

**OFFICE OF THE SPECIAL EDUCATION OMBUD**  
**ANNUAL REPORT**

December 1, 2023

**TO: The Honorable Michelle Lujan Grisham, Governor of New Mexico**  
**Dr. Arsenio Romero, Cabinet Secretary, Public Education Department**  
**Representative Andrés Romero, Chair, Legislative Education Study**  
**Committee**  
**Senator William Soules, Vice Chair, Legislative Education Study**  
**Committee**  
**Senator Gerald Ortiz y Pino, Chair, Legislative Health & Human**  
**Services Committee**  
**Representative Elizabeth Thomson, Vice Chair, Legislative Health &**  
**Human Services Committee**

**FROM: Alice Liu McCoy, NM DDC Executive Director**  
**Michelle Tregembo, NM DDC Special Education State Ombud**

Pursuant to NMSA 1978, Section 28-16C-4, New Mexico Developmental Disabilities Council (“DDC”) submits the following annual report regarding the Office of the Special Education Ombud (“OSEO”).

**Introduction**

The Special Education Ombud Act was signed into law on April 4, 2021. The Act authorizes the DDC to establish the OSEO and appoint a special education state ombud. The OSEO was created to provide comprehensive and personalized information, resources, and support to public school students with disabilities and their families who need assistance acquiring education services. On June 28, 2021, the Council appointed Michelle Tregembo as New Mexico’s first Special Education State Ombud. The State Ombud joined DDC on August 9, 2021, and immediately began the work of establishing the ombud program. On December 1, 2021, DDC officially launched the OSEO. This annual report covers data collected from December 1, 2021, to November 20, 2023, and is the first report to span an entire school year (2022-2023).

The OSEO concerns analyzed in this report can be distilled down to two questions. The first is, “Which students deserve to receive a high-quality education in this state?” Which students deserve kindness and caring? Which students deserve social-emotional and behavioral interventions and support? Which students deserve academic rigor and a meaningful career pathway after they graduate? Which students deserve an education that is truly individualized to meet their needs? If the answer to the first question includes every student, then the second question is, “What is New Mexico willing to invest to provide a high-quality education to every public school student?” What is the state willing to invest to ensure educators receive the tools and support they need to succeed? What human resources

and legal authority are we willing to invest in the New Mexico Public Education Department to implement best practices statewide and guarantee that funding results in positive student outcomes?

Through its focused purpose and functions, the OSEO provides a uniquely concentrated perspective to policymakers. The New Mexicans who seek the OSEO's services struggle with obstacles that represent a sampling of the most deeply rooted problems ailing our state's special education system. The system undoubtedly works well for some students and includes multitudes of hardworking, deeply caring educators and professionals. This report's recommendations reflect the OSEO's work with New Mexican students and families across the state for whom the system is acutely failing, and the ways the system is failing those working within it.

## **OSEO Activities**

### *Direct Services*

When a student or family contacts the OSEO, the intake coordinator walks them through the OSEO intake process. An ombud, which can include the State Ombud, a regional coordinator, or a consultant, will then contact the student or family to discuss their concerns and review their options. The family may simply need ombud support through phone calls, or they may request that an ombud attend a school meeting with them. Meetings may include individual education programs (IEP), addendums, functional behavior assessments (FBA), behavior intervention plans (BIP), manifestation determination reviews (MDR), disciplinary hearings, parent teacher conferences, and any other meeting held by the school.

If the family wants to work with the OSEO, the ombud works diligently to ensure that the family's wishes are heard by the schools. The ombud does not speak for students and families, but rather provides support at every juncture to the extent the family desires an ombud's assistance. The ombud works to ensure that both the family and the school are aware of the students' educational rights. The ombud approaches each case with the hope that they can help the family work collaboratively with the school to develop viable solutions. If a collaborative resolution is not possible or desired by the family, the ombud helps the family explore additional options. If a referral to another organization is desired by the family, such as a referral to an educational attorney for legal advice, the OSEO ensures a warm handoff so that families are supported through the transition.

When a case reaches a point where the family seeks legal services or legal advice, the OSEO works with the family to complete warm handoffs with legal services organizations such as Disability Rights New Mexico, Native American Disability Law Center, and Pegasus Children's Law Center. Since December 2021, three legal services handoffs have been completed. The ombuds do not give legal advice. Additionally, the ombuds will not work a case if another advocate or attorney is actively representing the family, to prevent working at cross purposes with others working to support the family.

