

## From the Executive Director

Hello TNSTEP community:

From the “It’s Hard to Believe” files, the new school year is here already! Where did summer go? Well, I personally LOVE summer and super-hot days, but I’m ready for fall colors, comfy sweaters, and all things “pumpkin.” Are you?

So, right on time, we bring you the TNSTEP Fall 2023 Newsletter. We’ve been getting calls and questions from families about some “hot-button” special education issues, so we’re presenting articles on evaluations and reevaluations, the new 3rd grade retention policy, and how staffing issues for related services can impact Compensatory Services. In addition, one of our 2023 STEP Up to the Plate (SUTP) Youth Council members, Weston Trent, penned a piece about his first year on a college campus. Also, our friends at Empower Tennessee, Middle Tennessee’s Center for Independent Living, contributed an informative article on valuable and important mental health trainings and resources being made available this year and next.

Our TNSTEP Team is keeping busy on a variety of fronts. We’re increasing our in-person trainings – if COVID stays at bay – in schools and other community settings, working hard to expand our SUTP Youth Council for 2024, and continuing to be responsive to your queries about special education issues and policies, and students’ personal challenges in trying to have the best school year possible. As always, please feel free to reach out to us – we’re here to serve you!

Gratefully,  
Karen Harrison  
TNSTEP Executive Director



## ADDRESSING MENTAL HEALTH IN TENNESSEE

**by Dan Dumont, LCSW, Mental Health Therapist and Gina Lynette, Executive Director, Empower Tennessee**

Addressing mental health needs has been a top news story and topic of discussion for the past several years. The COVID pandemic took existing mental health challenges and ramped them up. We're still reeling from the demand on the mental healthcare system, and we know that vulnerable populations are the hardest hit in any crisis. Individuals with disabilities have historically had more difficulty acquiring mental health services, and there has never been a better time to invest more in mental health supports that are accessible, affordable, and designed to meet the specific needs of this community.

### The Mental Health / Disability Intersection

We’ve learned that mental health and disability can influence one another. When people don't have enough support around their disability, it can have a negative impact on mental health. Similarly, when people don't have enough support around mental health, it can negatively impact managing disabling conditions and accessing beneficial services. When we receive support and improve our mental health, it can make a positive change in all areas of life.

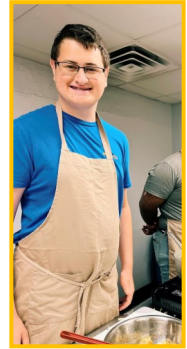
We’ve also learned there are opportunities at the intersection of mental health and disability that are currently being missed. When people first receive a diagnosis, experience an injury, or acquire a disability in some other way, the transition can be difficult. For many individuals, this major life change is experienced as a crisis and a time of isolation, resulting in a significant loss of connections, making the new reality much harder. We have a chance to turn that situation around, by creating community and support when needed most, by developing resources for people who are currently going through this transition. So, how can we do a better job of “laying out a welcome mat,” and bringing people into a sense of community? This could prove to be protective, and even preventive, when it comes to mental health.

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## MY FIRST YEAR AT COLLEGE

by Weston Trent, SUTP 2023 Youth Council Member, with Support from Laura Trent

I want to share my first-year experience in college so that maybe others won't be afraid to try college or new things. I was scared to go off to college because the University of Tennessee, Knoxville campus is an hour from my house and it is a big campus. For my freshman year in the UT FUTURE program, I did not get into a dorm at first and I can't drive. I had to be driven to school and home every day. There were some days that I would leave my house at 6:30 am and not get home until 9:30 pm. Even with those long hours, I still like college. College is hard but fun too.



On March 5, I moved into a dorm. I really liked living on campus and on my own for the first time in my life. Yes, I was very nervous before I moved in, but that soon turned into excitement. New things can be scary at first.

Some of my favorite things that I did my freshman year were: hanging out with my friends, weight training, basketball, cooking class at Sean's apartment, my internship jobs, all my FUTURE classes, and Fun Fridays. That's when the FUTURE students and staff eat lunch together and do something fun afterward. Some of the things we did were watching movies, going to the Knoxville Botanical Gardens, a Smokies baseball game, bowling, a museum, and painting The Rock. The Rock is a big rock on campus that people paint. It's a public canvas and a place of free expression. It has been there for over 50 years. We painted about inclusion and wrote our names on it.

