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Governor signs Special Education Ombud Act *New office will advocate for educational rights of students*

SANTA FE — Gov. Michelle Lujan Grisham on Monday signed into law a measure establishing an office within the Developmental Disabilities Council to advocate for the educational rights of students seeking special education services.

The special education ombud will serve as an independent advocate and watchdog for public school students and provide comprehensive support for families navigating the special education system. Duties will include ensuring that students and parents receive complete and accurate information about the student's rights, adequate services to meet the student's needs and timely responses when they raise questions or express concerns. It was a priority bill of the governor's.

“All too often, families must battle with schools over the details of individual education plans or the extent of services their children need. Many more families struggle to begin the evaluation process or to implement a plan that is already in place,” Gov. Lujan Grisham said. “From now on, students and families will have an expert ally who understands the process from beginning to end. It is the intent of this administration to provide every child, including students with disabilities, with the best education possible, and I am pleased the Legislature unanimously agreed that this bill is an important step toward accomplishing that goal.”

Both chambers passed House Bill 222 unanimously. Sponsors included Rep. Liz Thomson, Sen. Linda Lopez, Rep. Joanne Ferrary and Sen. Siah Correa Hemphill.

“The act requires the ombud office to train and certify staff, contractors and volunteers to provide special education ombud services, and requires schools to provide information about the ombud during every school year to every student,” said Executive Director Alice Liu McCoy of the Developmental Disabilities Council. “Further, the

ombud is authorized to take corrective action when schools do not work with the ombud to address special education concerns and will recommend systemic changes to improve the education system.”

“Far too often, the needs of special education students in New Mexico schools are overlooked or deemed too expensive, putting all the weight on the shoulders of parents to battle for the accommodations or services their children need,” said lead sponsor Rep. Liz Thomson. “Creating an independent ombudsman who can guide parents through their options and help mediate discussions with the school will help schools and parents successfully work together to find educational plans that work for all students.”

“The ombudsman created by this legislation will serve as a vital resource and advocate for parents with special needs students, advising them about their rights, providing expertise on special education laws, and helping them navigate the complex system,” said co-sponsor Rep. Joanne Ferrary. “House Bill 222 fills a gaping void in our educational system and ensures that special education students in New Mexico get the customized education plans and resources they deserve.”

“Every parent wants their child to succeed, but not everyone has the same access to the information, support, or time it takes to help kids with extra needs,” said Sen. Linda Lopez. “By establishing the ombudsman program and requiring schools to notify families that this resource is there to serve them, we’re taking a more proactive approach that will lead to faster problem solving and better outcomes for our kids.”

“Having an advocate can make all the difference for families,” said Sen. Siah Correa Hemphill. “Ensuring that children with disabilities receive appropriate services and resources can be a challenging and time-consuming job for parents as well as for the schools working to support them. The office of the ombud will play a critical role in addressing the unique issues families with special needs have. I’d like to thank the governor for acknowledging the need for this advocacy role and signing the bill into law today.”

The ombud will operate out of the Developmental Disabilities Council, whose members are appointed by the governor to advocate for New Mexicans with developmental disabilities. The council receives state and federal funding to implement the requirements of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000.

The bill was the result of extensive and ongoing collaboration between the Governor’s Office, special education advocates, the Developmental Disabilities Council, the Public Education Department, the Early Childhood Education and Care Department, and the Children, Youth and Families Department.

“We see this as a great opportunity to make sure that families have somewhere they can turn, no matter where they are, no matter what their needs are, to get the help they need to navigate the world of special education,” PED secretary Ryan Stewart said.

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