

Searching/Browsing Cases – using the Westlaw Key Number System

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Introduction

Westlaw indexes cases by the legal issues reviewed by the authoring judges and assigns **topics** and **key numbers** from the West Key Number system to those legal issues. These legal issues are also summarized in a headnote. The headnote is written by Westlaw's legal editors and should not be cited in legal papers.

There are over 400 topics in the West Key Number system and subdivisions within those topics. Using the West Key Number system is an efficient way to search because:

- Westlaw editors have read all published New York cases and organized them by subject
- You do not need to think of all possible combinations of keywords to find cases
- Once you find a useful case, you can search the **topics** and **key numbers** in the **headnotes** to that case to find similar cases

The phrase key number refers to a printing convention when West issued print digests. The topics and subdivisions were marketed as “keys to American law.” The online versions may use a key image or use the abbreviation **k**.

141E EDUCATION (Up to 10,000)
 141EII Public Primary and Secondary Schools (Up to 10,000)
 141EII(G) Children with Disabilities; Special Education 4,838
 141E-862 Individualized education program. 585

4 Education Individualized education program

Under the Individuals with Disabilities Education Act (IDEA), an “individualized education program” (IEP) is developed jointly by a school official, the disabled child’s teacher and parents, and, where appropriate, the child, and serves as a comprehensive statement of the educational needs of the child and the specially designed instruction and related services to be employed to meet those needs. Individuals with Disabilities Education Act, § 601(d), 20 U.S.C.A. § 1400(d).

[1 Case that cites this headnote](#)

Helpful Guides on Legal Research:

- Fields for Cases – Westlaw User Guide
- What Are Legal Issues
- What is the Purpose of Legal Research?

How Find Topics and Key Numbers

Searching the Key Digest System by topic

1. From the opening Westlaw page on the **All Content** tab click **Key Numbers** to link to the West Key Number System



The screenshot shows the 'Browse' section of the Westlaw interface. The 'All Content' tab is selected. The 'Key Numbers' option is highlighted with a red circle. Below this, the 'West Key Number System' page is shown, featuring a search bar and a list of key numbers.

Browse

- All Content
- Federal Materials
- State Materials
- Practice Areas
- Tools

- Cases
- Key Numbers**
- Trial Court Orders
- Statutes & Court Rules
- Regulations
- Administrative Decisions & Guidance
- Practical Law
- Secondary Sources
- Forms
- Briefs
- Trial Court Documents
- Jury Verdicts & Settlements
- Proposed & Enacted Legislation
- Proposed & Adopted Regulations

THOMSON REUTERS
WESTLAW

West Key Number He... Search West Key Number Headnotes NY (State & Fed.)

Home
West Key Number System

Search for Key Numbers relevant to your issue

Q - Enter terms e.g., landlord duty of care to trespassers Search

Jurisdiction selected: NY (State & Fed.) Change Jurisdiction

Search all content Specify content to search

1 ABANDONED AND LOST PROPERTY	141 EASEMENTS	286 PARLIAMENTARY LAW
2 ABATEMENT AND REVIVAL	141E EDUCATION	287 PARTIES
4 ABORTION AND BIRTH CONTROL	142 EJECTMENT	288 PARTITION
5 ABSENTEES	142T ELECTION LAW	289 PARTNERSHIP
6 ABSTRACTS OF TITLE	143 ELECTION OF REMEDIES	290 PARTY WALLS

- In this exercise, you want to find cases on Individualized Education Programs, IEPs. Click on the topic **141E Education**.

