

The ALERT



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IN THIS ISSUE:

Bullying at School

1

Child Eligibility for SSI

2

Child Support for
Disabled Adult Children

2

Internet Safety

3

Rights of
Homeless Students

3

Getting the Most
from Student Loans

4

IEP Complaint
Resolution

5

Special Education
for Students

5

Legal Aid Help

6

Protecting Children from Bullying at School

By Katie Feldman

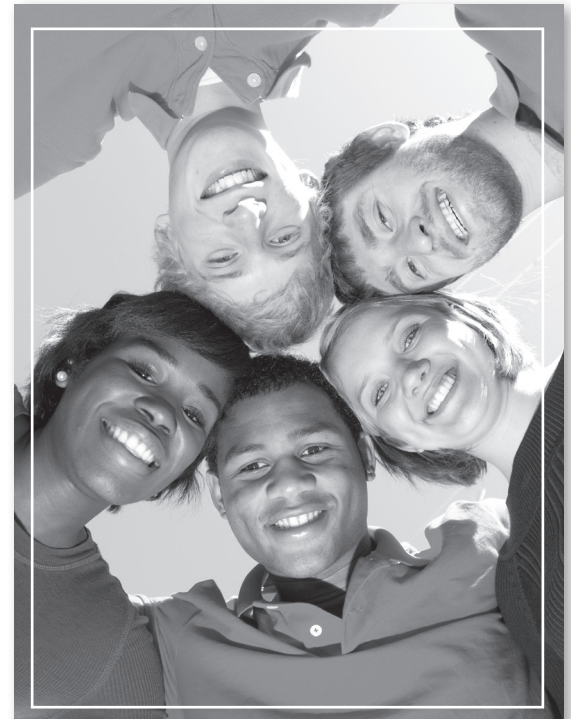
Too often, the news reports stories about kids being bullied at school. In Ohio, there is a law that tells schools what they must do to protect their students from bullying. "Bullying" refers to any written, spoken, or physical acts that are threatening or abusive to another student and happen more than once. Parents and caregivers need to know what schools should be doing and what they can do to help their children.

Every school district in Ohio must have an anti-bullying policy. A copy of the district's policy should be available from the school. The anti-bullying policy covers any acts of bullying at school, on the school bus, or at any school event. It also includes acts of electronic bullying such as bullying through the internet or by cell phone.

The policy will tell parents and students how to report bullying. Reports should be made in writing to the school. This letter should include enough information about the problem so the school can investigate. Put the date on the letter and make a copy to keep before giving it to the school. On your copy, write down the name of the person you gave the letter to at the school. School staff must also report any bullying they know about at school.

Once the school learns about a bullying problem, the school must investigate the bullying. When the investigation is complete, the school should make a plan to keep the student safe who is being bullied.

If the school does not adequately respond to the bullying report, you can contact the U.S. Department of Education, Office for Civil Rights, to decide if a complaint against the school should be made. Their phone number is 216-522-4970. In order to make a complaint with the Office for Civil Rights, the bullying must be related to discrimination on the basis of race, color, national origin, sex, age or disability. For more information, see also the Legal Aid brochure "Bullying in Ohio Schools" at <http://laslev.org/bullyinginschoolsbrochure/>.



When Is a Child Eligible for SSI?

By Davida Dodson

A child under the age of 18 who has a physical or mental disability may qualify for Supplemental Security Income (SSI) if the family is financially eligible. SSI is a cash assistance program to help low income families with expenses that occur when providing for children with special needs. For example, such parents must pay for transportation to medical appointments, medications, and therapy. Additionally, parents with disabled children more commonly have to miss work to take their children to doctors, therapists, school conferences, and other care-giving activities. Children's SSI provides additional income to families in order for children to receive quality health care while remaining in their own home.

When applying for SSI, the Social Security Administration (SSA) will look at a child's functioning in six areas or "domains." The domains are (1) acquiring and using information; (2) attending and completing tasks; (3) interacting and relating with others; (4) moving about and manipulating objects; (5) caring for yourself; and (6) health and physical well-being. If a child has a severe

problem in one domain or a "marked" problem in two domains ("marked" means less than severe and more than moderate), then the child's condition should be considered disabling. A child with a disabling condition qualifies for SSI.

A person interested in filing an application for a child to receive SSI should call the Social Security Administration at 1-800-772-1213 or visit a local Social Security Office. They will help you fill out the appropriate forms. Applications for child SSI can also be completed online at www.ssa.gov. In addition to the application, SSA will ask for detailed information about the medical condition of the child. SSA will also ask permission to look at his or her school and medical records. Bring any records related to the child's special needs to your appointment at SSA.

Legal Aid does not help file applications for SSI, but if you believe a child's SSI benefits have been wrongfully denied or terminated, please call Legal Aid at 1-888-817-3777 to find out if you are eligible for assistance.