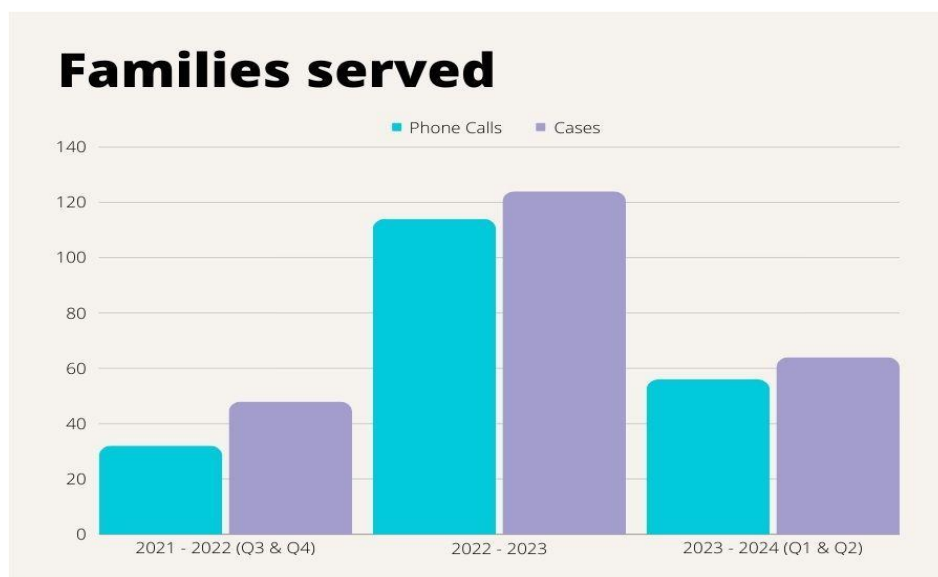
For the purposes of this report, direct services are divided into two categories: cases and phone calls. A request for services is classified as a case if an ombud attends at least one

school meeting. Because of the nature of educational services, a case may reach a resolution but become active again if further issues arise. This report captures all cases worked from December 1, 2021, to November 20, 2023, organized by fiscal year.

### ***Data Analysis***

Since its launch on December 1, 2021, the OSEO has assisted 438 families in 61 districts, 28 counties, one pueblo, and 10 (of 10) Regional Education Cooperative (REC) regions. Of the 236 cases, an ombud attended over 370 meetings totalling over 2,100 hours, not including hours spent preparing for meetings, debriefing after meetings, or working with the students and families on next steps. The OSEO assisted 202 families through telephone calls by providing resources, information, and strategies about the school’s special education obligations, communication procedures, next steps, best practices, and educational services.

- Fiscal Year/School Year 2021-2022 Q3 & Q4: **80 families served** (48 cases and 32 phone calls)
- Fiscal Year/School Year 2022-2023 Q1, Q2, Q3 & Q4: **238 families served** (124 cases and 114 phone calls)
- Fiscal Year/School Year 2023-2024 Q1 & Q2 (July 1 to November 20): **120 families served** (64 cases and 56 phone calls)

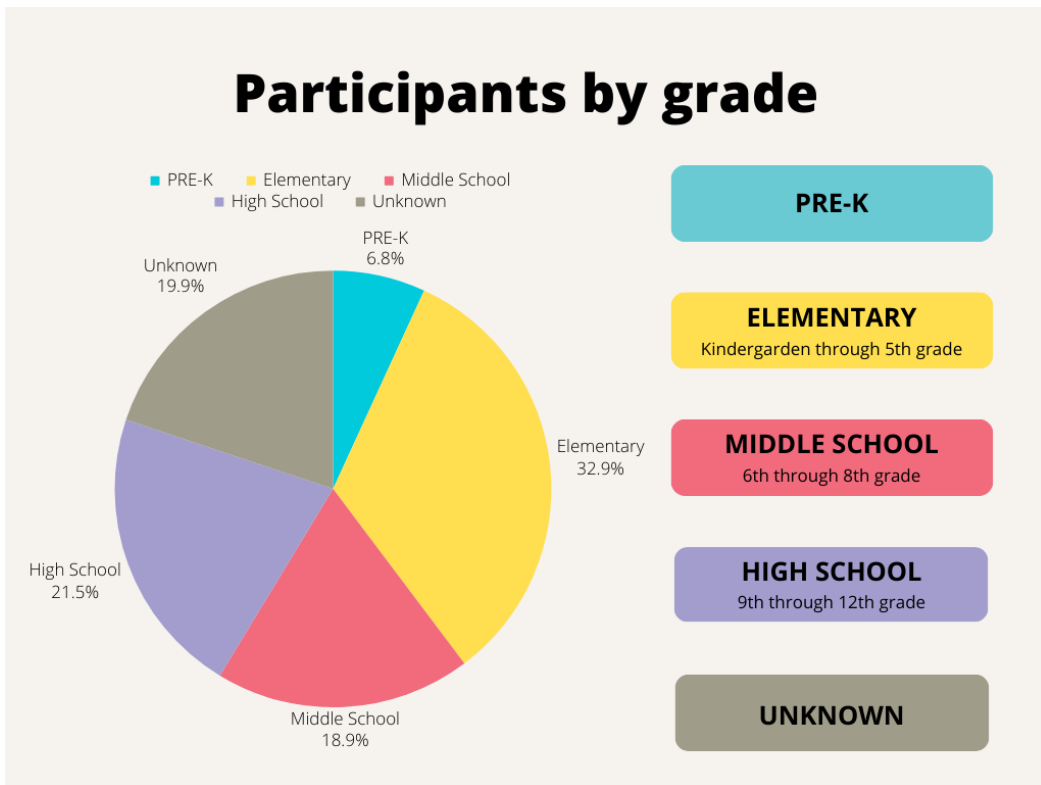


### **FAMILIES SERVED BY SPECIAL EDUCATION ELIGIBILITY**

<b>Autism</b>	<b>504/SAT</b>	<b>Multiple Disabilities</b>	<b>Other Health Impairment</b>	<b>Developmental Delay</b>	<b>Intellectual Disability</b>	<b>Unknown</b>
113	10/14	5	69	5	31	111
<b>Traumatic Brain Injury</b>	<b>Hearing</b>	<b>Specific Learning Disabled</b>	<b>Speech Language Impairment</b>	<b>Vision</b>	<b>Emotionally Disabled</b>	<b>Gifted</b>
2	2	34	8	3	21	10