Home > West Key Number System

141E EDUCATION

I. IN GENERAL, k1-k9

- 🔑 1 In general
- 🔑 2 Right to education in general
- 🔑 3 What law governs

II. PUBLIC PRIMARY AND SECONDARY SCHOOLS, k10-k909

- (A) ESTABLISHMENT, OPERATION, AND REGULATION IN GENERAL, k10-k389
- (B) TAXPAYERS' SUITS AND OTHER REMEDIES, k390-k409
- (C) OFFICERS AND EMPLOYEES, k410-k439
- (D) TEACHERS AND EDUCATION PROFESSIONALS, k440-k649
- (E) PUPILS OR STUDENTS, k650-k829
- (F) RACIAL SEGREGATION AND DESEGREGATION, k830-k859
- (G) CHILDREN WITH DISABILITIES; SPECIAL EDUCATION, k860-k909

- Subtopic **(G) Children with Disabilities, Special Education k860-k909** looks promising. Click on **(G)**.
- There is a key number **862 Individual education program**.
- Click on that key number and notice that there 568 federal cases and 17 New York cases.
- US Supreme Courts are listed first, the most recent first when sorting by date.
- You can also sort by most cited
- From the left-hand navigation bar, you can narrow by jurisdiction or date.

Home > West Key Number System > 141E EDUCATION > II. PUBLIC PRIMARY AND SECONDARY SCHOOLS, k10-k909 > (G) CHILDREN WITH DISABILITIES; SPECIAL EDUCATION, k860-k909

🔑 862 Individualized education program (585)

Jurisdiction: New York (State & Fed.) [Change](#)

1 - 20 Sort by: Topic then Date

Select all items No items selected

141E EDUCATION (Up to 10,000)

- 141EII Public Primary and Secondary Schools (Up to 10,000)
- 141EII(G) Children with Disabilities; Special Education 4,838
- 141E🔑862 Individualized education program, 585

1. **Andrew F. ex rel. Joseph F. v. Douglas County School Dist. RE-1**
 Supreme Court of the United States | March 22, 2017 | 137 S.Ct. 988

Headnote: The individual education plan (IEP) is the means by which special education and related services are tailored to the unique needs of a particular child under the IDEA. Individuals with Disabilities Education Act, § 614(d)(1)(A)(i)(I-IV), 20 U.S.C.A. § 1414(d)(1)(A)(i)(I-IV).

[1 Case that cites this legal issue](#)

Document Preview: CIVIL RIGHTS - Education. To meet its substantive obligation under IDEA, school must offer individual education plan reasonably calculated to enable

Running a Search to Find a West Key Number

You can search the entire West Key Number Digest by a terms and connectors search, or a natural language search to get a list of topics and key numbers where the terms occur.

1. In this example, a term and connectors search has been run to find discussion of IEPs elsewhere in the Digest. There are over 1,700 cases scattered throughout the digest. Scanning the topic and key numbers and the headnote summaries is an efficient way to locate useful cases.

[Back to West Key Number System](#)

West Key Number System Results (1,774)

Jurisdiction: New York (State & Fed.) [Change](#)

1 - 20  Sort by: Topic then Date  

Select all items | No items selected

[15A ADMINISTRATIVE LAW AND PROCEDURE](#) (Up to 10,000)

- [15AIII Judicial Remedies Prior to or Pending Administrative Proceedings](#) 1,497
- [15AIII-229 Exhaustion of administrative remedies](#) 991

1. C.K. v. Board of Education of the Westhampton Beach School District

United States District Court, E.D. New York. | May 9, 2016 | 185 F.Supp.3d 317

Headnote: Requested relief by parents of disabled student who had downs syndrome, an injunction permitting student to attend public middle school, was essentially a request to create an **individual education plan** (IEP) for student to attend an inclusive program with appropriate services at the school, which was a matter within ambit of administrative scheme provided by IDEA, and therefore parents' failure to exhaust administrative remedies before filing suit prevented the court from having subject matter jurisdiction over their claims; claim that school discriminated against student on basis of his disability did not create exception to exhaustion requirement since an impartial hearing officer (IHO) had authority to authorize relief sought. Individuals with Disabilities Education Act § 615, 20 U.S.C.A. § [1415\(A\)](#).

Document Preview: **EDUCATION** - Disabled Students. Parents who claimed school had policy of discriminating against disabled students were required to exhaust administrative remedies under IDEA.