Each semester we work an internship. I worked at the Knoxville Media Center the first semester. I learned to record, interview, and edit films. I liked being behind the scenes instead of on camera. I learned to take the trolley and bus to the Media Center since it was off campus. The second semester I worked at the Free Store. The Free Store is where students can get free clothes, shoes, and other things. I helped stock things. I liked both places. My favorite place to eat is Chick-fil-A. There's one near my dorm that I can walk to in five minutes. They know me by name!

Trying new things for me is very hard. I get nervous and mix up my words sometimes. However, the FUTURE staff and friends accept me for me. We're like a family and watch out for each other and include each other. We even had Friendsgiving together. I love having friends to hang out with, eat with, and text—things I didn't have before college. I'm doing things that were scary to me like living away from home, walking to class, or taking the bus or trolley. They're not scary anymore. I can get around campus on my own. I have learned to use my voice more and ask for help if I need it. I am getting more independent.

Not everything is fun in college. There's a lot of work to get done, but that's how you learn. If you don't try new things, you won't know if you like it or not. This year I want to study for my driver's permit. I also want to go to my first UT football game. I am living in a dorm all year this year. I still get nervous about new things, but I don't give up. I try. No one expects you to be perfect. Everyone makes mistakes. You just have to try your best.

### LOOKING FOR YOUTH LEADERS FOR SUTP 2024!

Now's the time to let us know you'd like to be a part of our  
**SUTP 2024 Youth Council**. YCMs:

- Receive stipend \$ for participation in meetings and activities
  - Network with peers and TNSTEP staff
- Practice important independent living and self-advocacy skills

**Interested? Great! Then please contact Ned Andrew Solomon at [nedandrew.solomon@tnstep.org](mailto:nedandrew.solomon@tnstep.org)**

**CONNECT WITH TNSTEP!**

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## **“SORRY, WE DON’T HAVE THE STAFF TO PROVIDE THOSE SERVICES”**

**by Joey Ellis, Director of Youth Services, TNSTEP**

It’s no secret that many school systems around the country are dealing with staffing shortages. Everywhere you look you can see principals driving school buses, teachers educating through a planning period, or support staff covering multiple positions, to ensure students are getting the education they need and desire. Educators and support staff truly deserve a pat on the back for all they do, but what happens when staffing is stretched so thin that your child doesn’t receive the services they were promised on their Individualized Education Program (IEP)?

Unfortunately, too often this is the reality. Maybe your child’s related service provider took a different job during the school year, or it could be that a teacher had to take an extended leave of absence. These situations can make it difficult at times to make sure all students are receiving everything they need to access their education. If this has happened to your child, let me introduce you to the world of Compensatory Services!

Special Education services cannot be denied based on a lack of funding or personnel (IDEA Sec. 300.103 FAPE—methods and payments). This is where Compensatory Services can help solve a problem that many parents and schools are facing today. Compensatory Services are provided when a school system cannot provide supports and services listed in a child’s IEP. For example, if an IEP states that a child is to receive Occupational Therapy services twice per week for 30 minutes a session and the school is unable to provide that service, the school would then need to calculate how many sessions were missed. The team must then determine how to provide for what was missed. This could be by adding to existing services, providing services over the summer, or contracting with a provider outside the school to deliver the service until the school is fully able to satisfy the IEP services.

Many school systems have already started to address this issue by having IEP meetings to come up with a plan that will ensure a child can make up any services that may have been missed. However, if you suspect your child may be missing services listed on their IEP, you can call an IEP meeting to discuss your concerns. If you need assistance, please feel free to contact TNSTEP at [information@tnstep.org](mailto:information@tnstep.org) or 800-280-STEP.

## **EXPLAINING THE EVALUATION AND RE-EVALUATION PROCESS**

**by Patricia Valladares, Regional Director, and Joey Ellis, Director of Youth Services, TNSTEP**

Whether your child just received a medical diagnosis of a disability, you suspect that your child may need Special Education services, or one of your child’s teachers has expressed that your child may need Special Education services, you may be wondering how to proceed to make sure your child gets the services they need. The evaluation process to see if your child is eligible for Special Education can be difficult to navigate, but TNSTEP is here to help.