### FAMILIES SERVED BY GRADE LEVEL

Pre-K	Elementary School	Middle School	High School	Unknown
<b>Total - 30</b>	Kinder - 29 1st - 20 2nd - 18 3rd - 32 4th - 20 5th - 25 <b>Total - 144</b>	6th - 29 7th - 28 8th - 26 <b>Total - 83</b>	9th - 19 10th - 38 11th - 17 12th - 16 Other - 4 <b>Total - 94</b>	<b>Total - 87</b>



The OSEO recently developed an IEP checklist to analyze whether elements of the IEPs in the OSEO’s cases adequately met the students’ needs. Of the 236 cases in which an ombud attended at least one school meeting, the OSEO selected a sample of 50 IEPs to analyze. The sample included IEPs that were either completed with the support of an ombud or completed before the ombud began working with the family. The 50 IEPs reviewed covered both rural and urban schools from all corners of the state in 31 districts. The IEPs also covered pre-K, elementary, middle, high school, and one postgraduate. The eligibilities included autism spectrum disorder, developmental delay, emotional disturbance, intellectual delay, multiple disabilities, other health impairment, specific learning disability, and

traumatic brain disorder. The results of this sample analysis informed the OSEO's concerns and recommendations, outlined below.

The IEP checklist includes questions about the prior written notice (PWN), the student's present levels, goals, and transition plans. The PWN is legally the most important portion of the IEP because it records what the school or family proposes in an IEP meeting and the responses of the school and family to each proposal. Documentation of a proposal or response in the PWN, especially the school's denial of the family's proposal, is crucially important legal evidence to support the student or family's request in later legal proceedings. The ultimate goal of the IEP checklist is to give ombuds a consistent tool as they work with families in each case. As the IEP checklist tool is utilized, adapted, and expanded, data will be gathered to help families understand what elements should be in each IEP section, and for LEAs to better understand the IEPs written in their area.

### *Training and Education*

The OSEO developed a 16-hour training with eight modules for volunteer district ombuds, and three full volunteer ombud trainings have been conducted. The training materials are honed and updated after each training. The training has been offered in a variety of ways to meet the needs of the volunteers, including virtually, in full-day sessions, and in shorter sessions. Although the OSEO set a goal of conducting regular quarterly trainings, the OSEO was not able to prioritize trainee recruitment due to lack of staff and the high demand for its direct services. With the hiring of 3 additional FTE in FY 24, the OSEO plans to dedicate more time recruiting trainees in the coming year.

Volunteer ombuds have served 6 families and provided approximately 25 hours of support. The volunteer ombuds have numbered as high as 11 ombuds; however, the OSEO currently has only 4 working volunteer ombuds. The work of the ombud is difficult, intense, and time-consuming. The OSEO is exploring whether to incorporate stipends and reimbursement of travel expenses to boost ombud retention, and will likely seek additional funding to support this strategy.

Many families gain the skills needed to advocate effectively for their students, including understanding the IEP process, behavioral supports, and the rights of students as they participate in and observe the advocacy the ombuds model during school meetings. As the OSEO expands, ombuds have begun hosting Family Knowledge Nights to proactively share information with families on a larger scale, and to create a forum for families to learn from each other. The OSEO plans to offer Family Knowledge Nights on Zoom at least one evening each month for families throughout New Mexico.

The OSEO has conducted 55 presentations to over 2,000 people across the state (FY22: 16 presentations to 399 people, FY23: 26 presentations to 1263 people, FY24: 13 presentations to 404 people). Presentation topics include the OSEO's purpose and services, ombud observations during casework, and guidance to students and families on a variety of topics that will increase their advocacy knowledge. The OSEO grounds all of its training and education in the importance of reflective, data-based decision-making.

### *Policy Initiatives & Collaboration*

During the 2023 Legislative Session, DDC joined efforts with the Executive to advance broad, expansive systemic reform to New Mexico's struggling special education system. While the legislative efforts did not result in bill passage, the immense statewide outcry from families, teachers, and special education advocates in support of legislative action highlighted the profound need for special education transformation, and prompted two important first steps from our Executive and Legislative branches of government: (1) the Executive Order signed on May 25, 2023, creating the Office of Special Education within the Public Education Department; and (2) the months-long listening sessions and workgroup meetings conducted by the Legislative Education Study Committee (LESC), culminating in its Special Education Progress Report published on December 1, 2023.