Using case headnotes to find similar cases

If you have found a good case, Westlaw's headnotes and keycite will help you find similar cases. In this case *Semel v Ambach*, 118 AD2d 385 (3d Dept, 1986), the headnotes summarize a significant point of law. Below the headnote, a blue hyperlink lists four cases that have cited that headnote. You also have the option of linking to the two headnotes digest entries to find all of the Westlaw's indexed cases dealing with exhaustion of administrative remedies.

 [Original Image of 118 A.D.2d 385 \(PDF\)](#)
[View New York Official Reports version](#)

118 A.D.2d 385

Supreme Court, Appellate Division, Third Department, New York.

In the Matter of Martin **SEMEL**, as Father and Natural Guardian of Rhonda **Semel**, an Infant, Respondent,

v.

Gordon M. **AMBACH**, as Commissioner of Education of the State of New York, Appellant, et al., Respondent.

July 31, 1986.

Article 78 proceeding was brought by parent to compel local committee on the handicapped to accept particular school as appropriate placement for child or to compel child's immediate placement in another suitable facility. The Supreme Court, Special Term, Hughes, J., partially denied Commissioner of Education's motion to dismiss and Commissioner appealed. The Supreme Court, Appellate Division, Casey, J., held that parent had failed to exhaust administrative remedies.

Petition dismissed.

West Headnotes (1)

 [Change View](#)

1 **Administrative Law and Procedure**  Exhaustion of administrative remedies

Education  Exhaustion of remedies

Parent who failed to request hearing before impartial hearing officer appointed by local board of education, after local committee on handicapped was unable to recommend appropriate placement for handicapped child, failed to exhaust administrative remedies, thus requiring dismissal of his article 78 proceeding brought to compel acceptance of particular school as appropriate placement or to compel child's immediate placement in another suitable facility. *McKinney's CPLR 7801* et seq.; *McKinney's Education Law §§ 4401* et seq., 4404, subd. 1.

[4 Cases that cite this headnote](#)

List of 4 cases citing headnote (this list is under the Citing References Tab)

Semel v. Ambach
Supreme Court, Appellate Division, Third Department, New York. July 31, 1986. 118 A.D.2d 385. 505 N.Y.S.2d 466. 34 Ed. Law Rep. 550 (Approx. 3 pages)

Document Filings (0) Negative Treatment (0) History (0) Citing References (8) Table of Authorities Powered by KeyCite

KeyCite Citing References (4) 1-4 Sort By: Depth: Highest First No items selected

VIEW:	Treatment	Title	Date	Type	Depth	Headnote (s)
Cases 4	<input type="checkbox"/> Cited by	1. Northeast Cent. School Dist. v. Sobol 572 N.Y.S.2d 752, 754, N.Y.A.D. 3 Dept. School district filed application to review determination of Commissioner of Education ordering district to reimburse parents of formerly handicapped child for tuition and...	July 25, 1991	Case	<input type="checkbox"/>	1 N.Y.S.2d 1 A.D.2d
Administrative Decisions & Guidance 1	<input type="checkbox"/> Mentioned by	2. In re Pelose ex rel. Pelose 885 N.Y.S.2d 816, 817, N.Y.A.D. 4 Dept. EDUCATION - Disabled Students. Nonpublic school was not required to undertake or await outcome of manifestation review before expelling disabled student.	Oct. 02, 2009	Case	<input type="checkbox"/>	1 N.Y.S.2d 1 A.D.2d
Secondary Sources 2	<input type="checkbox"/> Mentioned by	3. Antkowiak by Antkowiak v. Ambach 838 F.2d 635, 640, 2nd Cir.(N.Y.) Action was brought seeking declaratory and injunctive relief to effect state placement of child suffering from emotional disturbances and anorexia nervosa at unapproved...	Jan. 27, 1988	Case	<input type="checkbox"/>	1 N.Y.S.2d 1 A.D.2d
Trial Court Documents 1	<input type="checkbox"/> Mentioned by	4. Natrona County School Dist. No. 1 v. McKnight 764 P.2d 1039, 1052+, Wyo. Handicapped student sought publicly funded education beyond his 21st birthday, as compensation for allegedly wrongfully denied funding in the past. The District Court, Natrona...	Nov. 15, 1988	Case	<input type="checkbox"/>	1 N.Y.S.2d 1 A.D.2d
All Results 8						

