

Individuals with Disabilities Education Act (IDEA)
State Advisory Panel & ICC Joint Meeting
February 21, 2025

Called to Order	<p>Celina Garcia, Co-Chair Provider Representative of the ICC commenced the meeting at 9:00 a.m. She extended a formal welcome to the IDEA panel and invited the panel members to introduce themselves.</p>
Introductions	<p>IDEA Panel Members</p> <p>Jennifer Donelli- IDEA Panel Chair, Executive Director of Parents Reaching Out Carli Mortensen- IDEA Panel Vice-Chair, ICC Panel Member, Vice Chair- Policy & Procedure Committee, Co-Chair for Quality Committee of the ICC Robert Madrid- IDEA Member, Superintendent for New Mexico Corrections Department Hart Lewis- UNM Department of Special Education, IDEA Panel Secretary Jessica Powell- IDEA Panel Member, LEAP Literacy Facilitator Laurel Nesbitt- Attorney with Disability Rights, IDEA Part B Panel Member, Chair of the Policy and Procedures Committee Damon Terry- Regional Education Co-op #6, IDEA Panel Member Melissa Wassana- Executive Director for EPICS, IDEA Panel member Amanda Owens- Elementary School Teacher, IDEA Panel Member Christa Kulidge- Special Education Administrator for Las Cruces Public Schools, IDEA Panel Member, and Chair of the Transition Committee Dr. Elizabeth Cassel- Member of the Family and Student Engagement Committee for the IDEA Panel</p> <p>PED INTRODUCTIONS</p> <p>Dr. Margaret Cage- Deputy Secretary of the Office of Special Education in the Public Education Department and member of the IDEA Panel Dr. Tyre' Jenkins- Deputy Director of the Office of Special Education, ICC Member Catherine Quick- Monitor Lead with the Office of Special Education Katie Ellis- Social and Community Coordinator for the Office of Special Education, IDEA Panel Liaison for the Office of Special Education and the Panel. Jessica Dinsmore- Educational Administrator, Office of Special Education, oversees OSE professional development and the hard-to-staff pay differentials Monica Santistevan- Program Support Specialist with the Office of Special Education, Proxy for the ICC Panel Leticia Esparza- Secretary for the Office of Special Education Charlene Marcotte- Deputy Director of Finance, Office of Special Education Randall Rapanut- Assistant Deputy Director of Data & Finance Yaling Hedrick- Education Administrator, Monitor Team and oversees the State-Corrected Action Plan Tamara Burkett- Education Administrator with the Office of Special Education working on Data Miguel Lozano- Deputy General Counsel for the Department of Public Education Department Natalie Campbell- Assistant General Counsel for the Office of Special Education Trudy Cordova- Education Administrator and Data Analyst Dr. Elizabeth Cassel- Parent and Community Liaison for the Office of Special Education, PED Kimberly Gonzales- Education Administrator for the Office of Special Education</p>

	<p>ICC MEMBERS</p> <p>Ilse Amaya- Infant Mental Health Manager for CYFD Behavioral Health Services</p> <p>Jen Brown- Education and Outreach Manager for the Early Childhood Network at UNM Center for Development Disability and represents the Part C Professional Development side on the ICC Panel</p> <p>Joanne Corwin-New Mexico School for the Deaf Statewide Director</p> <p>Cassandra DeCamp- Parent Representative</p> <p>Scott Doan- Deputy Director with the Developmental Disability Support Committee</p> <p>Jennifer Donelli- ICC member and Co-Chair of Supporting Parents and Families Committee on ICC</p> <p>Dominique DuPont- Parent Representative on the ICC</p> <p>Lucia Garcia- 619 Coordinator for the Early Childhood Education and Care Department</p> <p>Dr. Tyre' Jenkins- Deputy Director of the Office of Special Education and ICC Member</p> <p>Dana Malone- State Coordinator for the Education of Homeless Children and Youth with PED, IDEA Panel Member, and ICC Panel Member</p> <p>Sarah Michaud- Executive Director of New Vistas and Co-Chair of the Finance & Funding Committee for the ICC</p> <p>Kristin Mora- Parent Representative</p> <p>Carli Mortensen- Parent Representative, Co-Chair of the Equality Committee and Vice Chair of the IDEA Panel</p> <p>Dr. Tsitsi Nyabando- Assistant Professor of Early Childhood Education at ENMU</p> <p>Michelle Pruitt- Director of Children's Services for Tobosa in Roswell, Provider Representative on the ICC and Co-Chair for the Workforce Committee</p> <p>Paula Seanez- Navajo Nation, Co-Chair of the Native American & Underserved Populations Subcommittee</p> <p>Gurrattanpal "Mickey" Singh- Manager Healthcare Bureau Chief, NM Office of the Superintendent of Insurance, ICC Panel Member</p> <p>Vanessa Skrehot- School Health Manager for the Medicaid School Based Services Program and works with the Health Care Authority Medicaid Department</p> <p>April Spaulding- Executive Director at Brazos Family Support Services, ICC Representative on the ACQ</p> <p>Angelique Tafoya- ICC Representative for ADCAP, Executive Director of Altamira Specialized Family Services, Co-Chair on the Funding and Financing Committee</p> <p>Celeste Thomas- Parent Representative, Co-Chair for Supporting Parents and Families Committee</p> <p>Delphine Trujillo- Children's Behavioral Health Services Program Bureau Chief with CYFD, CYFD Representative</p> <p>Allyson Rhatigan- ICC Co-Chair, Parent Representative</p> <p>Suzanne Pope- ICC Coordinator</p> <p>Elaine Sanchez- Executive Director of NAPR, Provider Representative for ICC, Funding and Financing Committee</p>
Roll Call	<p>Chair Garcia did a roll call. Members present: Celina Garcia, Jennifer Donelli, Carli Mortensen, Robert Madrid, Hart Lewis, Jessica Powell, Laurel Nesbitt, Damon Terry, Melissa Wasson, Amanda Owens, Christa Kulidge, Dr. Elizabeth Cassel, Dr. Margaret Cage, Dr. Tyre' Jenkins, Catherine Quick, Katie Ellis, Jessica Dinsmore, Monica Santistevan, Leticia Esparza, Charlene Marcotte, Randall Rapanut, Yaling Hedrick, Tamara Burkett, Miguel Lozano, Natalie Campbell, Trudy Cordova, Ilse Amaya, Jen Brown, Cassandra DeCamp, Joanne Corwin, Scott Doan, Dominique DuPont, Lucia Garcia, Dana Malone, Sarah Michaud, Dr. Tsitsi Nyanbando, Michelle Pruitt, Paula Seanez, Gurrattanpal "Mickey" Singh, Vanessa Skrehot, April Spaulding, Angelique Tafoya, Celeste Thomas, Allyson Rhatigan,</p>