During the 2023 Legislative Session, Senate Memorial 68 was proposed to direct the DDC to form a task force to gather information and input from a broad range of education stakeholders, and propose recommendations to the Legislature, on policy actions to address restraint and seclusion, as well as disciplinary actions. The OSEO is currently contracting with an attorney with special education expertise, as well as experience working at PED and CYFD, to conduct this task force.

Collaboration plays a critical role in the OSEO. The DD Council formed an education committee, staffed by the State Ombud, and includes Council members, self-advocates, family members, school staff, representatives from PED, Children Youth and Families Department, CASA, Parents Reaching Out, and UNM-Center on Development and Disability, and others. The education committee informs the Council's education policy work and gives feedback on the OSEO's monthly updates.

Representatives from the DDC and the OSEO regularly attend the Executive's Government-to-Government Tribal Education Summits. The State Ombud directly supports Native American students within public and charter schools, and has established relationships and shared information with education leadership across multiple tribes and pueblos. The OSEO additionally welcomes and supports all families whose children attend school in BIE and tribally run schools within the state to the extent tribal governments allow.

The State Ombud is an active participant in multiple important projects, workgroups, and boards, including the new START team at UNM-CDD, the WIOA five-year plan creation, the Children's Cabinet Thriving Families initiative, the Executive's Literacy Convening, the LESL's special education workgroup, the Behavioral Health Children and Adolescent Sub-Committee, and PED's Executive interagency special education workgroup, to name a few. For example, the OSEO created a four-part series for CASA workers. The series covered Advocating for Youth in School, Evaluation Process/SAT/504 Plans, the IEP Essentials, and Behavior/Discipline. This series was completed over a month during "Lunch and Learn" opportunities offered by CASA to all of their staff.

The State Ombud regularly attends meetings held by the New Mexico Coalition of Administrators of Special Education, as well as special education meetings conducted by advocacy groups, in order to collaborate across the entire spectrum of education stakeholders.



The State Ombud also provides support to UNM-CDD's family peer support staff. All of the ombuds work to establish relationships and provide resources to all LEAs in New Mexico, the 89 public school districts, and all charter schools. Within the last nine months, school districts have started calling the OSEO for general support, ideas, suggestions, resources, and direct services for specific families. The OSEO believes this added support for families has occurred due to the collaborative nature of OSEO staff and consultants. While differences in opinion often do occur, ombuds urge families and schools to come together to explore and implement student-focused solutions.

### *Program Operations*

The OSEO has grown significantly due to high demand statewide for the OSEO's services. The program now includes five FTE: the Special Education State Ombud, three regional coordinators, and an intake coordinator. Two of the regional coordinator positions were created in FY 24 and are currently in the hiring process. In addition to the FTE, the OSEO contracts with three family support consultants who provide direct advocacy services to students and families, conduct volunteer trainings, and give presentations, as well as one special education attorney who provides legal counsel and policy support to the OSEO.

At the beginning of every school year, the OSEO delivers a flyer to every district across New Mexico to post in prominent areas and distribute directly to students and families. OSEO staff periodically follow up with school districts to ensure information about the OSEO and its services is being displayed and distributed, as required by NMSA 1978, Section 28-16C-9. The OSEO routinely reaches out to students and families to advertise its services through events and outreach activities conducted by the DDC, advocacy organizations, and other state agencies.

Currently, the OSEO collects its case information and data in secured spreadsheets. The OSEO continues to work with state agency partners and advocacy organizations to develop a data system to track, collect, and analyze data. With the formation of the Office of Special Education at the Public Education Department (PED), the OSEO is working closely with PED to streamline data collection efforts and ensure that comprehensive, meaningful data is collected and analyzed to inform evidence-based policy decisions. The OSEO requires additional funding to develop an internal data collection system that tracks its services efficiently and includes a public interface, such as an online dashboard.

Pursuant to NMSA 1978, Section 28-16C-10, DDC is required to provide adequate legal counsel to OSEO that can provide advice and consultation to OSEO, as needed, to protect the education rights of students, and assist OSEO in the performance of its duties. The ombud team has encountered many instances where advice from legal counsel is warranted, but OSEO lacks recurring funding to hire outside counsel. While OSEO currently funds its contract attorney through nonrecurring funding, DDC plans to request recurring funding from the Legislature to meet this statutory requirement.

## **Special Education Concerns & Recommendations**

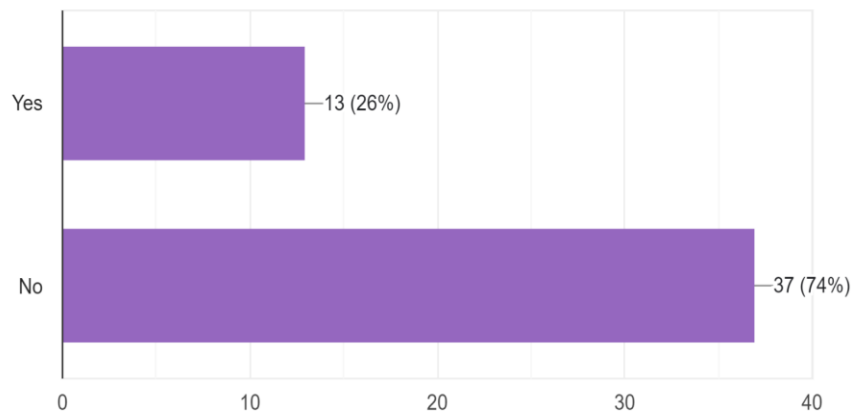
### ***Communication, Consistency, and Continuity***

Effective communication between families, schools, and districts, consistency in individual student data collection, and continuity of high-quality education services are interrelated and crucial to the academic success of students with disabilities. Communication is imperative to avoid misunderstandings and can be especially critical with families of non-verbal or high-needs students with disabilities. Data collection is the backbone that supports important working documents such as IEPs, BIPs, 504 plans, safety plans, and other plans.