You can start the evaluation process as the parent or a teacher at your child’s school. The school has a “Child Find” program which involves a team designated to identify students who may need Special Education services. If you as the parent are requesting an initial evaluation, you must request the evaluation in writing. If the school system requests an evaluation, you will receive a written request. Email is considered to be “in writing.”

The school should then call you into a meeting to discuss which evaluation will be done. You can request specific evaluations too, like sensory or communication evaluations, if those are areas you feel are impacting your child. You as the parent and the rest of the IEP Team will determine what types of evaluations will be conducted to meet your child’s needs. Once these evaluations are agreed upon, the parent must sign consent for the evaluations to begin. The team will have up to 60 **calendar** days from the date consent is signed to complete the evaluation process. The school system is required to consider any outside medical evaluations, but the team is not required to accept a medical diagnosis. This is because the team must determine whether or not the child’s medical diagnosis of a disability has an educational impact.

Once evaluations have been completed, the team will call the parent(s) back into a meeting to determine whether or not the child is eligible for Special Education services. If the child is eligible, the team will have up to an additional 30 **calendar** days to develop the child’s IEP.

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## **ADDRESSING MENTAL HEALTH IN TENNESSEE**

Lastly, we've seen how stigma can affect how people identify with disabilities. There are so many individuals who meet the definition of having a disability but have never had an opportunity to think of themselves that way or connect to the disability community. This is particularly true with invisible disabilities such as mental health conditions like depression or PTSD, or neurodevelopmental differences like ADHD and autism. We know that these challenges can influence our self-regard, self-care, and overall mental health through chronic stress and a feeling of being alone. We can support people in becoming more empowered. We have many tools for self-understanding, self-advocacy, and community support, which can play a role in people getting to a place of joy and celebration regarding this natural part of our human identity and experience.

### **Creating Solutions for Tennesseans with Disabilities**

Empower Tennessee, Middle Tennessee's Center for Independent Living, has made addressing mental health needs a priority. While we've always offered peer support to people with disabilities in Davidson and the surrounding six counties, a statewide Public Health Workforce Expansion Grant is allowing us to offer these services to people anywhere in the state and to create new opportunities, like a therapy group for young adults who identify in the LGBTQ+ / disability intersection, as well as other programs to support vulnerable individuals across Tennessee.

For example, anyone in Tennessee can participate in our Mental Health First Aid workshop, a skills-based training that teaches people how to identify, understand, and respond to signs and symptoms of a mental health or substance use challenge. We're training the staff at Centers for Independent Living (CILs), people who work for other disability-focused organizations and agencies such as TNSTEP, and people in the community to be prepared to respond effectively during a mental health crisis. To register for one of Empower Tennessee's upcoming Mental Health First Aid trainings, please fill out the form at [bit.ly/etmhfa23](https://bit.ly/etmhfa23).

We're also working to create a network of mental health providers who deliver culturally sensitive care to persons with disabilities, and contracting with them to create a referral and payment system through Empower Tennessee that allows qualifying individuals with disabilities to receive therapy sessions at no or low cost.

### **Better Together**

It's amazing what we can accomplish when we pull together. As Information and Referral are core CIL services, we have a broad knowledge base, but we know we can't be all things to everyone. We love partnering with organizations specializing in issues important to people with disabilities. Clearly TNSTEP has a deep knowledge in education, our state agencies provide essential services and supports, and our sister CILs are much more familiar with the resources available in their areas to address their local clients' needs.

As the CILs and the Parent Training and Information Centers (PTIs) like TNSTEP share a focus on young people with disabilities moving from childhood into adulthood— and all the choices and transitions that occur between the ages of 14 and 26—we have a clear area of mutual interest and potential for collaboration.

We've learned a lot about the transition from special education to adult service systems. We'd like to shift that conversation to the process of our young people making their way from living with their parents and families into life as self-determined adults. Yes, systems navigation, supports, services, and having people to help out are all important, but so is increasing our confidence, knowledge, and skills, practicing strong self-advocacy and choice-making, and ultimately being in charge of our own futures.

For more information about Empower Tennessee's mental health offerings, visit [www.empowertn.org](http://www.empowertn.org), call 615-200-6028, or email [info@empowertn.org](mailto:info@empowertn.org).