	Suzanne Pope, Elaine Sanchez
Approval of Agenda	<p>Chair Garcia requested a motion to approve the agenda. April Spaulding made the motion, a second was provided by Joanne Corwin. A roll call vote ensued; Ilse Amaya-approved, Jen Brown-approved, Joanne Corwin-approved, Cassandra DeCamp-approved, Scott Doan-approved, Jennifer Donelli-approved, Dominique DuPont-approved, Lucia Garcia-approved, Dr. Tyre' Jenkins-approved, Dana Malone-approved, Sarah Michaud-approved, Carli Mortensen-approved, Dr. Tsitsi Nyabando-approved, Michelle Pruitt-approved, Elaine Sanchez-approved, Paula Seanez-approved, Mickey Singh-approved, Vanessa Skrehot-approved, April Spaulding-approved, Celeste Thomas-approved, Delphine Trujillo-approved.</p> <p>Ms. Garcia reviewed the Meeting Ground Rules to the Panel & ICC Panels</p> <ul style="list-style-type: none"> • Silence means agreement • Adhere to the agenda • Don't repeat what has already been said • Wait to be called on by the chair before speaking • Attack issues and not each other • Be precise when speaking • Avoid acronyms and maintain professionalism • ICC vote, only ICC members can vote
Approval of Minutes	November 8th, 2024
Office of Special Education Guests	<p>Chair Donelli asked Mr. Lozano and Ms. Campbell to give a presentation regarding IEPs and the dispute process.</p> <p>The IEP meeting is the first step in the dispute resolution process for any issues related to individual education programs (IEPs). If there is a disagreement that cannot be resolved, parents can request an additional IEP meeting. Additionally, parents can contact the state for guidance on how to resolve these issues.</p>
IDEA Panel and ICC Presentation	<p>Miguel Lozano- Deputy General Counsel for the Department of Public Education Department</p> <p>Natalie Campbell- Assistant General Counsel for the Office of Special Education</p>
	<p>Mr. Lozano informed the panel that in this presentation he and Ms. Campbell will discuss various complaint cases and hearing processes related to special education in the State. The focus will be on the procedures at the Public Education Department (PED) and how they align with the requirements of the Family, Infant, and Toddler (FIT) program under Part C. They aim to explain the processes available for handling complaints under Part B of the IDEA, as well as other options for dispute resolution. The presentation will include a brief overview of case data, followed by a review of a recent case by Miss Campbell.</p> <p>Mr. Lozano stated that regarding Part B, they view the process as a continuum, acknowledging that different dispute resolution methods can be utilized at any point. While the IEP meeting is often overlooked as a means of resolving disputes, it is considered the first step. Parents and school districts can request IEP</p>

meetings without needing a specific reason. Disputes can arise regarding the implementation of an IEP or its content, which they will address in more detail. This includes facilitated IEP meetings, mediations, state complaints, and due process hearings.

Mr. Lozano listed some examples of situations where parents might seek to use these processes include disagreements during IEP meetings that cannot be resolved, instances where parties refuse to attend meetings, or when communication is difficult. In some cases, parents may refuse to send their child to school until a resolution is reached. There might also be instances where systemic issues within school districts or charter schools hinder special education services. Each situation is unique and will depend on the specific circumstances surrounding it.

Mr. Lozano also said that facilitated IEP meetings include all required members of the IEP team and may also involve additional individuals who have relevant knowledge about the child. At the state level, they provide a third-party facilitator to help manage the meetings and facilitate better communication among the participants. The goal is not only to complete the IEP but also to enhance overall communication and address previous disputes.

Mr. Lozano also mentioned that it's crucial to note that both facilitation and mediation depend on mutual agreement from both parties. Neither the district nor the parent can compel the other to participate in these processes, although refusals are rare. Facilitation may also be part of corrective action plans when necessary, especially after a complaint or due process hearing indicates the need for improved communication.