The Prior Written Notice (PWN) portion of the IEP is legally the most important record of communication between the family and school for a special education student. By law, the PWN must document all proposals made in an IEP meeting by the family and the school, and the responses to each proposal. The IEP checklist analysis found only 25% of PWNs reflected proposals offered by both the family and the school—a deeply troubling, but unsurprising, result. Ombuds have been repeatedly told in meetings that the only proposals school staff are allowed to record on the PWN are those proposed by the school. And while the schools included explanations for all or most of the proposals in 82% of the PWNs reviewed, the checklist analysis revealed only 42% of the proposals included relevant data and factors impacting a student’s abilities.

Are proposals included from both the school and parents?

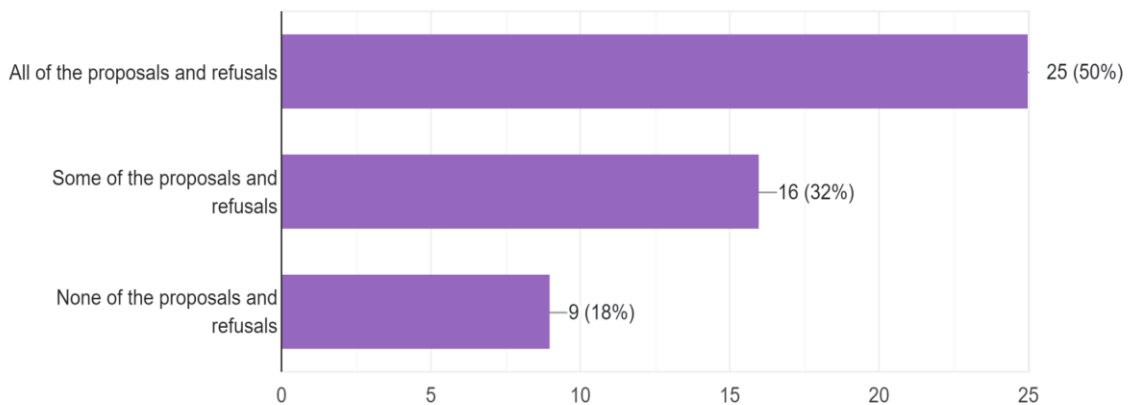
50 responses





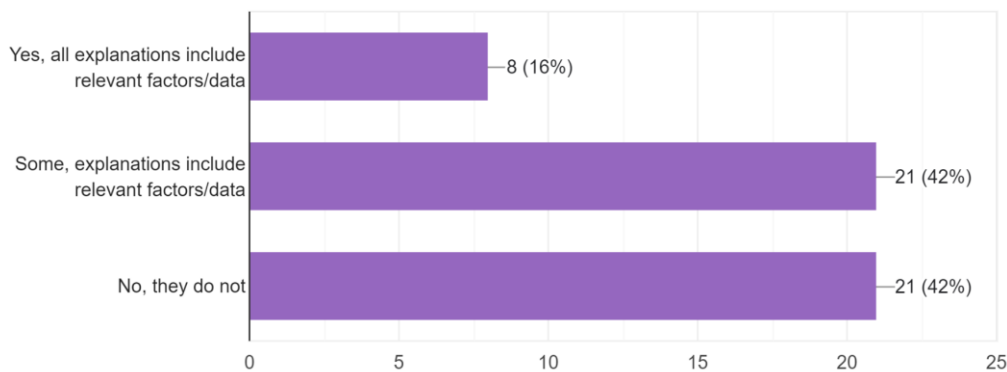
Is there an explanation for every proposed and refused action?

50 responses



Does the explanation include relevant factors and/or data?

