



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

To: Special Education Directors

From: Dr. Nancy Holsapple, Director of Special Education

Date: June 23, 2023

Subject: Supported Decision-Making Requirements for Individualized Education Programs (IEPs)

Indiana Code (IC) 20-35-6-4, Section 4 (a) and (b) requires a case conference committee (CCC) for a student in grades eight through 12 to address decision-making skills.

During the CCC convening for a student with an IEP or a Section 504 Plan, the committee is required to discuss supported decision-making and other alternative options or programs for the student in lieu of the appointment of a guardian and whether these options are necessary. This conversation regarding supported decision-making must begin in grade eight, or at age 14, whichever comes first. The discussion must take place every year until the student exits high school and is documented within the student's IEP or Section 504 Plan.

In order to facilitate this conversation, local educational agencies (LEAs) may reference the Indiana Department of Education's (IDOE's) [Spread the Word: Communicating Choice resource](#), which is also available within Indiana IEP (IIEP). This document includes [additional guidance](#) regarding communicating choice. The discussion that takes place with the student and parent(s) is to be documented within the *Create IEP* tab in IIEP. A new dropdown and textbox have been added to this section to facilitate documentation of the discussion.

Contact IDOE's [Office of Special Education](#) with any questions.