## THE 3rd GRADE RETENTION LAW

by Lee Sherwood, Director of Community Relations and Development,  
Disability Rights TN

The Tennessee Learning Loss Remediation and Student Acceleration Act (TLLRSAA), known to many as the “3rd Grade Retention Law,” was passed by the Tennessee General Assembly in 2021 during a special legislative session. It was a response to virtual and interrupted learning due to the COVID-19 pandemic. As written, the law states that a student in third grade who scores less than proficient on the English Language Arts (ELA) section of the Tennessee Comprehensive Assessment Program (TCAP), must repeat the third grade. Intended to boost literacy and close gaps in Tennessee students’ learning, the TLLRSAA has, unfortunately, also caused anxiety among Tennessee’s 3rd grade students, teachers, and parents or guardians.

The 2022-2023 school year marked the first year of TLLRSAA’s implementation. Any third grader who scored less than proficient on the ELA section of TCAP was mandated to attend summer school, and/or receive state-provided tutoring during the school year in order to be promoted to the 4th grade. However, this law is not absolute and there are some exceptions. A student may be exempt from 3rd grade retention if they: 1) have been held back previously; 2) are an English Language Learner and have less than two years of ELA instruction; 3) the local education agency (LEA) deems the student has a disability or a suspected disability (affecting reading or literacy development); or 4) the student tests again and scores proficiently before the next school year.

Disability Rights Tennessee (DRT) understands that the 3rd Grade Retention Law has had an impact on many families across the state. Initial reports indicate that roughly 60% of Tennessee’s 3rd graders did not meet the threshold of “proficient” during 2023 testing. A risky byproduct of Tennessee’s 3rd grade retention law is that retention laws overall can have harmful effects on students with disabilities and at-risk students, and some experts say that retention laws generally have little effect on improving students’ academics. One thing seems clear: the effects of retention depend on the timing of and supports associated with the retention.

*From The Education Trust’s Memo on 3rd Grade Retention: using 2021-2022 3rd grade ELA TCAP data, 64% of Tennessee’s students are at risk of being retained. The Table below shows the stakes are even higher for certain groups.*

	% of Students	Number of Students
All Students	64%	46,417
Students from Low-Income backgrounds	80%	18,725
Students with disabilities	87%	8,267
English Language Learners	89%	4,924
Black students	78%	13,846

*Some relevant data discoveries from the Tennessee Education Research Alliance Report on Retention:*

- Students who are relatively younger for their grade are much more likely to be retained.
- Boys consistently have higher retention rates than girls, across all years and grades.
- Retention rates are consistently higher for students identified as economically disadvantaged.
- Students with disabilities consistently have higher retention rates in the early grades than students without disabilities.

**A final important note:** check with your school system concerning when they make decisions about 3rd grade retention.

*Resources:*

Disability Rights TN Policy Watch: [disabilityrightstn.org/policy-watch](https://disabilityrightstn.org/policy-watch)

TNSTEP: [www.tnstep.org](https://www.tnstep.org)

The Arc Tennessee Family Engagement Center: [familyengagementtn.com](https://familyengagementtn.com)

The Education Trust: [edtrust.org](https://edtrust.org)

Tennessee Education Research Alliance Report on Retention: [peabody.vanderbilt.edu/tera](https://peabody.vanderbilt.edu/tera)





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## **EXPLAINING THE EVALUATION AND RE-EVALUATION PROCESS**

If the child is determined not eligible for Special Education services, they may be eligible for a 504 plan. If a parent disagrees with the results of the evaluations, the parent may request an Independent Educational Evaluation or IEE.

Every student who is eligible for Special Education services will be re-evaluated at least once every three years to ensure the student still meets eligibility criteria. The team can determine whether the student is still eligible using previous testing results; however, there may be new areas to consider based on the child's needs. The evaluation team can complete a re-evaluation for program planning purposes only if the team agrees that the student still meets the criteria for Special Education services, but needs updated data to write an appropriate IEP.

A re-evaluation can be conducted prior to three years if the parent or school system suspects the child's educational needs have changed. If the child's evaluations are more than a year old, the parent or school system can request an early re-evaluation. If the child's evaluations are less than one year old, the school system and the parents will need to agree that the child's evaluations need to be revisited. If you have any further questions regarding the evaluation or re-evaluation process, visit [tnstep.org](http://tnstep.org) and view our eligibility guide or contact one of TNSTEP's Regional Directors directly. Contact information is listed below.



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