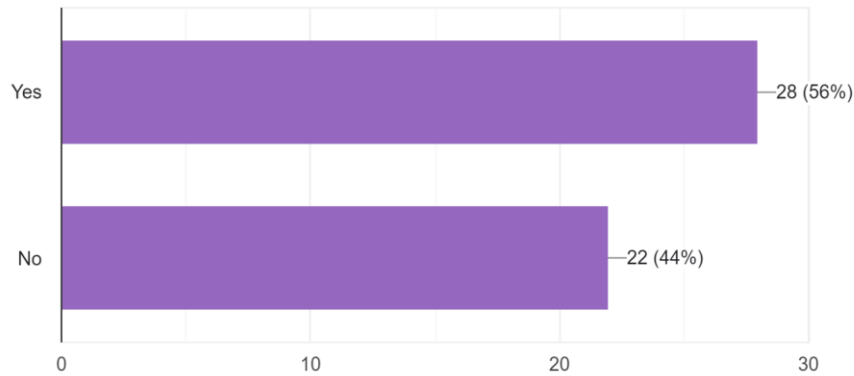
50 responses



Accurate, current qualitative and quantitative evidence is essential for identifying a student's strengths and challenges, as well as forming a wholistic and dynamic picture of what the student needs to succeed. A team of professional educators should be able to pick up an IEP and determine how to immediately implement the IEP, when and how the services in the IEP were previously implemented, and how the services have impacted the student's outcomes. Abysmally, of the IEPs reviewed, only 56% of the Present Levels of Academic Achievement and Functional Performance (PLAAFP) information was based on recent data, observations, and evaluations, and only 48% also included information from a variety of sources. 56% failed to include any qualitative data, and 64% of the PLAAFP narratives failed to include assessments, test scores, or other quantitative evidence.

Are the PLAAFP based on recent data, observations, and evaluations?

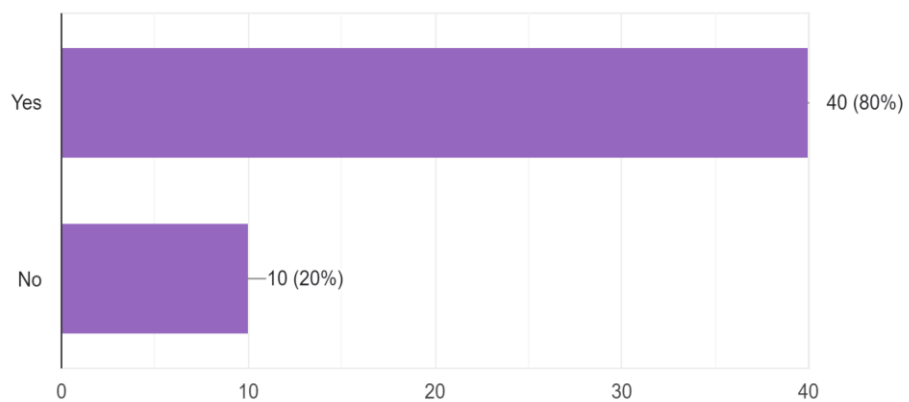
50 responses



Another place where an IEP utilizes data shared is in the goals section. The IEP checklist analysis showed that 72% of IEPs did not connect the student’s strengths with the general education curriculum, instruction, or environment. New Mexico requires IEP goals to be specific, measurable, attainable, results-oriented, and time-bound (SMART). The analysis found that 70% of some of the goals were SMART, and 58% of some of the goals were attainable in one year. The analysis also found that 70% of all IEPs had both academic and functional goals, which the OSEO attributes to the extensive work by case managers in districts statewide. The OSEO often observed over the past two and a half years that ancillary services, specialized instructional time, and classroom supports were reduced or eliminated without data-based decision making. This work must expand so that all IEPs include academic and functional goals, and all case managers require data to support IEP decisions.

Is there at least one goal for every identified area of need?

50 responses



When IEPs do not capture comprehensive communication and accurate, current data, educators do not have the tools and information to ensure continuity of high-quality

education services. Far too often, students receiving excellent services and experiencing strong, positive outcomes in a particular classroom, school year, or school will suddenly stop receiving that level of services and begin experiencing drastically negative outcomes. This immensely damaging lack of continuity stems from ineffective communication between school staff and inconsistent data collection in the school's plans and working documents. For example, schools and families may have no clue why a student with strong math scores and literacy accommodations in their IEP suddenly starts failing math. In this situation, effective communication and data collection would reveal that, while their reading teacher adhered closely to the accommodations identified in the IEP, their math teacher failed to follow the IEP when teaching word problems in math class.

The OSEO recommends that schools ensure educators employ a system of regular, continual communication with the family. Schools now have access to systems such as Class Dojo, Google Documents, or Remind, which teachers can utilize to clearly communicate information and data about a student's day. Educators can share narratives, as well as simple quantitative evidence, so families have a clear picture of the day which just occurred and the week that is ahead of them. For example, many students struggle with changes in their schedules, and a rough preview of the upcoming day or week would be a reasonable, effective accommodation for the student. A universal communication system can support the needs of all students and families, regardless of abilities.

The OSEO strongly recommends that the State create and require all schools and districts to use universal templates and standardized procedures for IEPs (including PWNs), FBAs, BIPs, MDRs, and disciplinary hearings. Specifically, the OSEO recommends extensive annual training to all staff participating in IEP development on how to correctly complete all components of an IEP, particularly the PWN. The OSEO also recommends annual, spiralled training for all levels of school and district staff on the following topics:

- Completing FBAs and BIPs.
- Collecting, analyzing, and using data in IEPs, Addendums, FBAs, and BIPs.