Mr. Lozano stated that the State bears the cost of facilitation, ensuring no expenses fall on parents or districts. They assign facilitators on a rotating basis to prevent conflicts, as districts may regularly work with certain facilitators while parents typically engage only once or twice. This assignment process helps maintain fairness and neutrality.

Mr. Lozano did say that as usual, they review current data for the IDEA panel, examining the previous year's figures. In their year-to-date analysis since 2017, they have received ten requests, leading to five hearings, all of which resulted in completed IEPs. Two requests were either declined or withdrawn, which is uncommon. Often, disputes are resolved before the facilitation stage, as districts proactively reach out to parents once they receive a request for facilitation. Currently, three requests are pending, having neither been held nor withdrawn.

Ms. Campbell mentioned that her and Mr. Lozano prefer to do this together, which they call tag team. Mediation is one alternative dispute resolution process available, and they are focusing on the mediation process through the Office of Special Education. They encourage districts and parents to resolve matters through mediation before escalating to their level, and some districts are very proactive about it, which is beneficial for everyone involved.

Ms. Campbell stated that mediation is a meeting led by a qualified and impartial mediator who helps resolve disagreements between a parent and a public agency. This typically happens when communication has broken down, and the mediator helps both parties communicate effectively without making any decisions. Mediation, like FIEP, is entirely voluntary; both parties must agree to participate, which is logical since it wouldn't work otherwise.

Ms. Campbell informed the panel that parents, advocates, attorneys representing parents, adult students, or public agencies can request mediation at any time. This process is somewhat limited compared to state complaints, which can be filed by anyone. Notably, parties do not need to submit a state complaint or request due process hearing before asking for mediation. During their training and presentations, they advise both school districts and parents to opt for mediation first. Although it's not mandatory, mediation allows for a wider range of issues to be addressed creatively compared to state complaints or due process hearings. It promotes greater ownership since the parties are actively involved in the decision-making process.

Ms. Campbell mentioned that sometimes, after filing a state complaint or due process hearing request, parties may agree to mediation, and they encourage this approach. When they send an acknowledgment letter for a state complaint, they check if the parent is open to FIEP or mediation and if the district is interested as well. If so, they aim to redirect the complaint into FIEP or mediation, believing it to be an effective means of resolution. Mediation is offered at no cost to parents or schools.

Ms. Campbell talked about how mediation can be requested using model forms on their website, but they are not required; a simple email or phone call will suffice to start the process. They gather some basic information to proceed. When the mediation process is initiated, they assign a mediator who will coordinate the next steps. The mediator then contacts both parties to discuss dates and preliminary issues. Parties may choose to have legal counsel during mediation, but it is not required.

Ms. Campbell stated that the mediator facilitates the discussion and resolution process, and if an agreement is reached, they help prepare a written agreement for both parties to sign. This written agreement is binding and can be enforced in court. In New Mexico, however, there is no specific enforcement mechanism for mediated agreements, unlike some other states. While mediation discussions remain confidential, the final agreements themselves are not, meaning they can be reviewed if needed in court, although discussions from mediation cannot be used in legal proceedings.

Ms. Campbell mentioned that, as of February 17, 2025, they have received 13 mediation requests; 10 have been held and 9 have resulted in signed written agreements, while one was withdrawn, and one is still pending.

Ms. Campbell talked about how State complaints are established under federal law and have a strict process that must be followed, including specific timelines.

The process mandates that the Public Education Department (PED) investigate alleged violations of Part B of the Individuals with Disabilities Education Act (IDEA). This means that state complaints focus only on violations of Part B, unlike mediation which operates differently.

Ms. Campbell mentioned that various individuals and groups can file a state complaint, including parents, advocates, attorneys, adult students, and any individual or organization, making it unique among dispute resolution methods. Retired teachers and other community members also submit state complaints, which can address issues affecting more than one student or systemic problems, like transportation. The complaint must cite violations of IDEA occurring within a year of filing. In contrast, due process requests can look back over two years.

Ms. Campbell stated that the state complaint process is free for both the complainant and the school involved. When a complaint is filed, the PED acknowledges receipt and ensures the district or local education agency (LEA), which could include charter schools, is informed. The PED then requests responsive documents and a written response from the district, while conducting interviews with the complainant and the LEA as needed. A resolution report is issued, typically within 60 days, unless an extension is granted under federal law. This report outlines the facts, conclusions, and required corrective actions, though not every complaint leads to a finding of violations.

Ms. Campbell talked about how sometimes findings may not indicate a denial of a free and appropriate public education (FAPE). When violations are found, a corrective action plan is created to address what has happened and restore the student's education. This may include compensatory services outside of regular school hours or other remedies like training for staff to prevent future issues. The goal is to improve practices and ensure all students receive proper education without being penalized.

Ms. Campbell explained that the Office of Special Education sees the entire process as a form of technical assistance. The cap allows for training and helps districts improve their policies or create plans for specific issues. Reports are drafted to ensure that parents, districts, and charter schools understand their responsibilities in different situations. Each case is unique, providing insights on how to apply IDEA and state rules effectively. While addressing these issues can be challenging for districts, the process also serves as a learning opportunity. Conversations with administrators and teachers during interviews help clarify potential obligations without making immediate decisions. The goal is for districts and charter schools to enhance their systems to serve students better, ensuring they are not just meeting basic requirements but are fulfilling their responsibilities to students.

