



PREPARING STUDENTS WITH DISABILITIES FOR THE FUTURE

Planning for the future is difficult. There can be unforeseen challenges along the way. However, It is important for students to have a plan in place after high school, and even more so for students with disabilities! Congress understood this fact and included a provision in the Individuals with Disabilities Education Act (IDEA) to require the student's case conference committee to develop a transition plan to equip the student for life after high school. The IDEA is designed to ensure that students with disabilities are prepared for further education, employment, and independent living. (29 USC §1400 (c) (1). This planning takes time and requires adjustments along the way as the student matures and learns new skills. The IDEA requires transition planning to begin by age 16. Fortunately, Indiana's special education rules require that transition planning begin at an earlier age. The student's case conference committee must develop a transition IEP to be in effect when the student enters 9th grade

or becomes 14, whichever occurs first. (511 IAC 7-43-4.)

The transition IEP is a written document that sets forth measurable goals, based upon age-appropriate assessments, focused on improving the student's academic and functional skills to facilitate movement from school to post-school activities including postsecondary education, employment and training, and where appropriate independent living skills. The student must be actively involved in developing the transition plan, taking into account their specific strengths, preferences, and interests!

Transition planning for students with disabilities got a boost in the summer of 2014 when President Obama signed the Workforce Innovation and Opportunity Act (WIOA). The WIOA replaced the Workforce Investment Act of 1998 and amended the Rehabilitation Act of 1973 (Section 504). The WIOA noted the important connection between education

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and career preparation and emphasized the need for youth with disabilities to have more opportunities to practice and improve their workplace skills, to consider their career interests, and to get real world work experience. This law requires State Vocational Rehabilitation agencies to provide Pre-Employment Transition Services to assist students with disabilities make the transition from secondary school to postsecondary education programs and competitive integrated employment.

Let's celebrate the unique skills and perspectives that persons with disabilities bring to the workplace! Contact DLSI if you have questions about your student's transition IEP.

New Legislation Affecting Indiana Students

Indiana passed several laws in 2023 impacting education. HEA 1558 requires schools and teacher preparation programs to align their literacy instruction with the science of reading. The new law defines the "science of reading" as a vast, interdisciplinary body of scientifically based research that requires the explicit and systematic use of the five essential components in literacy instruction: phonemic awareness, phonics, fluency, vocabulary, and comprehension. (IC 20-18-2-17.5) School districts and charter schools must adopt curriculum or supplemental materials that are aligned with the science of reading by the 2024-25 school year. The state board of education must also develop academic standards for reading based on the science of reading by 2024-25.

Additionally, by 2025, new teachers will be required to demonstrate their proficiency in the science of reading. The Lilly Endowment, Inc. has earmarked funds to help incorporate the science of reading into teacher preparation programs at Indiana Colleges and Universities. <https://lillyendowment.org/reading/>

As part of the Governor's 2023 legislative agenda, the Indiana General Assembly allocated \$160 million to eliminate textbook fees for Indiana students. The state's budget prohibits Indiana schools from charging students for curricular materials. (HEA 1001)

Another new law impacting students with disabilities requires case conference committees to discuss supported decision making and other alternatives for the student in lieu of appointing a guardian. Discussions are to be held beginning in eighth grade through the student's exit from school. These conversations must be documented within the student's Individualized Education Program (IEP) or Section 504 Plan. (IC 20-35-6-4)

DLSI Staff Guides Future Educators at Indiana University

Mimi Huybers, Esq., an attorney with DLSI, continues to make a positive impact on future special education teachers by teaching at Indiana University's School of Education. Ms. Huybers has taught the course entitled: "Families, School, and Society" for the past three summers. The class, a pre-requisite for Special Education Certification, explores the unique perspectives of students with disabilities and their families, while providing techniques for developing collaborative parent-teacher relationships. Congrats to Mimi for continuing to help future teachers understand the needs and perspectives of individuals with disabilities! Ms. Huybers also helped college students with

disabilities understand their educational rights this summer. The students were participating in internships at The Fehribach Center at Eskenazi Health. The Fehribach Center provides paid internships and professional development to college students with physical disabilities. Ms. Huybers presented to this group in July 2023, ensuring that the students understood their federally protected rights.