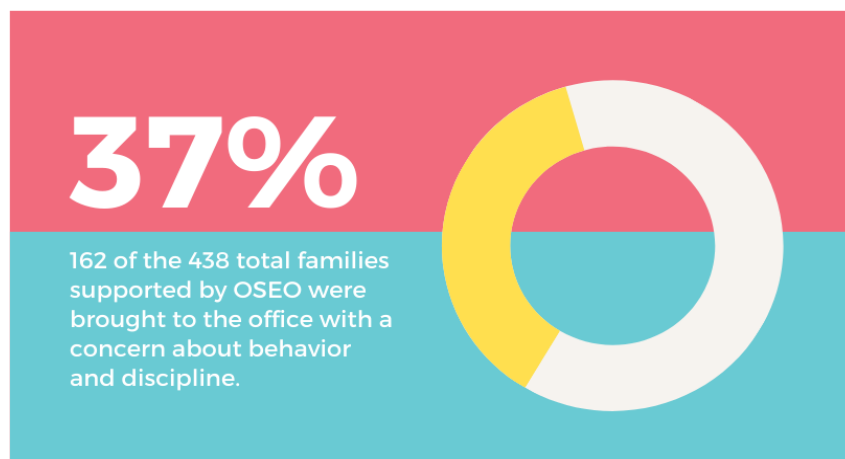
The OSEO recognizes the barriers and overwhelming number of duties teachers who educate students with disabilities must shoulder to ensure communication and data collection is accomplished comprehensively, accurately, and timely. In addition to increasing salaries of special education teachers, all teachers must receive the administrative and educational supports they need inside and outside the classroom to serve students with disabilities, including behavior specialists, educational assistants with strong disability training, and other support personnel or services.

The OSEO recommends that school and district staff work with families to maintain a student's participation in school with same-age peers across a broad range of curricular opportunities. To support this goal, the OSEO provides training to parents on parental best practices, complying with school attendance procedures, and how to handle changes in medications or ever-changing medical, behavioral, and academic needs. The OSEO's parent presentations emphasize the importance of following the school and district's chain of

command and clarifying communications between all parties. Assumptions made by either the family or the school can and often do create issues for the student.

### ***Behavioral Support for Students with Disabilities***

Of the 438 total families supported by OSEO, 162 families (37%) sought assistance to address how schools were handling behavior and discipline. Because cases involving unmet behavioral needs and improper disciplinary actions require significantly more time and attention, they constituted more than half of the work the ombuds performed with families and schools. The ombuds attended over 11 manifestation determination review meetings (MDRs), to determine whether a student’s behavior was directly tied to their disability. The total increases when including the MDRs of students who had 2 or more MDRs due to long-term suspensions. Many more cases became focused on behavioral needs after an ombud began working with the family and realized unsatisfactory academic performance was a result of unrecognized and unmanaged student behaviors.



Time and again, families seeking OSEO services are frustrated, anxious, and suffering because their school is failing to meet their student’s disability-related behavioral needs. Students and families are routinely blamed for the student’s inability to follow social norms, even when the student’s behavioral challenges are directly connected to a medical diagnosis. Educational eligibilities under the IDEA are too often overlooked or blatantly ignored because the school does not have an easy answer to the family’s request for services to meet their student’s behavioral needs.

Adults in school systems are frequently distracted by the needs of the adults on campus and too willing to sacrifice the public education of students and families they deem “difficult.” Students are suspended indefinitely, for multiple years at a time, instead of provided interventions and services critical for their development. Schools have repeatedly suspended students informally, or “off the book,” with no documentation on when, how, or why the student was sent home, sometimes to the point where the students never return to school. Students with behavioral challenges are repeatedly shuffled from school to school, until the family gives up on the public education system, or the student is forced into the juvenile justice system.

To reverse this alarming and devastating trend in our education system, the OSEO strongly recommends annual professional development for all levels of district staff and school boards, as well as education for families, to ensure all decision-makers in the public school system understand the rights of students with disabilities, how behavior is directly connected to disability, and how to meet the student’s behavioral needs. Training must begin across the board with all pre-service teachers, whether they participate in bachelors, masters, or alternative programs of study. Training and professional development should be rooted in the understanding that “behavior is communication.” For example, the OSEO recommends the following:

- Annual training for all special education school and district staff, including hearing officers, on how to properly conduct MDRs.
- Routine training and peer support for educators and school staff on positive behavior supports, behavior intervention, and how specific disabilities affect social and emotional regulation.

In conjunction with the requisite training on meeting student behavioral needs, the OSEO recommends that school districts review and reform their disciplinary policies and matrices to account for behaviors connected to students’ disabilities, and to incorporate disciplinary best practices. Instead of disciplinary actions, students with disabilities must receive needed tools and supports to manage social and emotional dysregulation in order to make academic progress and fulfil their IEP goals. LEAs must drastically reduce suspensions of students with disabilities, including formal, informal, and indefinite suspensions.

Additionally, the OSEO recommends that PED ensure all districts utilize academic and social-emotional learning programs that meet the needs of students with disabilities, and allow educators enough time in the day to implement the programs correctly.

Finally, the OSEO recommends licensure at the state level for behavior specialists and dedicated funding for schools to access behavior specialists for classroom observation, collaboration with families and educators, and implementation of behavior management and modification strategies.