A question was raised about the difference between caps that come from program monitoring and those that arise from state complaints where findings are made.

Ms. Campbell and Mr. Lozano explained that federal caps are determined through

monitoring that analyzes data. This data shows where local education agencies (LEAs) are failing to meet certain requirements. A corrective action plan is created when data indicates that there are issues, such as delays in developing an Individualized Education Program (IEP) after a student is identified as eligible.

Ms. Campbell explained that caps focus on correcting problems identified by data to ensure LEAs meet their deadlines. On the other hand, state complaints tend to address more specific issues, often related to a particular student. These complaints may highlight multiple problems, such as failures in IEP implementation or in holding meetings related to disciplinary actions.

Mr. Lozano noted that indicator caps typically involve systematic corrective actions because they rely on aggregated data from schools or districts. Such actions can address the needs of many students at once, leading to changes in policies and procedures, like requiring districts to create checklists for IEPs. If systemic issues are found, it can lead to further reviews or audits.

Mr. Lozano further explained, in contrast, state complaints often focus on individual cases and may not be as widespread, although they can sometimes point to systemic problems within a district. Overall, the goal remains the same: to provide technical assistance aimed at improving processes.

Mr. Lozano mentioned that the text discusses various processes related to dispute resolutions in education, focusing on state complaints and due process hearings. Observing trends from these complaints helps the agency identify common issues among local education agencies (LEAs). When trends are detected, the agency uses this information to provide training for stakeholders to proactively address problems.

Ms. Campbell mentioned that when a corrective action plan (CAP) is issued, the agency does not leave LEAs to figure it out alone. Staff members, including Dr. Cassell and Ms. Hedrick, monitor the actions required and offer assistance, as the issues inevitably arise from misunderstandings of the law or lack of resources rather than malicious intent. This year, there have been 45 state complaints, resulting in 21 reports with 16 findings. Mediation resolved eight cases, while some complaints were withdrawn or dismissed when complainants could not be reached or failed to provide necessary documentation.

Mr. Lozano explained that the due process hearings represent a more complex aspect of educational disputes, functioning as court-like proceedings with evidence, witnesses, and legal obligations. Parents can file for these hearings, although many do not fully understand the process. Those without attorneys may struggle to navigate the legalities involved. Alternative resolutions, such as mediation, are suggested to prevent further conflict, as hearings tend to escalate underlying issues between parties.

Mr. Lozano stated that a resolution session is another dispute resolution method that occurs before a due process hearing, allowing parties to negotiate directly.

However, it lacks confidentiality. Attorneys generally prefer mediation over resolution sessions, but both options exist for resolving disputes. Hearings are time-sensitive and usually should be completed within 75 days from filing to ensure timely resolutions for students.

Mr. Lozano explained how hearing officers issue decisions with remedies for compliance, monitored by the agency to ensure they are followed. If districts fail to comply, further state complaints can be lodged for enforcement. Due process decisions can be appealed in both state and federal courts, leading to prolonged cases. Successful parents can recover attorney fees if they win their cases.

Mr. Lozano stated how, the trend for due process hearings is lower than usual, with 19 cases reported this year, most resolved through mediation and one through a resolution session. Six cases remain pending.

Ms. Campbell shared that an interesting thing with different dispute resolution processes is that they all have strengths and weaknesses and might be best for different situations. For example, she provided mediation can be broad, but to enforce it, one needs to go to court. As lawyers, they can list pros and cons for each option, but it's essential to discuss these processes with all stakeholders so they can choose what works best for their issues.

Ms. Campbell stated that the PED has a system for publishing state complaint reports and due process hearing decisions, which are available on their website. They update them monthly and provide data from these processes to OSEP, following FERPA regulations, ensuring that personal identifiable information (PII) is not included in their publications. They also remove details that could potentially identify students if compiled with other information that isn't defined as PII.

Ms. Campbell mentioned that one of their main goals is increasing awareness and access to ADR. Sharon Perea helps with the administrative side, and they aim to make stakeholders aware of different processes to access them. Their website offers model forms for use and resources in Spanish, ensuring their community knows their options if issues arise in schools.

Ms. Campbell informed the panel about a case study involves a young student with an IEP who could not receive special education services for a period because the LEA lacked qualified personnel. The district was frustrated as they were actively recruiting. The state complaint process aimed to rectify this by awarding compensatory time for the lost service, which was calculated minute for minute. It's vital that this compensatory time does not interfere with the student's regular school schedule, maintaining their current educational rights.

Ms. Kulidge asked a question about compensatory time and possible overlaps with regular educational time?

Ms. Campbell answered about how districts can provide compensatory education, it's crucial this does not affect the student's access to their general curriculum and peers. If overlaps happen, it can lead to violations of IDEA Part B, as the focus

should always be on maintaining the student's current educational experience.

Ms. Campbell stated that under IDEA Part B, students must have access to the general curriculum and a full school day. If this access is interrupted, it could be seen as a violation. Removing students from elective classes to provide make-up time prevents them from getting what they are entitled to under the law. The principle of ensuring students' rights to a free appropriate public education (FAPE) should take priority over compensatory education that takes away from current time at school.

