

OBSTACLES AND POTENTIAL SOLUTIONS FOR NEW MEXICO STUDENTS WITH DISABILITIES

Legislative Education Study Committee

Monday, August 24, 2020

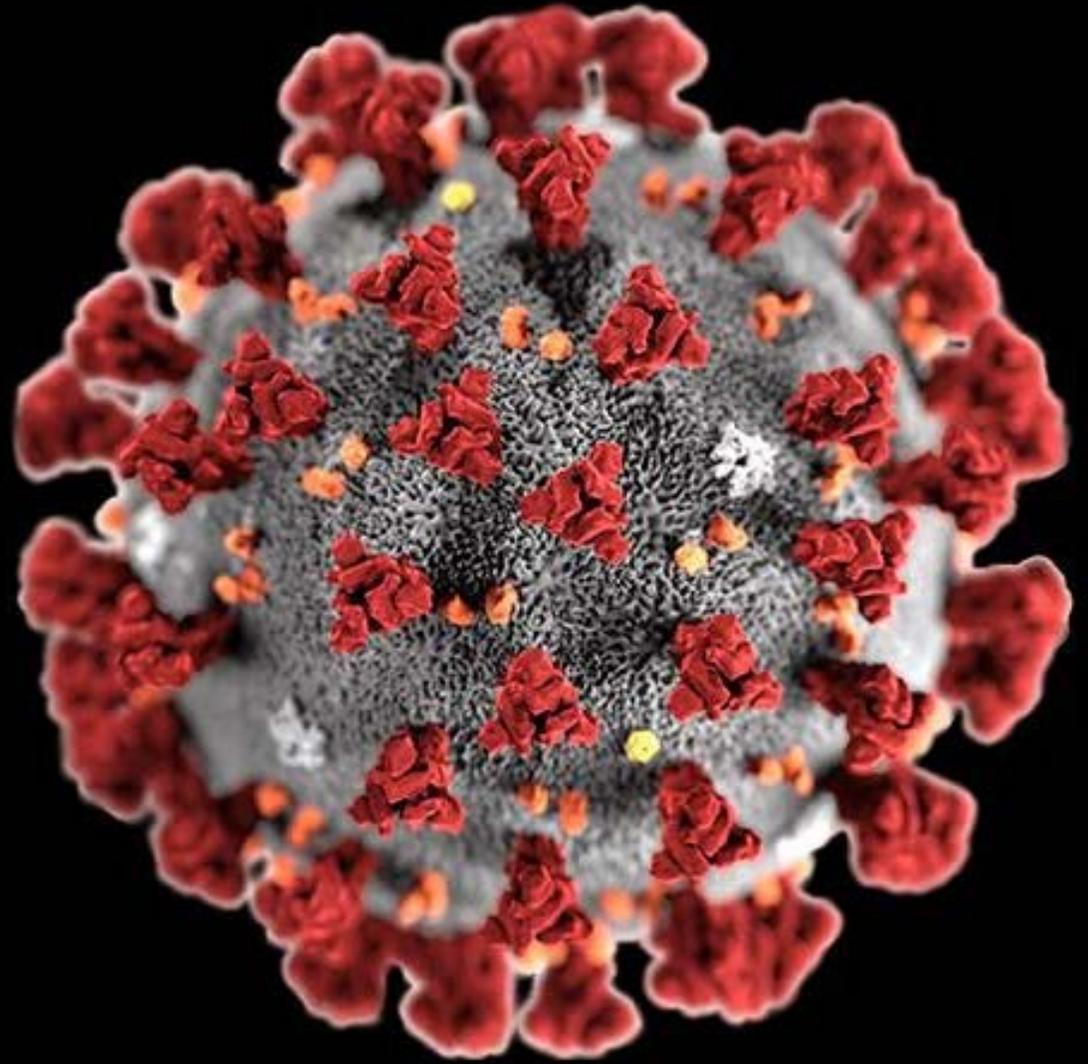
COVID-19

Ability to Access Remote Learning

Related Services/Therapies

Medically Fragile Children

Social Distancing, Mask Wearing, Etc.



EDUCATION THAT DOES NOT...

