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HOUSE MEMORIAL 48

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

D. Wonda Johnson

A MEMORIAL

REQUESTING THE INDIAN EDUCATION DIVISION OF THE PUBLIC
EDUCATION DEPARTMENT, IN CONSULTATION AND COLLABORATION WITH
NEW MEXICO'S INDIAN NATIONS, TRIBES AND PUEBLOS, TO CONVENE A
WORKING GROUP TO DEVELOP A COMPREHENSIVE STUDY OF THE NEEDS OF
NATIVE AMERICAN CHILDREN WITH SPECIAL NEEDS AND DISABILITIES,
THE IMPACTS OF ADVERSE CHILDHOOD EXPERIENCES ON NATIVE AMERICAN
CHILDREN AND YOUTH AND THE BARRIERS TO IDENTIFICATION AND
ACCESS TO SERVICES AND SUPPORTS FOR NATIVE AMERICAN CHILDREN
WITH AUTISM SPECTRUM DISORDER.

WHEREAS, federal and state laws exist that guarantee all
children with disabilities the right to an appropriate public
education and other related services, specifically designed to
meet their unique needs; and

WHEREAS, national research reveals that Native Americans

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1 suffer the greatest number of disabling conditions of all
2 ethnic groups in the United States, and Native American
3 children showed the second highest incidence of students with
4 disabling conditions among minority groups in public schools;
5 and

6 WHEREAS, Native American students are over-represented in
7 special education programs, with more than sixteen percent of
8 Native American students identified for special needs programs
9 compared to the twelve percent nationwide average, and Native
10 American boys are one and one-half times more likely than their
11 peers to be identified for special education services; and

12 WHEREAS, past federal policies that provided for the
13 removal of the Native American children from their homes and
14 communities to boarding schools and punishment for speaking
15 their native languages and practicing their traditions and
16 cultures impact today's Native American children and youth
17 through historical trauma and adverse childhood experiences;
18 and

19 WHEREAS, historical trauma and adverse childhood
20 experiences manifest in high rates of depression, anxiety and
21 attention-deficit/hyperactivity disorder among Native American
22 students that lead to school and disciplinary problems, grade
23 failure, poor academic achievement and the need for medication
24 and counseling; and

25 WHEREAS, these trends continue through graduation, as only

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1 seventy-two percent of Native American students graduate from
2 high school compared to the national average of eighty-five
3 percent; and

4 WHEREAS, studies show that one in one hundred ten children
5 in the United States will receive a diagnosis on the autism
6 spectrum, including one in seventy-one boys, but the incidence
7 of autism spectrum disorder in Native American children is
8 unknown at the national and state levels; and

9 WHEREAS, other research suggests that Native American
10 children may face certain barriers that lead to a lack of or
11 delayed access to evaluation, diagnosis and services, meaning
12 that Native American children may not be getting the services
13 they need to reach their full potential; and

14 WHEREAS, there is little to no information available that
15 examines the challenges and barriers that Native American
16 children with special needs and disabilities in New Mexico face
17 on a daily basis; and

18 WHEREAS, there is a lack of attention on the effects of
19 trauma and adverse childhood experiences on Native American
20 children and youth and the need for trauma-informed and
21 culturally relevant educational practices in schools; and

22 WHEREAS, there is a remaining need for identification of
23 barriers to implementation of and access to screening for
24 autism spectrum disorder, diagnosis, referral, early
25 intervention services and support among the Native American

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1 population in New Mexico;

2 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
3 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the Indian
4 education division of the public education department, in
5 consultation and collaboration with New Mexico's Indian
6 nations, tribes and pueblos, be requested to convene a working
7 group of representatives from Indian nations, tribes and
8 pueblos, schools with a high percentage of Native American
9 students, Native American advocacy organizations and Native
10 American health care providers to develop a comprehensive needs
11 assessment of Native American students with special needs and
12 disabilities, the impacts of trauma and adverse childhood
13 experiences on Native American children and youth and the
14 barriers to early identification and access to services and
15 supports for Native American children with autism spectrum
16 disorder; and

17 BE IT FURTHER RESOLVED that the working group be requested
18 to make a report of its findings and recommendations to the
19 legislative education study committee and the appropriate
20 legislative interim committee dealing with Indian affairs
21 issues by November 1, 2020; and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the director of the Indian education division of
24 the public education department, New Mexico's twenty-two Indian
25 nations, tribes and pueblos, the chair of the legislative

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1 education study committee and the co-chairs of the New Mexico
2 legislative council.

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