

# Legal Connections



POWERED BY THE COLUMBUS BAR ASSOCIATION

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"Lawyers are able to present risks clearly and provide advice and suggestions to help businesses grow strategically. Find one that fits your needs at [directory.cbalaw.org](http://directory.cbalaw.org)."

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## 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.



**BRIAN GARVINE**  
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psychologist. The first meeting is the initial planning meeting; the second is the actual MFE. The MFE will focus upon any of the disabilities discovered in the planning meeting.

Before conducting the MFE, a school can provide interventions as long as doing so does not delay completion of full evaluation of the child. Examples of

interventions are screening, assessment, monitoring of student progress, counseling, consultation and access to library media and information technology programs.

After providing interventions, the school will determine whether the child should receive an MFE. If the school decides not to conduct an MFE, the parent must be given notice of the reasons why an MFE will not be provided as well as details regarding the parents' right to appeal the school's decision not to conduct an MFE. Parents also have the opportunity to participate in any meeting with 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 IEE's. 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/>. ■

IDEA covers learning disabilities like Dyslexia, Dysgraphia and Auditory Processing Disorder. It also covers Autism, emotional disturbance, speech or language impairment, visual impairment including blindness, deafness and traumatic brain injury, and orthopedic impairment. What IDEA will specifically cover depends upon the specific impairment.

If you suspect your child may be eligible, schools will set up a series of at least two meetings, or a Multi-Factored Evaluation (MFE), most often led by their district's

Approximately  
**6 million**  
children are covered  
by IDEA in the U.S.



Want to hear more about the exciting developments in our community? • Attend Hot Topics in Columbus Real Estate on Oct. 19: [cbalaw.org](http://cbalaw.org).

## COLUMBUS IS THE CITY

An explosion is taking place right here in Columbus: a good kind. It seems like every morning *Columbus Business First* has "Breaking News" announcing another new development in our city. The well-designed buildings are changing the landscape in Columbus. We're heading for 10,000 new residents downtown, just as former Mayor Mike Coleman had hoped.

Columbus has become a "hot city." Just over 30 years ago, attorney and community leader Melvin Schottenstein, told a large Columbus Chamber of Commerce



**ROBERT WEILER**  
The Robert Weiler Co.

audience his wish would be for your kids and his to want to live in Columbus after graduation. It was a time when Chicago, New York and other cities were considered to be greener pastures.

Just 10 years ago our country was headed into the worst recession since the great depression. Since then, not only has Central Ohio recovered, but we've experienced more ground breakings in the past five years than any time in our history.

What is the catalyst for all the new construction? Start with a favorable financial climate with interest rates at historic lows. Add competent, experienced

developers addressing a pent-up demand, and you have a plethora of successful developments throughout Central Ohio. It takes a team effort, including knowledgeable lawyers, to walk a project through to completion. Title examination, negotiating mortgage documents, handling construction contracts, preparing leases and assisting with tax incentives are just some of the wide range of legal expertise that is required for a successful development project.

We at The Robert Weiler Company are excited to be celebrating our 79th year at a time when Columbus has become the best place to live, work, play and raise a family. Mel Schottenstein would be smiling. ■

## EDUCATION & EVENTS

Tuesday, Oct 3 • 8:30 – 10:30 p.m.  
Medicare and Muffins

Saturday, Oct 7 • 9 – 10 a.m.  
Notary Public: Test Only

Tuesday, Oct 10 • 9 a.m. – 12:15 p.m.  
Digital Dilemmas & Technological Traps  
2.75 CLE & 2.5 Professional Conduct Hours

Thursday, Oct 12 • 9 a.m. – 12:15 p.m.  
Constitutional Conversations: 14th Amendment  
Free & Open to the Public

Friday, Oct 13 • 9 – 12:15 p.m.  
Title IX & Student Sexual Assault Litigation  
3.0 CLE Hours

All classes listed are offered at the Columbus Bar Associations offices, 175 S. Third St. Ste. 1100. To register, call 614-221-4112 or enroll online at [www.cbalaw.org](http://www.cbalaw.org).

Secrets to  
WINNING by  
WRITING



October 5 1:30-4:45pm Columbus Bar

A panel of experienced professionals will reveal the writing secrets that all attorneys need to know. You'll get real world examples of what not to do, clerks' pet peeves, and a chance to practice your new skills. Not to be missed!

isaac wiles

This class will be followed by a cocktail reception sponsored by Isaac Wiles

Registration:

Register for this class online at [www.cbalaw.org](http://www.cbalaw.org) or call (614) 221-4112.