Mr. Lozano stated that there are some exceptions where a parent might request compensatory education during the school day, but any decision about this rests with the IEP team. Additionally, a special education teacher may provide extra support during existing class time without affecting the student's schedule. However, these situations are carefully monitored to avoid compromising the student's rights to access the general curriculum. Options such as offering compensatory education outside regular school hours or in the summer are preferable.

Ms. Kulidge had a follow-up question on compensatory education, asking if it possible for schools to agree to compensatory education, or do they always have to file a complaint about it?

Mr. Lozano answered that schools definitely can. He stated, in fact, there was a discussion about this recently. The biggest example is when there are no qualified providers available. If a teacher leaves a classroom, students may be denied proper education due to the lack of a qualified provider. The school district can identify these students, talk to parents, and hold IEP meetings to acknowledge they can't provide the required education at this time. They can offer compensatory education for the period without a qualified provider. Sometimes the time frame is clear, like when a teacher goes on maternity leave, but often it is determined after assessing the period of denial. IEP teams can offer compensatory education before any findings are made, and this is encouraged. Districts may have corrective action plans to ensure compensatory education is completed.

Ms. Rhatigan stated that she is the Co-Chair of the ICC and parent representative. First, she is a mom and parent. She appreciates the presentation today. She said it is helpful for parents to understand their choices. She wanted to focus on the meeting of Part C and Part B, which is about their kids in early intervention and transitioning to a school setting. Are the options for dispute resolution from PED available during this transition? If so, which option is commonly used? What common issues arise?

Mr. Lozano told Ms. Rhatigan that he talked to Chair Donelli about finding some preschool cases, which are rare. He specifically wanted to find a transition case, but he hasn't seen one in his time doing this work. However, he said they do review the transition from Part C to Part B in complaint processes, since their job

	<p>is to identify violations of IDEA Part B. This includes reviewing state rules and requirements for transition meetings and creating IEPs by the child's third birthday. These issues can be addressed through state complaints or due process cases, depending on the situation.</p> <p>Mr. Lozano mentioned that the due process cases often focus on denial of a free appropriate public education (FAPE) and may involve evaluation and eligibility issues. If a student has not been identified as Part B eligible, the issues may be limited to evaluation and the IEP's availability, possibly resulting in a gap in services. A state complaint might be a more suitable route, as it allows for a quick 60-day investigation to determine eligibility and address any violations swiftly.</p> <p>Mr. Lozano stated that if a child is older, like four or five years, evaluation issues at transition could still be relevant in a due process case. Nevertheless, mediation is often the fastest and most effective way for parents to influence the outcome, and they have seen many preschool cases resolved through mediation.</p> <p>Ms. Rhatigan asked if there are any common themes. Mr. Lozano clarified if she meant themes related to preschool students. Ms. Rattigan confirmed it was about transition. Mr. Lozano mentioned that, while he doesn't see many cases. A frequent issue is the difficulty between the provider and the local school district regarding transition meetings and evaluations. He noted that the PED and ECECD are working to improve this. Vice Chair Mortensen inquired about federal indicator data caps regarding transition. An OSE member suggested they could provide an answer by next week. The discussion concluded with appreciation for Mr. Lozano and Ms. Campbell's presentations.</p>
Public Comment	No public comment
Break	10:39-10:45
619 Agency Collaboration Presentation	Lucia Garcia- 619 Coordinator for the Early Childhood Education and Care Department
	<p>Lucia Garcia stated that she is the newly hired 619 coordinator for the Childhood Education and Care Department, starting in December. Today, she will go over an agenda, which others can take a moment to look at.</p> <p>Ms. Garcia stated that the ECECD is committed to building a cohesive, equitable, and responsive early childhood system that supports families and enhances child health and development. Their vision is for all New Mexico families and young children to thrive. Their mission focuses on optimizing the well-being of young children through community-based programs and services.</p> <p>Ms. Garcia discussed the collaboration between ECECD and the Public Education Department (PED). Together, they aim to improve outcomes for preschool students with special needs and their families by offering comprehensive assistance, monitoring, and support systems to increase access to high-quality pre-K programs.</p>

Ms. Garcia mentioned that they also aim to enhance communication between ECECD and PED to provide better support to local agencies and improve compliance with the Individuals with Disabilities Education Act (IDEA) for children aged 3 to 5. This includes improving oversight of early childhood programs. A Memorandum of Agreement (MOA) between ECECD and PED outlines their roles in implementing the IDEA Part B619 grant and ensures the state's ongoing responsibilities under the act.

Ms. Garcia explained that part of their role is to support interpreting federal and state regulations to help develop policies and procedures for implementing and meeting the requirements of Part B619. They also support recommendations for policy resources, resource allocation, and implementation. Their responsibilities include providing technical assistance and professional development for the successful implementation of Part B619. Collaboration with programs, agencies, and stakeholder groups is essential to ensure the effective implementation of Part B619 and related programs.

Ms. Garcia talked about their duties that involve conducting state-level administration and activities in compliance with IDEA and Part B619 grant and federal funding requirements. They work with the PED's Office of Special Education and the Federal Office of Special Education Programs to meet the programmatic and funding needs of the Part B619 grant. If any issues arise regarding the administration of Part B sections 611 or 619, the 619 coordinator will notify the Office of Special Education.