UNDERSTAND THEIR DISABILITY

ANTICIPATE AND SUPPORT
THEIR BEHAVIOR

PLAN FOR THEIR FUTURE,
FOLLOWING GRADUATION

OBSTACLES
FACED BY
STUDENTS
WITH
DISABILITIES



ACCORDING TO NATIONAL DATA:

- 15-20% of kids struggle with reading and have symptoms of dyslexia. (Int'l Dyslexia Ass'n)
- 1 in 20 kids has a Fetal Alcohol Syndrome (Proof Alliance)
- 1 in 59 kids has Autism Spectrum Disorder (CDC)
- 1 in 100 kids has a Tic Disorder, including Tourette Syndrome (Tourette Ass'n)
- 9.4% of kids have Attention Deficit Hyperactivity Disorder (CDC)

CONSEQUENCES OF THIS LACK OF KNOWLEDGE AND UNDERSTANDING

Students having these disabilities are not identified for special education, or initial evaluation is delayed.

Appropriate, specialized instruction and strategies are not consistently implemented across settings.

Students having these disabilities are misunderstood and blamed for their own inability to perform or conform.

Students having these disabilities are subjected (often repeatedly) to discipline, physical restraint, seclusion, etc.

STUDENTS WITH DISABILITIES AND BEHAVIOR AT SCHOOL



“The essential function of challenging behavior is to communicate to adults that a kid doesn’t possess the skills to handle certain demands in certain situations.”

— Ross W. Greene, [Lost at School: Why Our Kids with Behavioral Challenges are Falling Through the Cracks and How We Can Help Them](#)

STUDENTS WITH DISABILITIES FREQUENTLY FACE OBSTACLES RELATED TO THEIR BEHAVIOR:

Disability-related behavior can impact the student's learning and their ability to make progress and succeed in the curriculum.

Increased likelihood of being subjected to exclusionary discipline (suspension, expulsion) from school.

Potentially subjected to traumatic behavioral interventions such as physical restraint and seclusion or needlessly involving law enforcement.



Low income children, students with disabilities, and students of color are all significantly more likely to be referred to school administrations for discipline problems than students with other backgrounds.

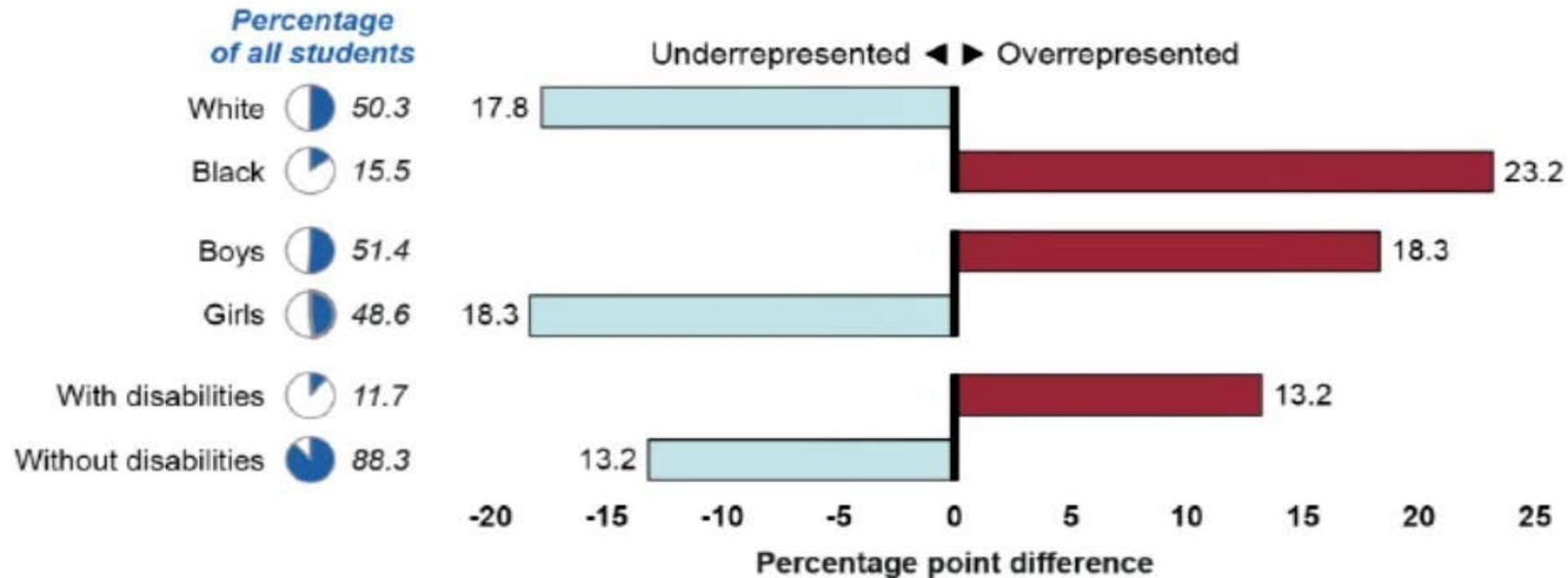
These students are more likely to receive out-of-school suspensions, expulsions, or otherwise be referred to law enforcement as punishment.

