



# NAVIGATING EDUCATION THROUGH THE PANDEMIC

DLSI advocates for students with disabilities during trying times

**A**ttorneys Margaret Jones and Mimi Huybers have worked diligently during the pandemic to advocate for DLSI clients and ensure appropriate educational support for Indiana's most vulnerable students. Here are their reflections.

**Margaret Jones:** The COVID-19 Pandemic has disrupted our lives and changed the way we interact with our family and friends and the community at large. The pandemic has also had a profound effect on the education

system in Indiana presenting unique challenges for both teachers and students, especially for students with disabilities. Indiana schools closed in mid-March 2020 and moved to remote and virtual learning. However, many special education services were simply unable to be delivered effectively in a remote or virtual setting. Some schools reopened in the fall of 2020 other school districts chose to institute a hybrid schedule to reduce the number of students in the school to allow for

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more social distancing. Students and staff were required to wear masks at school which presented additional issues, especially for students with medical and sensory issues. The uncertainty surrounding school's responsibilities to students with disabilities caused confusion for families. DLSI received many inquiries and was able to provide assistance to families during this challenging time with positive results.



**MARGARET JONES**

*The following case highlights successful advocacy during pandemic.*

The parents of an elementary student with autism and sensory processing difficulties sought DLSI's assistance when their public school refused to allow their son to return to school with his classmates. The student was not always compliant with wearing a face mask. The school informed the family that the student would need to move to virtual learning, indicating that there would be no exceptions to the face mask requirement. However, virtual learning had not been successful for the student. He needed to be educated in a school setting with his nondisabled peers.

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## SUCCESS STORIES

### Student gets needed reading intervention for dyslexia

**A** single mother sought assistance from DLSI when her child with dyslexia continued to struggle with reading skills. Remote learning was not successful for her child who needed direct instruction in a reading program

designed to remediate his deficit skills. DLSI worked collaboratively with the parent and her child's school district to enable a trained reading specialist to work 1:1 with the student. As a result, her child is now making consistent progress with reading.

### DLSI helps level playing field in dispute for over child's IEP

**A**nother single mother sought assistance from DLSI after she filed a due process hearing request challenging her son's IEP. The parent quickly became overwhelmed with the legal process involved in the action. The school district was represented by counsel and the parent

was uncertain how to present her case or how to respond to various motions filed by the school's attorney. DLSI attorneys came alongside the parent, filed their appearance in the action, and helped the parent navigate the legal process, ultimately resulting in a successful outcome for the child.

## Eident brings her skills, passion to administrative assistant role

**K**elly Eident joined the office team at DLSI in 2021. She is passionate about helping others. Her career in information technology with an analytics background served her at a variety of nonprofit organizations over the years. Taking a step away from her career to raise her daughter, she put forth her volunteer passion serving various roles and committees at her daughter's preschool and elementary school along with serving as a Girl Scout Leader for the past five years. Joining DLSI allows her to combine her passion for nonprofits and education.



KELLY EIDENT

## Donations extend DLSI's impact

**D**ue to generous donations from organizations and individuals, Disability Legal Services was able to expand its services to reach more Hoosier students with disabilities. DLSI served families as far north as Lake, Porter, La Porte, St. Joseph and Elkhart counties and as far south as Vanderburgh, Spencer, and Clark counties, in addition to serving many families in central Indiana counties. DLSI would like to extend a special thanks to ***Amazon Logistics*** and ***Schwab Charitable*** for their donations that totaled \$95,000.

# Attorneys reflect on pandemic's lasting effects on special education

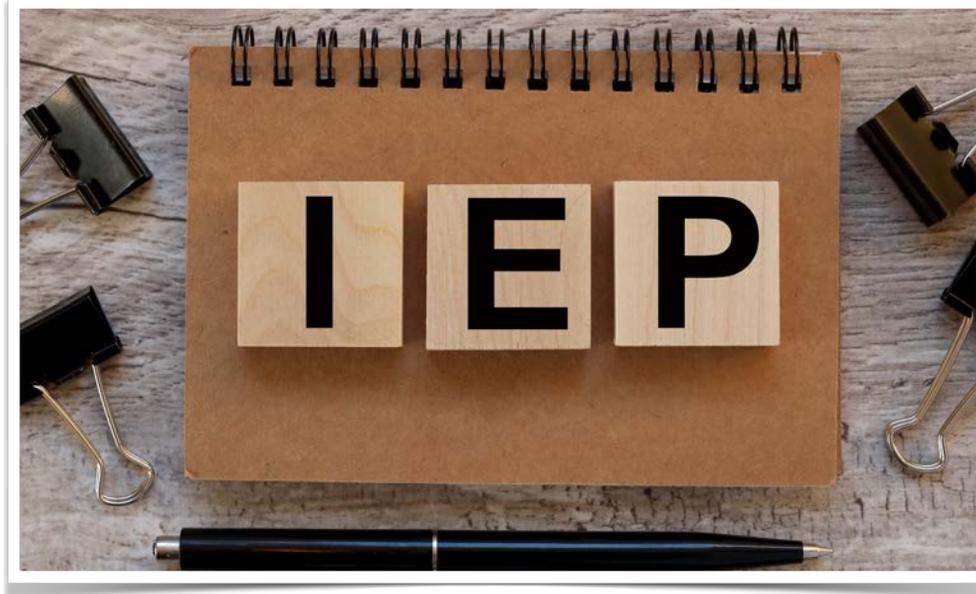


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His medical provider noted that it was in the student's best interest to attend school in person, and the student's case conference committee had determined that the student needed exposure to a classroom environment to develop skills necessary for participating and interacting with others. DLSI attorneys

worked with the family and the School district to allow the student to return to school for in-person learning, noting that the Governor's Executive Order provided an exemption to the face mask requirement for persons with disabilities and the student fell into this exemption. The student returned to school and the CCC developed a new individualized education program to meet his unique needs.

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## Federal protections for students with disabilities still in force during pandemic

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**Mimi Huybers:** Although the COVID-19 Pandemic changed the way in which many students were educated during the 2020-21 school year, it did not change the federal laws that protect the education of students with disabilities. The U.S. Department of Education consistently advised schools that they must continue to comply with the Individuals with Disabilities Education Improvement Act (commonly referred to as the IDEA). This meant that the timelines set forth in the IDEA were not waived

and schools were required to continue to evaluate students, convene case conferences, develop appropriate IEPs and provide special education and related services in a timely manner.



**MIMI HUYBERS**

Parents of children with disabilities sought assistance from DLSI to help them navigate through this difficult

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time when the educational needs of their children were not being met by their local schools.

Additionally, Congress passed legislation during the Pandemic to support the educational needs of students. Congress passed a COVID stimulus package in late December 2020 that included funds for K-12 education. The legislation provided a significant amount of flexibility for local schools to use these funds and Congress noted that the funds could be used for any activities related to the IDEA to address the unique needs of students with disabilities. Thus,

schools could use the funds to address learning loss, provide mental health services, purchase and provide assistive technology for students with disabilities, etc.

In the spring of 2021, Congress passed the American Rescue Plan Act. These additional funds were issued to address the many impacts of COVID-19, including the educational needs of students. DLSI worked with families to ensure their child with a disability received appropriate and individualized services to meet their unique needs, not just the interventions the child's school may have been providing to all students.