NARROW
Undo Filters
Select Multiple Filters

Search within results
Q-

Jurisdiction
 Federal 1
 State 3

Date
All

Depth Of Treatment
 1
 3

Headnote Topics
 Administrative Law And SPECIFY

The topic Administrative Law K 229 Exhaustion administrative remedies has 991 cases

Home > West Key Number System > 15A ADMINISTRATIVE LAW AND PROCEDURE > III. JUDICIAL REMEDIES PRIOR TO OR PENDING ADMINISTRATIVE PROCEEDINGS, k200-k300

229 Exhaustion of administrative remedies (991)

Jurisdiction: New York (State & Fed.) [Change](#)

1 - 20

Sort by: Topic then Date

Select all items No items selected

15A ADMINISTRATIVE LAW AND PROCEDURE (Up to 10,000)
15AIII Judicial Remedies Prior to or Pending Administrative Proceedings 1,497
15A [229 Exhaustion of administrative remedies](#). 991

The topic Education K 893 Exhaustion of remedies has 398 cases

Home > West Key Number System > 141E EDUCATION > II. PUBLIC PRIMARY AND SECONDARY SCHOOLS, k10-k909 > (G) CHILDREN WITH DISABILITIES; SPECIAL EDUCATION, k860-k909 > 889 Judicial review or intervention

893 —Exhaustion of remedies (398)

Jurisdiction: New York (State & Fed.) [Change](#)

1 - 20 Sort by: Topic then Date

Select all items | No items selected

141E EDUCATION (Up to 10,000)

- 141EII Public Primary and Secondary Schools (Up to 10,000)
- 141EII(G) Children with Disabilities; Special Education 4,838
- 141E889 Judicial Review or Intervention 2,068
- 141E893 Exhaustion of remedies. 398

1. [East Ramapo Cent. School Dist. v. King](#)

Secondary Sources library references

- New York Jurisprudence 2d includes links to West's Key Number topics links

94 N.Y. Jur. 2d Schools, Universities, and Colleges § 602

§ 602. Distribution of student's individualized education program

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

- West's Key Number Digest, [Education](#) 862

- McKinney's Consolidated Laws of New York Annotated under the Citing Reference tab list useful Westlaw topics and key numbers.

§ 4402. Duties of school districts
McKinney's Consolidated Laws of New York Annotated | Education Law | Effective: July 1, 2016 (Approx. 13 pages)

Document | Notes of Decisions (477) | History (313) | Citing References (737) | Context & Analysis (39) | Powered by KeyCite

Context & Analysis (39)

Procedures for referral, evaluation, individualized education program, placement and review, see § NYCRR 200.4.

Law Review And Journal Commentaries (3)

Defining an appropriate education for handicapped children: Board of Education v. Rowley. 34 Syracuse L.Rev. 1107 (1983).

Education of handicapped children: The IEP process and the search for an appropriate education. 56 StJohn's L.Rev. 81 (1981).

Who should hear the voices of children with disabilities: Proposed changes in due process in New York's special education system. Mary L. Lynch, 55 Alb.L.Rev. 179 (1991).

Library References (3)

Education ↗862, 864.

Westlaw Topic No. 141E.

C.J.S. Schools and School Districts §§ 970 to 973, 998.

- Many Westlaw treatises includes references to Westlaw's key numbers under the topic **References**

3 NY Fam Ct. Law & Prac § 18:10

Callaghan's Family Court Law & Practice NY | June 2016 Update
Chapter 18. Mentally Retarded and Handicapped Children

§ 18:10. Educational services

References

West's Key Number Digest

- West's Key Number Digest, Social Security and Public Welfare ↗194.30
- West's Key Number Digest, Social Security and Public Welfare ↗195