### ***Transition Plans***

The United States Department of Education Office of Special Education Programs (OSEP) identifies “transitions” for students with disabilities as a national point of focus. Transitions include graduation from early childhood education in pre-kindergarten to kindergarten, from elementary to middle school, from middle school to high school, and from high school to postsecondary education, which includes college or trade school, or a transition program serving 18- to 22-year-old students.

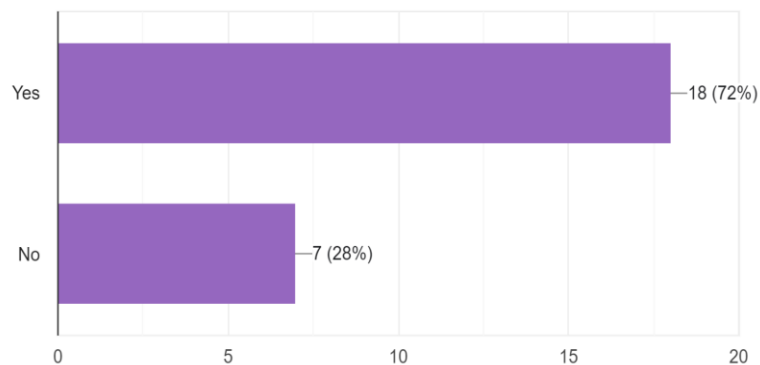
Transition plans are required beginning at the age of 14 for all students with an IEP. The transition plan outlines transition goals and services for the student after graduating high school. The plan should be based on the student’s individual needs, strengths, skills,

interests, and preferences, and should cover areas such as vocational training, post-secondary education, employment, social skills, and independent living.

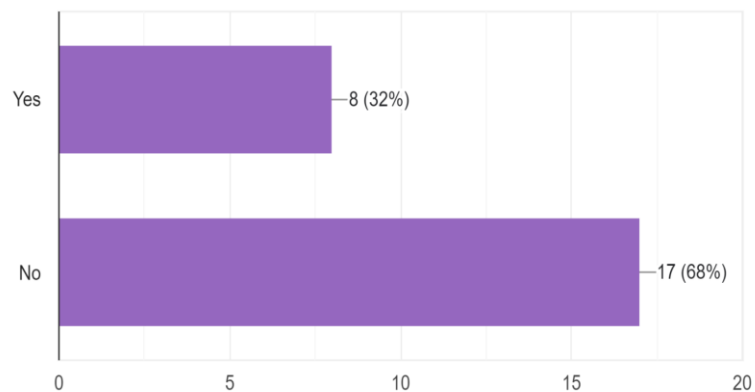
The IEP checklist analysis reflected that 50% of all IEPs reviewed had a transition plan. 72% of the transition plans reviewed contained goals related to education, employment, or independent living. 52% of the plans appeared to include activities related to achieving the student’s postsecondary goals, but 68% did not include services that helped a student achieve those goals. While 88% contained a course of study, 83% failed to include measurable annual goals. One of the OSEO’s biggest concerns is that 84% of the transition plans did not appear to support or help a student reach postsecondary goals.

Ultimately, New Mexico schools need a universal cultural shift away from simply “checking a box” to ensuring an IEP is truly individualized and meaningfully supports a student to identify and reach both short-term goals in the next twelve months, as well as long-term goals to achieve the greatest independence and aspirations possible in adulthood. Transition planning must weave the student’s interests, academic courses, high school electives, and activities to explore and investigate postsecondary education opportunities or permanent employment. Transition plans should include community and industry resources, and delineate the roles of the student, family, and school from the time the student reaches age 14 to age 22. Most importantly, transition goals should support and directly correlate to the stated visions of the student and the family.

Are Postsecondary goals related to education, employment, or independent living included?  
25 responses



Does the plan include services that help the student achieve their postsecondary goals?  
25 responses



## **Conclusion**

Every branch of state government recognizes that New Mexico’s special education system is failing its students. Distressed and heartbroken students and families across the State reach out to the OSEO almost daily to ask for help navigating the too-often incomprehensible special education system. In this report, the OSEO highlights three major areas of improvement that this state must tackle immediately to move the needle on student outcomes: (1) communication, consistency, and continuity in education planning and implementation; (2) meeting student behavioral needs; and (3) meaningful transition planning.

The key to effective education planning is creating consistent, supported environments where open, honest communication is the cornerstone of collaboration. Collecting, analyzing, and utilizing data that is understood by all members of the student team is the foundation of student success. Eliminating biases that prejudge which students are “good kids” deserving services and accommodations, and which students are “bad kids” who are too disruptive or inconvenient to remain in school, is an essential first step to ensure the health, safety, and well-being of our state’s future. The next vital step is eliminating biases that predetermine which students deserve the opportunity to achieve their dreams, and which students are deemed too unworthy or incapable to be granted the unalienable rights this nation guarantees every adult.

To achieve the recommendations outlined in this report, New Mexico must be fearlessly resolute in its actions and investments. Educators must be given the necessary support and resources, and state leadership must be empowered to ensure schools accomplish these daunting tasks. DDC urges policymakers and education leaders across the state to tackle the OSEO’s recommendations outlined in this report, and undertake the transformation our special education system desperately needs.