They are more likely to be punished more harshly than other students for the same behaviors, and they are less likely to have access to opportunities to develop social and emotional skills valued by schools.

Anyon, et. al. (2014)

Students Suspended from School Compared to Student Population, by Race, Sex, and Disability Status, School Year 2013-14

This chart shows whether each group of students was underrepresented or overrepresented among students suspended out of school. For example, boys were overrepresented by about 18 percentage points because they made up about 51% of all students, but nearly 70% of the students suspended out of school.



Source: GAO analysis of Department of Education, Civil Rights Data Collection. | GAO-18-258

Note: Disparities in student discipline such as those presented in this figure may support a finding of discrimination, but taken alone, do not establish whether unlawful discrimination has occurred.

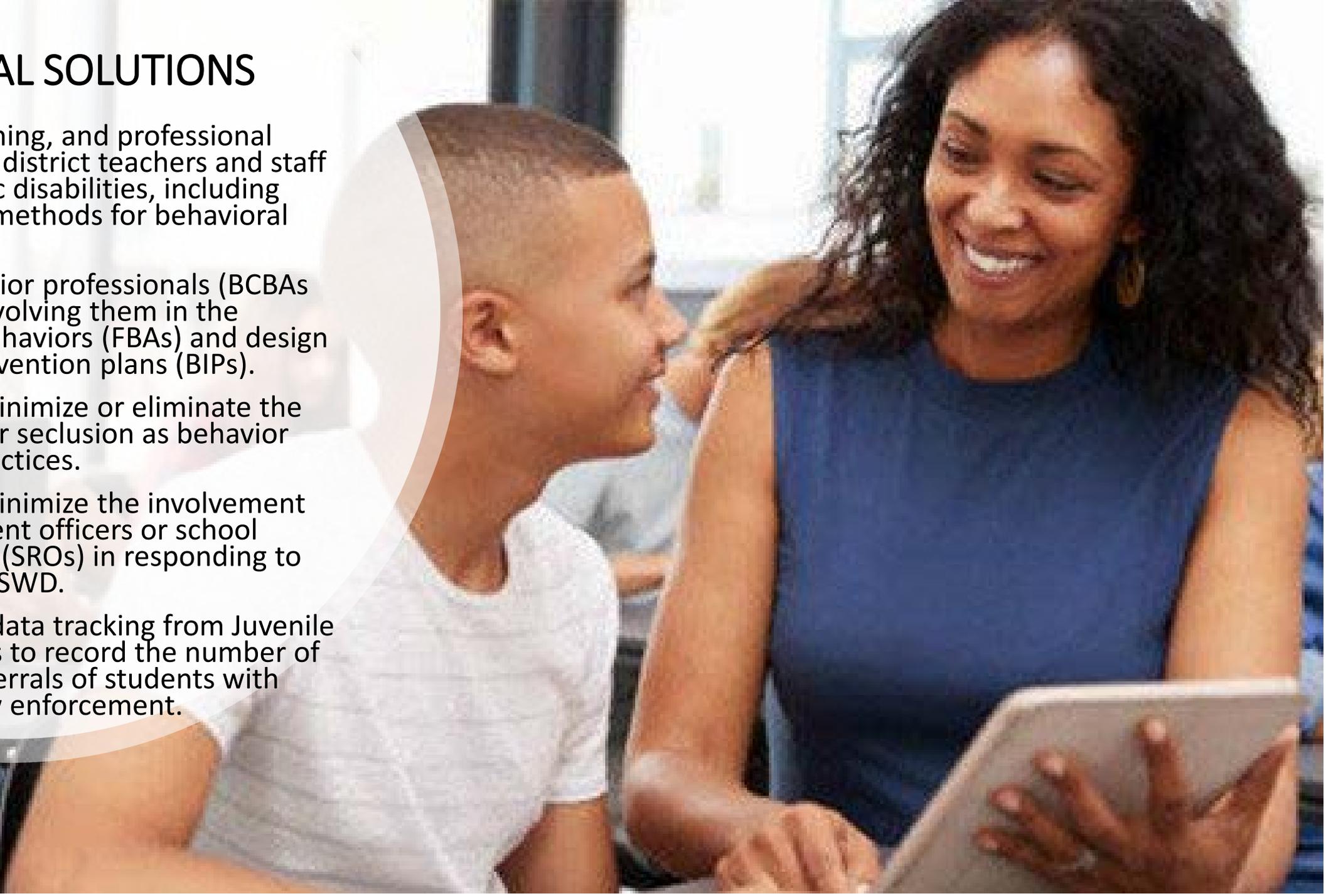
WHAT IS NEEDED FOR CHANGE?

A foundational understanding that children's challenging behaviors typically result from a lack of functional and adaptive skills needed to meet demands and expectations—skills which can be taught. Too often, we tend to assume these behaviors are the result of performance or motivational deficits, finding purposes in the behaviors like attention-seeking, limit-testing, or manipulating.



POTENTIAL SOLUTIONS

- Preparation, training, and professional development for district teachers and staff regarding specific disabilities, including evidence-based methods for behavioral skill building.
- Employing behavior professionals (BCBAs and RBTs) and involving them in the assessment of behaviors (FBAs) and design of behavior intervention plans (BIPs).
- Measures that minimize or eliminate the use of restraint or seclusion as behavior management practices.
- Measures that minimize the involvement of law enforcement officers or school resource officers (SROs) in responding to the behaviors of SWD.
- CYFD to require data tracking from Juvenile Probation Offices to record the number of school-based referrals of students with disabilities to law enforcement.



Planning for the Future: Transition Services for Students with Disabilities



TRANSITION SERVICES, ON PAPER

Transition services in New Mexico are supposed to

Begin at age 14 (under New Mexico law) 2 years earlier than the federal requirement;

Assist eligible students with disabilities with transitioning from high school to post-secondary employment, vocational training, college, or career preparation;

Involve coordination of school districts, the New Mexico Department of Vocational Rehabilitation (DVR) and Regional Education Cooperatives (REC's);

Create and support post-secondary opportunities aligned with the student's interests, preferences, aspirations, and abilities, by designing and working toward appropriate, relevant goals during high school.

TRANSITION SERVICES, IN REALITY

Many students with disabilities in New Mexico find that “transition planning” is little more than the completion of some pages of the Individualized Education Program (IEP).

It is not the coordination of services, community resources, and opportunities that it is meant to be. Representatives of the Department of Vocational Rehabilitation and Regional Education Cooperatives are often not at the table, beginning at age 14.

Many districts do not have dedicated, full-time transition coordinators (or do not have enough), so the burdens of this role are saddled on the backs of already full-time special educators or other district personnel.

It is unclear if post-secondary outcomes for students with disabilities are tracked, and whether those outcomes relate back to students’ transition goals during high school.

POTENTIAL SOLUTIONS

- ❖ Maintaining high expectations for students with disabilities, sustained throughout high school;
- ❖ Measures that ensure consistent implementation and provision of transition services beginning at age 14;
- ❖ Specialized instruction and curriculum during high school, providing students direct instruction on and measurement of skills and knowledge needed to navigate post-secondary college, training, and employment;
- ❖ Mandated reporting requirements;
- ❖ Clarification of the relative responsibilities of school districts, DVR and the REC's;
- ❖ Post-graduation measurements and data collection regarding outcomes for students with disabilities—whether entering the workforce, vocational training, or post-secondary education.



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