THE RIGHT TO SPECIAL EDUCATION: IDEA

When your child is born with a disability, it’s hard to know the steps to take to get them the right education. To fix this issue, the Individuals with Disabilities Act (IDEA) was enacted in 1975. IDEA ensures education services for children from birth through high school graduation or age 21, whichever occurs first.

IDEA covers learning disabilities like Dyslexia, Dysgraphia and Auditory Processing Disorder. It also covers Autism, emotional disturbance, speech or language disability, it’s hard when your child suspects the school for the purposes of determining if a child is eligible for special education.

If the parents disagree with the MFE results, they can pursue an Independent Education Evaluation (IEE). Parents can choose the IEE evaluator as long as the evaluator meets the school’s criteria for IEEs. The school must either pay for the IEE or file for an impartial due process hearing and prove that its MFE evaluation was appropriate.

Being an advocate for your child and ensuring they get the proper services is of the utmost importance, but if the school wins the hearing, you’re responsible for the cost of the IEE. After the child’s initial evaluation for special education, the child will be re-evaluated to determine if the child continues to need special education. The re-evaluation will occur every three years or more frequently if necessary.

For more information on IDEA and how it may impact your family, visit http://idea.ed.gov/.

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