Ms. Garcia stated that currently, they are involved in a pre-K tour of New Mexico, visiting 12 locations to meet with special education and community directors to discuss strengths and needs related to IDEA Part B619. They are collaborating with Leah Davidson, the Part C coordinator, to improve transitions and support accountability from the C to B. They are providing professional development for New Mexico pre-K specialists on IDEA Part B619 and working with the PED on data collection.

Ms. Garcia mentioned their upcoming collaborations include developing training on the C to B transition, revising the transition guidance document, and providing support to early childhood programs to enhance the transition process.

Ms. Johnson wanted to say that she was excited that Ms. Garcia was here and that they would have a chance for deeper collaboration within the department. She wanted to make clear that when issues or questions about the law's implementation arose from school districts or FIT providers, those questions should come to them. They hoped to build a sustainable bridge between the transition teams' work and clearer guidance. Ms. Johnson was looking forward to revising the C to B transition manual.

Co-Chair Mortensen introduced herself as the Vice Chair of the IDEA panel and the Policy and Procedure Committee, as well as the co-chair of the Quality Committee on the ICC. She mentioned that the Quality Committee has been eager to provide input on the transition document for a long time and has been waiting for a position to be filled. Mortensen noted that transition issues are frequently discussed by the parent panel and expressed her personal connection to the advocacy work due to her daughter's difficult transition. She expressed gratitude for the opportunity to collaborate on the document and looks forward to contributing input from both sides.

	<p>Ms. Garcia thanked everyone for responding.</p> <p>Chair Donelli asked if there were any other questions or comments.</p> <p>Chair Donelli stated that she knew about the current transition teams when they meet at different frequencies depending on the team. She asked if that was something they might consider when redrafting, having set expectations for how often they meet?</p> <p>Ms. Garcia said she welcomes their input and would note that about set times to meet.</p> <p>Ms. Johnson stated the structure of the transition teams and communication flow can be reexamined. Her goal is that transition coaches should not be responsible for training on the law or making flow decisions. Ms. Johnson thanked Chair Donelli for bringing up the current transition teams.</p> <p>Chair Donelli asked what the ultimate goal of this transition for their state is? She also asked if they have seen this work better in other states?</p> <p>Ms. Garcia mentioned the agency ECTA but forgot what the acronym stood for. She stated that some states had moved the 619 coordinator to the Early Childhood Division.</p> <p>Ms. Garcia stated that she held purposeful meetings with the Office of Special Education on a weekly basis. Ms. Garcia had built relationships with early childhood and special education directors to promote seamless transitions and inclusion for preschool students with disabilities, which was a key goal of the office.</p> <p>Chair Donelli thanked everyone for sharing. She stated that this is why the ICC and IDEA panels are also trying to foster that.</p> <p>Co-chair of the ICC, Ms. Rhatigan, welcomed Ms. Garcia. Ms. Rhatigan emphasized the importance of including children with disabilities alongside their typically developing peers in education. Ms. Rhatigan mentioned that the parent panel scheduled for noon that day would focus on transition, encouraging everyone to attend or read the minutes later. Additionally, Ms. Rhatigan invited Ms. Garcia to participate in the quarterly ICC parent panels, which discusses various topics, including transition, and provides real-time feedback from parents.</p> <p>Ms. Garcia thanked Ms. Rhatigan and expressed her willingness to stay on to listen to the transition panel. She also indicated that she would attend standing meetings if invited.</p> <p>Chair Donelli asked if there were any other questions or comments from the panel or council. She then turned to Ms. Garcia, thanking her.</p>
1st Question about indicators and monitoring	<p>Chair Donelli addressed the group, noting that there had been a question earlier about monitoring related to the dispute resolution presentation, and mentioned that the head of monitoring had joined the group. Chair Donelli suggested that if that member would like to ask the question again, it would be appropriate to do so.</p> <p>Co-Chair Mortensen had raised the question about indicators and monitoring. The</p>

	<p>inquiry continued about whether there were any caps regarding transition indicators?</p> <p>Ms. Quick responded that that was one of the indicators they looked at, including discipline, identification rates, disability identification, initial evaluation, Part C to B transition, and post-secondary transition. Ms. Quick said it was noted this year, they were also adding student outcomes.</p> <p>Co-Chair Mortensen asked if the discussion turned to whether there were any caps regarding transition currently?</p> <p>Ms. Quick answered affirmatively stating that indicator 11 would cover early childhood and identification rates would cover them as well. Ms. Quick mentioned that they had C to B transition caps, which were currently all closed, but they were waiting for the new annual determinations to come out. Ms. Quick mentioned that districts had corrected their compliance issues and needed to locate all students who were out of compliance to ensure they received the services they were supposed to. Ms. Quick states that assistance with training would be provided if necessary, emphasizing the importance of finding gaps and fixing them.</p> <p>Co-Chair Mortensen asks about any open issues in early intervention, 619 area?</p> <p>Ms. Quick responded that there were no open caps at that moment. Ms. Quick explained that all caps issued last year had been closed. Ms. Quick acknowledged that some districts might have more to address than others, but the aim remained to complete the process quickly. Ms. Quick stated that currently, there were no open caps, but new determinations were forthcoming, and the data was being analyzed. Once these were issued, a new set would begin.</p> <p>Ms. Quick noted that the biggest trend observed in early intervention was missed timelines for several reasons. Issues arose from delays in completing evaluations on time due to various factors, such as parents not bringing their children in for assessments or staff shortages. Missed timelines posed the most significant concern. If evaluations were late, it was usually only by a few days, and it was essential to clarify that Individualized Education Programs (IEPs) must be developed before a child's third birthday.</p>
	<p>Co-Chair Garcia, along with Ms. Rhatigan wanted to check in since the parents had not yet arrived for the twelve o'clock meeting. They would like some time to discuss and clarify any questions before the parents joined the parent panel.</p> <p>Co-Chair Mortensen stated that her and the IDEA panel frequently inquired about unmet needs that they observed. Co-Chair Mortensen asked if there were any unmet needs that are noticeable? Co-Chair Mortensen said that it is their responsibility to provide recommendations to the lead agency regarding these needs.</p> <p>Co-Chair Garcia asks who will answer Carly's question.</p> <p>Ms. Ratigan's reflections on feedback from IDEA panel members and presenters revealed concerns about issues related to staff shortages and vacancies and these may have an impact on the full implementation of Individualized Education Plans.</p>