Child Support when Disabled Kids become Adults

By Danielle Gadomski Littleton
and Susan Stauffer

Usually a parent's duty to support their child ends when the child turns 18. But parents must continue to support children who are disabled and cannot live alone. Parents must support these disabled children until either the parent or child dies or the child can live alone.

A child support order can continue past 18 if two statements are true. First, the child must be mentally or physically disabled before age 18. To decide if a child is disabled a court will consider all the child's limits together. Examples of physical limits are loss of hearing or muscle control. Examples of mental limits are low IQ and learning problems. Second, disability must be the reason the child is unable to work or live alone. If the child has an IEP or gets SSI, that could be a sign the child may need continued support.

To get child support for a disabled child past 18, a parent must give the child support agency or judge proof of the disability.

Medical documents and school records about the child's limits show disability. Sworn statements about the child's limits are also helpful. Parents may receive a letter saying support for a disabled child will stop at age 18. To keep support going, parents should provide the agency proof of the child's disability right away.

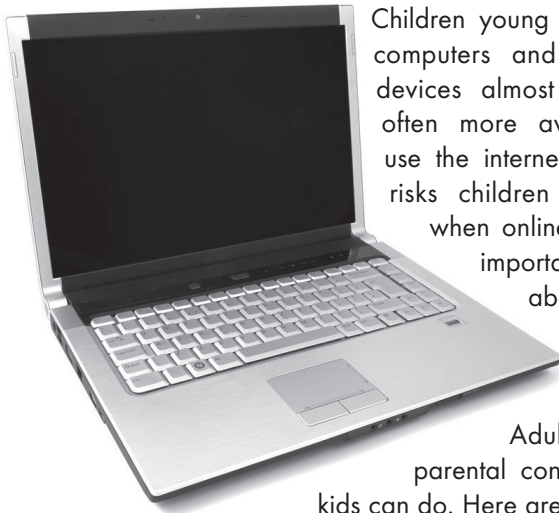
In order to stop paying support for someone with a disability over 18, a parent must prove the child can live alone. Information on the child's work history and life skills may show a child can live alone.

Only some courts will issue a new child support order for a disabled child after the child is 18. To get a new child support order, a parent must file a petition for support. The place to file depends on the county where the child lives and whether the parents were ever married. If you need help with a child support problem, call Legal Aid at 1-888-817-3777 to find out if you are eligible for assistance, or attend a free Legal Aid Brief Advice Clinic.

Need Help with a Child Support Problem? Legal Aid assists clients with a variety of child support matters, including modifying and terminating support orders, and asking for the waiver of arrears owed. Clients often get help at a Legal Aid Pro Se Child Support Clinic. At these clinics, volunteer attorneys and law students help clients complete the forms they need to file. The client then files the documents with the court and attends the court hearings on their own. If you need help with a child support problem, call Legal Aid at 1-888-817-3777 to find out if you are eligible for assistance.

Stay Safe On the Internet

By Maria Del Monaco,
FTC Attorney*



Children young and old now use computers and other electronic devices almost daily. They are often more aware of how to use the internet than adults. The risks children and youth face when online are serious. It is important to talk to them about how to safely use cellphones, mobile devices, and computers.

Adults can also set parental controls to limit what kids can do. Here are some guidelines:

1. **Living Online.** Kids should post only what they're comfortable with adults seeing. Remind them that, once they've posted something, it can't be taken back. They should never pretend to be someone else, and should ignore or block messages from people they don't know.
2. **Video and Mobile Games.** Many games allow players to talk and play with other people, or buy things. Check for controls to let you block games with certain ratings, disable internet access, and restrict purchases.
3. **Phishing.** Kids and adults alike should never reply to text,

email, or pop-up messages that ask for personal and financial information. Never follow links in these kinds of messages, or download attachments from emails.

4. **Computer Safety.** Kids - like all of us - should keep Social Security numbers, account numbers, and passwords private. Kids can help beat hackers by using long passwords with upper and lower case letters, symbols, and numbers. Remind kids to watch out for free stuff, which might infect their computer with malware. If they share music, games, or software online, tell kids to use security software to scan any files before downloading them.
5. **Sexting and Photo-Sharing.** Tell kids not to send or forward sexually explicit photos, videos, or messages. It's often illegal. And with any kind of photo, it's best to ask for permission before posting pictures of other people online.
6. **Cyberbullying.** Let kids know that they can't hide behind the words they type and the images they post. If your child is targeted by a cyberbully, block the bully's username or email address. Contact the website if profiles were posted or changed without your child's consent, and ask to have them taken down.

For more information about being safe online, visit OnGuardOnline.gov/ or consumer.ftc.gov/topics/kids-online-safety.

*The views expressed in this article are those of the author alone. She does not express the views of the FTC or of any individual commissioner.

Rights of Homeless Students

By Megan Sprecher

Too many children in Ohio are homeless. A special law, the McKinney-Vento Homeless Assistance Act, gives homeless students in public or charter schools special help.

Homeless: This law broadly defines who is homeless to include:

- students who live in a shelter, in a car, or on the street,
- students doubling up with family or friends or who couch surf, and
- students living in a home with problems like bugs, mold, leaks, etc.

Enrollment: Homeless students do not always have access to important papers like birth records. This can cause a problem when enrolling the student in school. This law helps students enroll in a public or charter school even if they do not have all the things normally required to enroll, like birth records, shot records, or utility bills.

Transportation: Homeless students frequently change schools and miss days of school when they change. When staying at the same school is best for the student, this law makes public and charter schools provide transportation to keep the student at her last school. The school must provide transportation even if the student no longer stays close to that school or even if the student is outside the school district.

Liaison: Every public and charter school has to have a person in charge of finding and helping homeless students. The person is often called a homeless liaison and sometimes works in the pupil services office. If you need help for your homeless student, ask the school or district who the homeless liaison is. If additional help is needed, call Tom Dannis from the Ohio Department of Education at 614-466-4161. For more information, see also the Legal Aid brochure, "Access to Education for Homeless Students" at <http://lasclev.org/accesstoeducationbrochure/>.

Get the Most from Student Loans

By Julie K. Robie

Student loans give needed financial assistance to people who want to attend college but can't afford it. Many colleges and universities offer many student loan options. The information in this article will help people when making important decisions about where to go to school and how to pay for it.

Choose a College Carefully. There are three different types of colleges and universities to choose from:

1. Public colleges and universities (example: Cuyahoga Community College, Cleveland State University)
2. Non-profit colleges and universities (example: Baldwin Wallace University)
3. For-profit or "proprietary" schools (example: Lincoln College of Technology)

In general, Ohio's public universities have the cheapest tuition for Ohio residents. For example, one semester tuition at Tri-C in an associate degree program costs as little as \$1,200,¹ and one semester tuition at Cleveland State University in a bachelor's degree program costs about \$4,700.² In contrast, one semester tuition at Lincoln College of Technology in an associate degree program costs as much as \$13,200.³

Choose a Loan Carefully: There are two basic types of student loans: **federal** and **private**. Federal loans are regulated by the U.S. Department of Education, which sets the terms and limits the interest rates. Private loans come from private lenders who set their own terms and interest rates. **Before signing any loan contract, compare loan offers from different lenders because some loans are more expensive than others.** Always ask lenders the following questions:

1. How much money are you lending me?
2. What is the interest rate?
3. When will interest start to "accrue" (build up)?
4. When do I have to start paying the loan back?
5. How much will my monthly payments be?
6. What kinds of repayment plans are available for this loan?

One advantage of **federal** student loans is the option for an income-based repayment (IBR) plan for borrowers who have

a financial hardship. Under IBR plans, monthly payments are limited based on the borrower's income.

Remember, student loans **must** be repaid, even if the student does not graduate, cannot find a job, or was unhappy with the school. Student loans are **not** automatically discharged in bankruptcy.

For more information on student loans, visit the U.S. Department of Education website, www.ed.gov. Another helpful website is www.studentloanborrowerassistance.org, which comes from the National Consumer Law Center.

If you have problems with federal student loans, contact the Federal Student Aid Ombudsman Group at www.ombudsman.ed.gov. If you have problems with private student loans, contact the Consumer Financial Protection Bureau's Private Student Loan Ombudsman at www.consumerfinance.gov/complaint (click on "Student Loan").

IMPORTANT: Avoid Scholarship Scams! Many colleges and universities have limited scholarships, or money that does not need to be paid back. Find out how to apply for scholarships on a school's website or by contacting the financial aid office.

Beware! Some companies claim to offer "scholarships," but they are actually trying to steal your cash, credit card number, or bank account number.

Ways to protect yourself are:

1. **Never** give your credit card or bank account number to "hold" a scholarship – this is a scam! Real scholarships do **not** ask for credit card or bank account numbers.
2. Real scholarships are free. If you have to pay money to apply, the scholarship is a scam.
3. If someone calls and says you were "selected" for a scholarship, but you never applied for any scholarship, this is a scam! Hang up the phone and do not provide any personal financial information.

¹ Cuyahoga Community College, Tuition & Payment Schedule for 2013-2014 Academic Year, available at <http://www.tri-c.edu/payingforcollege/Pages/TuitionPaymentSchedule.aspx>. The cost is about \$1,200 for Cuyahoga County residents and about \$1,500 for other Ohio residents.

² Cleveland State University, Tuition and Fees 2013-2014, available at <http://www.csuohio.edu/treasury-services/tuition-and-fees>.

³ Lincoln College of Technology, Net Price Calculator, available at <http://www.lincolnedu.com/net-price-calculator>.

Special Education for Students

By Kolie Erokwu

Getting special education for a child requires a team effort by parents or guardians (“caregivers”), teachers and the school district. Both public and charter schools must provide special education to students with disabilities who need help learning in school. A caregiver should take the following steps when seeking special education services:

- 1. Ask for an Evaluation.** If you think a child needs special education, write a letter to the principal asking for testing to figure out if the child has a disability. Write the date and explain the child’s problems in school with learning, paying attention or acting out. Keep a copy of the letter. If the child has a medical condition, think about including a letter or document from the child’s doctor. The school has 30 days to answer a caregiver’s letter in writing and say whether or not it will test the child.
- 2. School Agrees to Test Your Child.** If the school district agrees a child may have a disability, they will ask the caregiver to sign a consent form. The evaluation may only start after the school receives the signed forms and permission to test. The school must finish the testing within 60 days of consent. After the evaluation is done, the school must meet with the caregiver to talk about the testing and decide if the child needs special education.
- 3. School Will Not Test Your Child.** If the school tells a caregiver that the child will not be tested, and the caregiver disagrees with the decision, s/he has options to appeal. It is a good idea to ask for help with an appeal. The Legal Aid Society of Cleveland is able to help in some of these cases.
- 4. Individual Education Plans (IEPs).** Children found to need special education services will have an IEP with the school. The IEP services can include things like help with math or reading, plans for addressing behavior problems, speech, language, or occupational therapy, and other services to help children learn. The services are free to families, and can be provided in school or in the home.
- 5. Signing Forms.** If at any time the school asks a caregiver to sign a document and the person does not agree with the document, either (1) do not sign it or (2) write on the document to indicate disagreement.

Additional information about special education is available from the Ohio Department of Education at: 614-466-2650 or 877-644-6338 (toll free). If you need help with a special education problem, please call Legal Aid at 1-888-817-3777 to find out if you are eligible for assistance.

IEP Complaint Resolution

By Kolie Erokwu

A child getting special education at a public or charter school has an Individualized Education Program (IEP). This IEP is written at least once a year and lists goals for the child in their areas of need. An IEP Progress Report, talking about the child’s progress on each goal, must be mailed to the child’s caregiver regularly. The child’s IEP will say how often the IEP Progress Reports must be mailed.

Legal Aid recently filed a complaint against the Cleveland Metropolitan School District because caregivers of children with IEPs were not getting IEP Progress Reports as often as they should.

The Ohio Department of Education told the school district it must regularly send IEP Progress Reports to caregivers of students getting special education.

If your child has an IEP and you are not getting regular IEP Progress Reports, you should talk to your child’s teacher and/or principal. If that does not help, you may file a complaint with the Ohio Department of Education. You may find the complaint form at <http://education.ohio.gov> by searching for ‘complaint form,’ or by calling Legal Aid at 1-888-817-3777.

Attention Youth and Families Involved with Foster Care: The Legal Aid Society of Cleveland welcomed a new attorney who specializes in serving children and youth who are in foster care or have recently aged out of foster care. Danielle Gadomski Littleton will help with problems related to housing, benefits, family law, employment, debt and more as part of her two-year fellowship to provide legal services to teens in care and young adults who recently aged out of care. For more information or to ask for help, contact Ms. Gadomski Littleton by email at dglittleton@lasclv.org or call Legal Aid at 1-888-817-3777 to speak with her.



The
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Since 1905

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RETURN SERVICE REQUESTED

Legal Aid has improved its intake system to better serve the Northeast Ohio community.
Please share this information with your constituents:

**If you need legal assistance,
you can contact Legal Aid any weekday for help.**

New intakes are processed via phone:
888-817-3777 (toll-free)

Monday, Wednesday, Friday: 9 a.m. – 4 p.m.
Tuesday, Thursday: 9 a.m. – 2 p.m.

If you prefer an in-person intake application, those are handled:
Tuesday, Thursday: 9 a.m. – 1 p.m.

at any of our four Northeast Ohio offices (Cleveland, Elyria, Jefferson & Painesville).

Visit www.lasclev.org for more information!



Legal Aid sometimes invites community members to give their opinion on different topics during a focus group. If you might like to participate in a focus group in the future, please send an email with your name and contact information to focusgroup@lasclev.org.

This newsletter is meant to give you general information and not to give you specific legal advice. This information cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice. You should contact a lawyer if you need representation or if you have questions.

If you have a communications limitation, contact us through the Ohio Relay Service. Interpretation services are available so that anyone can communicate with us in his or her dominant and/or preferable language.

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