Successful Advocacy Generates Positive Results for Students and their Families

DLSI staff helped many families navigate the complex and often confusing world of special education this past year. Many cases involved discipline and the student's removal from school, resulting in frustration and anxiety and loss of educational services for the student. In each of these instances, DLSI staff met with the parents, reviewed educational records, and successfully advocated for the student's return to an appropriate educational environment with proper support and services.

- A parent contacted our office for assistance when her kindergartener with a disability was prevented from attending full-time school. The school was aware of the child's diagnosis and behavioral needs yet refused to provide appropriate support and services. This resulted in frequent calls to the parent to pick the child up from school. DLSI attorneys worked with the parent to help her understand and enforce her child's federally protected rights to receive an appropriate education. With DLSI's assistance, the parent obtained a comprehensive educational evaluation for her child which resulted in new

eligibility and a substantial increase in support services. The Parent reported that this change resulted in significant improvement for the student at school.

- In a similar matter, a family sought DLSI's assistance when their student with autism was repeatedly placed on a reduced day schedule with limited access to educational services. The parents had consistently expressed concern at case conference committee meetings about the modified school schedule and lack of support at school. DLSI staff successfully advocated for the family and the student was transitioned back to school with an updated educational evaluation and functional behavioral assessment, additional staff training, and compensatory educational services.

- In another matter, DLSI successfully advocated for a hearing-impaired student to remain in their private educational placement to ensure the student received appropriate educational services before transitioning back into their local public school.

NEW BOARD MEMBERS BIOS



Allie Cunningham is a wife, mother, former special educator, and works full time in waiver case management. She has two children, and an adult daughter diagnosed with cerebral palsy, who keeps her busy and challenged. She worked with the special needs community for over 20 years. She is excited to serve on the DLSI board to bring needed funding to help learners and their families obtain the best support for their schooling experience.

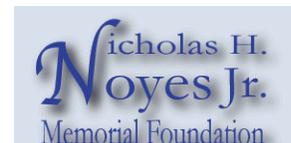


Shannan Penaflo has a strong history of serving families in the autism community. During her time at the Autism Society of Indiana she served over 2,000 families as the Director of Resources & Support. Her most current role has taken her down the path of consulting. Her professional pursuits in recent years come from a place of personal passion. She has a son with autism who is nonverbal. Shannan describes her parenting journey as one of great joy despite the many challenges it brings. Along with her husband, she volunteers with Thrive Social Club, a grass roots organization that supports young adults with disabilities. Shannan holds a masters degree in Bible and Theology from Bethel Theological Seminary and a Bachelor of Arts degree in English Education from Anderson University.

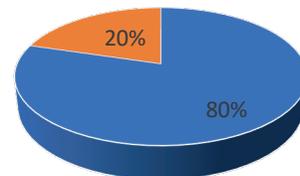
DLSI Receives Grant from the Nicholas H. Noyes Memorial Foundation to Build Capacity to Serve More Students!

Disability Legal Services expanded its reach in 2022, serving families in 27 counties. We had a 54% increase in cases over the previous year, with 86% of clients qualifying for free assistance. That trend has continued. During the first six months of 2023, DLSI experienced another 40% increase in cases with 75% of families qualifying for free assistance. DLSI has added new staff to continue our efforts to protect the educational rights of students with disabilities. We were thrilled to receive a \$10,000 grant from the Nicholas H. Noyes Jr. Memorial Foundation to build capacity to serve more students in 2023!

Please continue to refer families of children with disabilities to us who need assistance in educational matters.



DLSI Hours August 2022-June 2023



■ Program Services ■ Admin

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