Chair Report	<p>Director's Report Dr. Margaret S. Cage, ED. D. Deputy Secretary, Office of Special Education</p>
	<p>Dr. Cage reported on the pay differential for hard-to-staff positions, mentioning that funds were distributed to around 370 special education teachers. She explained, this initiative aims to fill vacant positions and is expected to continue to address provider shortages later on. Co-Chair Mortensen expressed appreciation for this effort, noting that it is a positive step toward improving the situation.</p> <p>Dr. Cage added that a shift has occurred where certain roles have moved from the Public Education Department (PED) to the Early Childhood Education and Care Department (ECECD). This change requires careful coordination as services are still connected. The speaker acknowledged that it was beneficial to discuss these matters in the meeting and feels optimistic about the direction outlined in Dr. Cage's report.</p>
2nd Question Senate Bill 147	<p>Ms. Nesbitt asked about Senate Bill 147, which deals with exclusionary practices against young children, especially those with disabilities. She wondered how much the ICC is aware of the issue and if they recognize that young children with disabilities face challenges such as expulsions and suspensions due to behavior related to their disabilities.</p> <p>Co-Chair Garcia said it was a great question and thanked Ms. Nesbitt for asking the question. She inquired if any ICC members would like to discuss.</p> <p>Ms. Michaud mentioned that concerns for children in the program are increasing. Conversations with families reveal that daycare or pre-K providers often suggest that a child may not be in the right placement due to needs for behavioral interventions. She continued, while there is not a trend toward isolation yet, these comments are becoming more frequent, especially regarding behavioral, sensory, autism-related issues, or family risk factors. Families are being told the providers feel unprepared for these needs.</p> <p>Ms. Nesbitt had a follow up question about to what extent the point needed an evaluation for children who have not yet been identified as having a disability. Ms. Nesbitt also wondered if this was the piece to the puzzle from everyone's experiences. Ms. Nesbitt thanked Ms. Michaud for the answer.</p> <p>Ms. Nesbitt shared information about Senate Bill 147, which is called the Exclusionary Practices Act. Ms. Tafoya asked if the bill was linked to any funding, mentioning the challenges providers face with workforce shortages and the need for training to better support children with behavioral issues. Ms. Tafoya planned to monitor the bill and suggested the public relations committee should ensure it aligns with their goals of supporting families and providing necessary services for children in daycare. Ms. Mortensen noted there is no funding proposed for the bill according to a report.</p> <p>Co-Chair Garcia asked if there are any additional clarity or discussion points for both panels. She suggested taking a small break and reconvening to ensure that attendees do not miss the parent panel. She emphasized the importance of viewing matters from the perspective of the families served. Ms. Garcia encouraged everyone to return by 11:50 and confirmed that families would be present to share their stories.</p>
Break	11:45-11:50

	(The following was provided from the ICC committee by Ms. Ellis as a video/audio recording was not available for the afternoon.)
ICC Parent Panel Introductions	<p>Ms. Rhatigan asked the parents on the panel to introduce themselves:</p> <ul style="list-style-type: none"> • Tiffany Gallegos has a seven-year-old daughter, Madison, who transitioned from early intervention. She has another child, a son who is going through transition. The family lives in Las Vegas. Most of their early intervention services are provided in Santa Fe. • Carli Mortensen has three adopted children. The family lives in Gallup. All three children have IEPs.
	<p>Ms. Mortensen stated that her son needed minimal services and he had a smooth transition into preschool. Ms. Mortensen's daughter is medically complex and transition was more complex. Ms. Mortenson was able to advocate for the services needed.</p> <p>Ms. Gallegos mentioned that she felt well prepared for Madison's transition. Ms. Gallegos stated that Madison has medical complexities. Her daughter's transition was set up by the state school. Ms. Gallegos said they were well informed and knew what to expect, so they didn't have a lot of questions. Ms. Gallegos stated that based on how smooth her daughter's transition was, she expected it to be the same with her son. Ms. Gallegos mentioned that she did not get the same support or preparation for her son and felt like the transition was last minute and thrown together. Ms. Gallegos also stated that the communication with her son's therapists has been lacking. Ms. Gallegos said the Transitions Conference was messy and it made it hard to advocate for her son.</p> <p>Ms. Gallegos mentioned that her daughter's Transition Conference was on time, and that she was well-prepared. Ms. Gallegos said that she sought out services from the state school without needing extra support. Ms. Gallegos stated that her son's Transition Conference was rushed, giving her only five days to prepare. Ms. Gallegos mentioned that only one therapist and one public school representative attended, making the meeting brief and limiting our chances for advocacy or questions. Ms. Gallegos said that testing services for her son will happen after his birthday. Ms. Gallegos mentioned that her son will probably have to wait to get tested, because the school doesn't have the providers he needs.</p> <p>Ms. Mortensen reported that the Transition Conference for her children went well and occurred on time, with early intervention providers present. Ms. Mortensen was worried about her son meeting eligibility, but he qualified for minimal services due to a developmental delay. An ECEP evaluation from the school helped with his qualification. Concerns arose about appropriate evaluations for her daughter, who has a cortical visual impairment, eating difficulties, hearing loss, and autism. Ms. Mortensen's daughter's Transition Conference extended over sixteen hours. Ms. Mortensen's daughter's school chose developmental delay as her primary diagnosis instead of autism or hearing loss. Ms. Mortensen agreed on vision impairment as the primary diagnosis and developmental delay as secondary. Ms. Mortensen's daughter needed an EA and a feeding plan alongside several letters from her doctor for support. Ms. Mortensen mentioned that the NMSBVI assisted the school since they lacked a vision specialist. Ms. Mortensen said that the state schools were involved in the meetings, which were contentious and challenging.</p> <p>Ms. Gallegos mentioned they are waiting for eligibility testing results for their son. Ms. Gallegos mentioned that some testing is done, and the school will use some of it, but she doesn't know what he will qualify for. Ms. Gallegos' son is getting private services. Ms. Gallegos said she wished they had researched more before</p>

	<p>the conference since they had only five days to prepare.</p> <p>Ms. Gallegos mentioned again that her daughter transitioned to a state school smoothly and started almost immediately. Ms. Gallegos stated that changing her daughter from IFSP to IEP was easy. Ms. Gallegos' daughter has multiple diagnoses, and she needed to find out which one affects her the most. Ms. Gallegos invited some of her providers to the conference and had letters from doctors to help outline her needs and the best services for her daughter.</p> <p>Ms. Rhatigan thanked both parents and commended their advocacy. Ms. Rhatigan said the advocacy role is always evolving for us as parents, and that each step leads to the next.</p>
Questions/Comments	<p>Ms. Kulidge mentioned the C to B transition being more complex, because two agencies are involved. Ms. Kulidge asked how the transition process can be more fluid.</p> <p>Ms. Gallegos mentioned that the school districts needed to be alerted in advance so they know who will be transitioning and what their preliminary eligibility might be.</p> <p>Ms. Mortensen said her son's transition conference went well. Her daughter had her conference early, but when school resumed in August, her evaluations were incomplete, causing her to start school in November. Ms. Mortensen said that they still needed to train staff on her daughter's feeding plan. Ms. Mortensen said the early intervention providers helped her advocate for necessary services, which was overwhelming. Ms. Mortensen's daughter's IEP meetings were challenging, and she wished school districts would collaborate with early intervention. Ms. Mortensen mentioned that as a parent, she grew tired of fighting and focused on her daughter's eating and vision, so she was unable to address her daughter's autism and hearing.</p>
Parent Panel Reflection	<p>Ms. Michaud mentioned that the panel did things in a timely way. Ms. Michaud said that the TA team met yesterday February 20th, 2025 to talk about how they can improve transition.</p> <p>Ms. Nesbitt stated that parents are in an unfortunate position, when parents have to choose which of their child's issues they want addressed. Ms. Nesbitt asked how we can keep children in school when their needs are not being met?</p> <p>Ms. Mortensen talked about the issues that kept her daughter safe at school. Ms. Mortensen reported that her son was getting beaten up on the playground. Ms. Mortensen said that an IEP meeting can be challenging to focus on strengths, especially when positive aspects are rarely discussed. Ms. Mortensen said that in a 45-minute IEP meeting, there is only time to review accommodations and the health plan.</p> <p>Ms. Kulidge stated that there is a high turnover of special education directors and teachers in New Mexico. Ms. Kulidge asked how the New Mexico Council of Administrators of Special Education (CASE) can better support new directors and principals to help them work together as a team, so parents have less difficulty. Ms. Kulidge said the goal is to promote collaboration instead of conflict.</p> <p>Ms. Rhatigan mentioned that they have had experiences with her daughter similar to what Carli discussed. Ms. Rhatigan's daughter is almost ten and that she has a team outside of school helping her advocate for her daughter. Ms. Rhatigan stated</p>

	<p>that it is helpful when the school considers parent input regarding their child's needs. Ms. Rhatigan said that different expectations exist for the time and resources needed for children with multiple disabilities to succeed. Ms. Rhatigan stated that her daughter has been in five schools in five years. Ms. Rhatigan said that they need coordinated communication.</p> <p>Ms. Mortenson mentioned that the special education director attends all of their meetings. Ms. Mortensen stated that their meetings are not always contentious. Ms. