Act of 2008 (formerly known as the ADA Restoration Act)**

There are currently four versions of this bill from its initial introduction

in the House in 2007. You can check current bill status at any time through the Thomas (Library of Congress) at:  
<http://thomas.loc.gov/cgi-bin/query/D?c110:11:./temp/~c110151LZa::>

Click on the links below to access the text of the bills.

1. ADA Restoration Act of 2007 (Introduced in House)[\[H.R.3195.IH\]](#)
- 2 . ADA Amendments Act of 2008 (Reported in House)[\[H.R.3195.RH\]](#)
- 3 . ADA Amendments Act of 2008 (Engrossed as Agreed to or Passed by House)[\[H.R.3195.EH\]](#)
- 4 . ADA Amendments Act of 2008 (Placed on Calendar in Senate)[\[H.R.3195.PCS\]](#)

#### **AAPD-ADA Restoration Act Web Site**

[http://www.aapd-dc.org/News/adainthe/indexada\\_restore.php](http://www.aapd-dc.org/News/adainthe/indexada_restore.php)

The American Association of People with Disabilities has developed a web page on the ADA Amendment Act of 2008. The site includes the text of the original bill and amendments, background materials, news and a blog!

#### **Legislative Histories for Federal Acts**

##### **Americans with Disabilities Act**

###### **Disability law in the United States: a legislative history of the Americans with Disabilities Act**

KF 3469. R43 1992 (6 volumes, does not circulate)

###### **Arnold & Porter Legislative Histories: ADA**

Westlaw database: ADA-LH

##### **Individuals with Disabilities Education Act**

###### **A Legislative History of the Individuals with Disabilities**

**Education Act: Public Law 101-476 as amended by Public Law 102-119 (1994)**  
KF4210.A316 A15 1994

###### **CRS Report: Individuals with Disabilities Education Act (IDEA): Analysis of Changes Made by P.L. 108-446 [2004 Act] PDF**

<http://www.nasponline.org/advocacy/IDEACRSAnalysis.pdf>

###### **Other CRS Reports on the IDEA may be found on the Law Library's Congressional Universe database at:**

<http://www.law.syr.edu/lawlibrary/electronic/federal.aspx>

###### ***Search by title for the following:***

Individuals with Disabilities Education Act (IDEA): Overview & Selected Issues (2008)

Individuals with Disabilities Education Act (IDEA): Final Regulations for P.L. 108-446

Individuals with Disabilities Education Act (IDEA): Services in Private Schools under P. L. 108-446

Individuals with Disabilities Education Act (IDEA): Discipline Provisions in P.L. 108-446

**What's changed? : a side-by-side analysis of the 2006 and 1999 IDEA Part B regulations**

KF4209.3.A31 2004 R875 2006

**Rehabilitation Act**

**Section 504 of the Rehabilitation Act: Statutory Provisions, Legislative History, and Regulatory Requirements (1989)**

JK1108 .M34 1989-90, reel 1, fr. 00385 (Floor 2 – microform)

**Telecommunications Act**

**Arnold & Porter Legislative Histories: Telecommunications Act of 1996**

Westlaw database: TELECOM-LH

*For Legislative Histories of other federal acts*

**Congressional Information Service**

Law Library - Floor 2 - Microform

Lexis database: CIS Legislative Histories (CIS-LH)

**LexisNexis Congressional** (not the same as LexisNexis research system)

<http://www.law.syr.edu/lawlibrary/electronic/federal.aspx> (access restrictions)

**Thomas (Library of Congress' Congressional Web Source)**

<http://thomas.loc.gov>

**New York State: Major Legislation, Regulations & Related Sources**

**New York State Constitution, Article I, §11 (Equal Protection)**

**Civil Service Law § 55-a, 55-b and 55-c (State Employees)**

**New York Executive Law §296 (Human Rights Law)**

Implementing Regulations:

9 N.Y.C.R.R. §465

9 N.Y.C.R.R. §466.1

- Posting of notices by employers

9 N.Y.C.R.R. §466.11

- Reasonable accommodation

18 N.Y.C.R.R. §303.1

- Prohibition against discrimination in social services programs

*See also:*

**New York State Division of Human Rights**

<http://www.dhr.state.ny.us/>

Human Rights documents include texts of NY law and regulations, court orders and other decisions, commissioner's orders, and press releases and reports.

**New York State Commission on Quality of Care and Advocacy  
for Persons with Disabilities**

<http://www.cqc.state.ny.us/>

The commission is charged with a variety of investigatory, advocacy and educational activities relating to improving the quality of life for persons with disabilities. The web site describes the commission's programs and initiatives, including protection and advocacy programs, and provides access to NYS law and non-profit organizations.

The commission has published a number of reports and studies. On the web site, click on "Publications/Videos/Webcasts" to access the documents and lists of media files.

**New York State Executive Law § 296 (Human Rights Law) Legislative History**

Some legislative history information is included after the text of the Human Rights Law in the McKinney's Executive Law §296

There are also references in McKinney's to legislative, executive and judicial memoranda, as follows:

**L.1997, c. 269 McKinney's Session Laws, 1997**, pp. 1928-2265

**L.1984, c. 269 McKinney's Session Laws, 1984**, p. 3205

**L. 1983, c. 657 McKinney's Session Laws, 1983**, p. 2651

*See also:*

**H. Douglas Barclay Law Library Pathfinder: NYS Legislative History**

<http://www.law.syr.edu/lawlibrary/electronic/researchguides.asp>

**Other States: Legislation**

## **Uniform Laws Annotated (West)**

KF884.5 .U5

### **Uniform Duties to Disabled Persons Act**

(adopted in Colorado, Louisiana, Minnesota, New Mexico, North Dakota, Ohio, and Oklahoma)

### **Uniform Veterans' Guardianship Act**

(adopted in Arkansas, Colorado, Indiana, Kentucky, Louisiana, Missouri, North Carolina, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Virgin Islands, Washington, and Wisconsin)

## **Monograph on state disability discrimination laws : with 50-state charts on employment, public services, public accommodations, housing, and education / ABA Commission on Mental and Physical Disability Law (2005)**

College of Law Office of Clinical Programs

## **International and Foreign Disability Law**

Wendy Scott, *Guide to Sources in International and Comparative Disability Law*, 34 SYRACUSE J. INT'L L. & COM. 621 (2007),

### **International Disabilities/Human Rights Web Resource**

Syracuse University College of Law and Barclay Law Library

<http://www.law.syr.edu/lawlibrary/electronic/humanrights.asp>

- Three broad divisions -- international, regional and foreign disabilities law
- Under each division there are subtopics under which annotations and links to individual documents may be found
- The contents may be browsed or searched using key words.

## **IV. DISABILITY-RELATED CASE LAW**

### **Americans with Disabilities Cases, v. 1 (1974)–**

KF3469.A5 A45 (does not circulate)

- Citation form = 44 AD 899 (2003).
- Includes Cumulative Digest and Index.

### **Americans with Disabilities Cases**

Westlaw database: AWD-CS

Covers recent federal and state case law

### **BNA Americans with Disabilities Cases**

Lexis database: BNA Americans with Disabilities Cases

Provides complete full-text coverage of cases arising under and related to the Americans with Disabilities Act (ADA), including all cases decided under the ADA, plus significant employment law cases decided under the Rehabilitation Act and related state disabilities laws.

**BNA Labor & Employment Law Library:**

**Americans with Disabilities Cases** (College of Law licensed database)

<http://www.law.syr.edu/lawlibrary/electronic/bna.asp>

The database provides an electronic, searchable collection of case law regarding Americans with disabilities.

**BNA Labor Relations Reporter: ADA cases**

KF3365 .B879 (*see* volume 10 for disabilities cases)

Westlaw database: BNAAD-CS

A subset of the electronic labor and employment library described above.

**Individuals with Disabilities Education Law Report** (current loose-leaf)

KF4210.A6 E38 (does not circulate)

- Library has volume 18 – present.
- Issued bi-weekly.
- Includes a digest to cases.

**National Disability Law Reporter**

Lexis database: National Disability Law Reporter

Full text case law decisions covering a broad range of disability issues.

**New York Workers' Compensation & Disability Cases (by state)**

For NY cases, *see* Lexis Database: NY Workers Comp. & Disability Cases.

## V. SELECTED GOVERNMENT WEB SITES

Government web sites are excellent sources for pending and final rules, proposed changes to rules, guidance and technical assistance documents, news, and links to relevant sources.

### Federal

#### Gateways and Portals

**DisabilityInfo.gov**

<http://www.disability.gov/digov-public/public/DisplayPage.do%3fparentFolderId=500>

- Gateway to the federal government's disability-related information and resources.
- Directory of government web links relevant to people with disabilities, their families, employers, service providers and other community members.

*Individual Agencies and Offices*

**Equal Employment Opportunity Commission**

<http://www.eeoc.gov>

**National Council on Disability**

<http://www.ncd.gov/>

- The Council is an independent federal agency making recommendations to the President and Congress on issues affecting Americans with disabilities.
- The Council is currently working on a series of reports focusing on universal design in information and assistive technology; consumer oriented/directed health care; long-term health care; and effective return-to-work strategies.

**United States Department of Education. National Institute on Disability and Rehabilitation Research (NIDRR).**

<http://www.ed.gov/about/offices/list/osers/nidrr/index.html>

NIDRR is part of the U.S. Department of Education's Office of Special Education and Rehabilitation Services. The web site has current and archived reports and papers on specific issues and NIDRR initiatives, as well as links to related resources.

**United States Department of Education. Office of Special Education and Rehabilitation Services**

<http://www.ed.gov/about/offices/list/osers/osep/index.html>

**United States Department of Health and Human Services. Office on Disability**

<http://www.hhs.gov/od/>

**United States Department Of Housing & Urban Development (HUD):**

**Office of Fair Housing and Equal Opportunity. Disability Rights and Resources**

<http://www.hud.gov/offices/fheo/disabilities/index.cfm>

**United States Department of Justice: ADA Homepage**

<http://www.usdoj.gov/crt/ada/adahom1.htm>

**United States Department of Labor: Office of Disability and Employment Policy**

<http://www.dol.gov/odep/>

**United States Department of Veterans Affairs**

<http://www.va.gov/>

**United States Social Security Administration: Disability Benefits**

[http://www.ssa.gov/pgm/links\\_disability.htm](http://www.ssa.gov/pgm/links_disability.htm)

## **New York State**

**New York State Division of Housing & Community Renewal**

<http://www.dhcr.state.ny.us/>

**New York State Division of Human Rights**

<http://www.dhr.state.ny.us/>

**New York State Commission on Quality of Care and Advocacy  
for Persons with Disabilities**

<http://www.cqc.state.ny.us/>

## **VI. DISABILITY STATISTICS**

**Disability Statistics. Cornell Labor Relations Institute**

<http://www.ilr.cornell.edu/edi/disabilitystatistics/>

National statistics from several sources on the prevalence of disability and the employment, income, and poverty status of people with disabilities.

Sources include:

Current Population Survey, Census 2000, American Community Survey.

Data sets may be viewed as charts, graphs, tables, and written descriptions.

You can retrieve data without creating an account.

**Disability Statistics Center. University of California at San Francisco**

[http://dsc.ucsf.edu/main.php?name=finding\\_data](http://dsc.ucsf.edu/main.php?name=finding_data)

“The Disability Statistics Center produces and disseminates policy-relevant statistical information on the demographics and status of people with disabilities in American society. The Center's work focuses on how that status is changing over time with regard to employment, access to technology, health care, community-based services, and other aspects of independent living and participation in society.”

This site addresses data from more sources than the Cornell site; statistics are available as [Disability Statistics Abstracts](#) (four- to six-page research briefs on disability-related topics of interest to a general audience) and [Disability Statistics Reports](#) providing in-depth statistical analyses of national survey and program data sets.

The site also links to other web sources for disability information.

## **VII. DATABASES**

The sources in this section are searchable databases of full-text (or abstracted) research materials, which may include articles, reports, papers, conference proceedings, documents and other published or non-published works.

## **Internet Databases**

### **CIRRIE Database of International Rehabilitation Research**

<http://cirrie.buffalo.edu/index.html>

CIRRIE is a searchable database at the University of Buffalo which indexes more than 5000 sources, some of which include abstracts or links to the full text of material. The search functionality is flexible, and allows users to select broad, narrow or related search terms from a detailed thesaurus, and to specify geographical region, language, or year of publication of materials.

### **National Center for the Dissemination of Disability Research**

<http://www.ncddr.org/>

The Center is a repository of systematic reviews of research studies on disability and rehabilitation topics. A ‘systematic review’ is a review of primary research publications on specific topics.

“The NCDDR collects systematic reviews for this Registry by searching online databases—such as [The Cochrane Library](#)—and [grey literature](#). (Grey literature refers to papers, reports, technical notes or other documents produced and published by governmental agencies, academic institutions and other groups that are not distributed or indexed by commercial publishers), [the Campbell Collaboration](#), and the [What Works Clearinghouse](#), as well as other published and unpublished reviews, are found in the Registry.”

Some of the materials are available free-of-charge in full-text. For others, a fee may apply. Ask a librarian for assistance with obtaining fee-based materials.

### **National Dissemination Center for Children with Disabilities (NICHCY) – Research Center**

<http://research.nichcy.org/>

Access to research reports and links to documents on issues concerning children with disabilities.

### **National Rehabilitation Information Center (NARIC) Databases**

<http://www.naric.com/research/>

There are more than 70,000 items listed in three databases, some addressing international, comparative and foreign disability-related information. You can search all databases concurrently, or you can search in any of the following individual databases:

**REHABDATA:** abstracts of books, reports, articles, and audiovisual materials relating to disability and rehabilitation research. Each abstract includes bibliographic information, a 250-word abstract, and, when appropriate, information regarding the project that produced the document. The index spans research from 1956 to the present.

NIDRR Project Database: NARIC collects data on every project funded by NIDRR in a given fiscal year. Each record includes institutional and contact information, funding data, and an abstract of project goals and activities. The database includes projects funded from 1993 to the present.

The NARIC Knowledgebase: The Knowledgebase represents 25 years of collecting resources for information and referral. The database includes agencies and organizations, directories, databases, journals and other periodicals, and online resources.

**Social Science Research Network (SSRN) – Legal Scholarship Network - Disability Law**  
<http://www.ssrn.com/link/disability-law.html>

SSRN offers the full-text and abstracts of scholarly research papers in pre-publication. Many of the articles here have not (and will not) appear in Westlaw and Lexis.

Disability Law is a SSRN ‘journal’ edited by Professors Kanter and Schwartz for the SU COL Disability Law and Policy (DLP) Program. It contains “abstracts of papers, forthcoming articles, and recently-published articles and reviews which address issues of domestic, comparative, and international disability law and policy and disability studies, including issues related to mental health and mental disability law and policy. The Journal addresses legal issues, legislation, policy and a critical examination of disability as part of diversity in the US and in other societies throughout the world.”

You can browse the database using the link above or search the entire SSRN database at <http://ssrn.com/search>.

### **Syracuse University Databases (Access restrictions may apply)**

#### **Education Full-Text**

[http://library.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+E&sort\\_a=Name&Name=^e](http://library.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+E&sort_a=Name&Name=^e).

Provides indexing of periodicals and yearbook articles of at least one column in length and dating from 1983 or later, abstracting of those dating from Jan. 1994, Select full text of those dating from Jan. 1996. Also covers English language books published after 1994. Topical coverage includes adult education, arts, athletics, library science, prayer in schools, parent-teacher relations, secondary education, government funding, *special education*.

#### **ERIC (Education Research Information Center), 1966-**

[http://library.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+E&sort\\_a=Name&Name=^e](http://library.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+E&sort_a=Name&Name=^e).

Contains annotated references to nonjournal material issued in the monthly Resources in Education (RIE) and to journal articles issued in the monthly Current Index to Journals in Education (CIJE).

#### **JSTOR**

[http://library.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+J&sort\\_a=Name&Name=^j](http://library.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+J&sort_a=Name&Name=^j).

Full-text archive of scholarly publications in mathematics, science, and the social sciences.

### **Public Affairs Information Service International (PAIS International)**

[http://libwww.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+P&sort\\_a=Name&Name=^p](http://libwww.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+P&sort_a=Name&Name=^p)

- Full-text or bibliographic information.
- Links to SU Library e-journals and SUMMIT.
- Covers national and international public policy and social issues. The database covers over 1600 periodicals and journals, as well as books, directories, reports, and government documents.

### **PAIS Archive**

[http://libwww.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+P&sort\\_a=Name&Name=^p](http://libwww.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+P&sort_a=Name&Name=^p).

- Full-text or bibliographic information the area of public affairs.
- Links to SU Library e-journals and SUMMIT.
- Retrospective database of the above, covering 1937 to 1976.

### **Social Sciences Abstracts, 1983-**

[http://libwww.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+S&sort\\_a=Name&Name=^s](http://libwww.syr.edu/cgi-bin/Xdatabases.cgi?title=Databases+by+Title:+S&sort_a=Name&Name=^s).

- Full-text or bibliographic information.
- Links to SU Library e-journals and SUMMIT.
- English-language articles in the area of social sciences, including political science, social policy, and law.
- Substantial listings of international, comparative and foreign disability topics.

## **VIII. WEB PORTALS**

The sources below provide links to disability related information on the Internet.

### **Syracuse University College of Law: Disability Law & Policy Program - Research and Resources**

<http://www.law.syr.edu/academics/centers/dlp/disabilitylawlinks.aspx>

### **ABA Commission on Mental and Physical Disability Law**

<http://www.abanet.org/disability/home.html>

- Selection of recent United States Supreme Court decisions.
- Extensive links to government, organizational and professional sources.

### **Disability Resources Links**

Syracuse University Center on Disabilities, Law & Human Policy

<http://disabilitystudies.syr.edu/resources/otherdisabilityresources.aspx>

- Wide-ranging collection of links grouped by category.
- Categories include:
  - Community Living and Inclusion

- Disability Research, Policy, and Practice
- Disability Rights, Self-Advocacy, and Identity
- National and International Disability Organizations

**“Internet Resources Concerning People with Developmental Disabilities”**

Syracuse University Center on Disabilities, Law and Human Policy

<http://thechp.syr.edu/internet.html>

**Law, Health Policy and Disability Center (University of Iowa)**

<http://disability.law.uiowa.edu/>

The Center concentrates on public policy and its impact on persons with disabilities, with an emphasis on employment, self-determination and self-sufficiency.

Site includes disability law news, recent articles in health/disability policy.

**Women with Disabilities: Issues, Resources, Connections**

Syracuse University Center on Disabilities, Law and Human Policy

<http://thechp.syr.edu/wpreface.htm>

Note: last updated in 1997.

**Wrightslaw (Special Education Law)**

<http://www.wrightslaw.com/>

Thousands of articles, cases, and resources about various topics in special education law.

## **IX. CURRENT AWARENESS AND UPDATING SERVICES**

**AAPD-ADA Amendments Act of 2008 Blog**

<http://adarestoration.blogspot.com/>

Current information and discussion about bill sponsorship, news and status.

**BNA’s Americans with Disabilities Act Manual**

KF 3649.A15 (does not circulate)

- Monthly newsletter-style publication.
- Articles, references to cases, references to governmental activities and documents.
- Includes internal indexing.

**BNA’s Employment Discrimination Report**

Print: KF3464.A15 B58 (does not circulate)

- Weekly newsletter style publication
- Articles, references to cases

Searchable Electronic version (College of Law licensed database)  
<http://www.law.syr.edu/lawlibrary/electronic/bna.asp>

**Disability Compliance Bulletin**

Lexis database: Disability Compliance Bulletin

Provides case summaries, news and in-depth articles.

**Disability Law 2.0 Blog**

<http://disabilitylaw.blogspot.com/>

This blog by a disability law attorney tracks developments in disability law and related fields and points readers to new resources.

**Disability Law Compliance Report**

Westlaw database: DLCR

This newsletter analyzes key ADA cases and agency decisions and interprets how rulings will affect clients' business operations and practices. It indicates trends, analyzes current cases, and reports and dissects changing guidelines from the Department of Labor, the Equal Employment Opportunity Commissions, and the Access Board.

**Disability Insurance: Mealey's Litigation Report**

Lexis database: Disability Insurance; Mealey's Litigation Report

Tracks the disputes involving complex disability coverage claims.

**Disabililty News (on Google)**

[http://news.google.com/news?q=disabilities&rls=com.microsoft:en-us&ie=UTF-8&oe=UTF-8&startIndex=&startPage=1&um=1&sa=N&tab=wn&oi=property\\_suggestions&resnum=0&ct=property-revision&cd=1](http://news.google.com/news?q=disabilities&rls=com.microsoft:en-us&ie=UTF-8&oe=UTF-8&startIndex=&startPage=1&um=1&sa=N&tab=wn&oi=property_suggestions&resnum=0&ct=property-revision&cd=1)

**Special Education Law Blog**

[http://specialedlaw.blogs.com/home/idea\\_2004/index.html](http://specialedlaw.blogs.com/home/idea_2004/index.html)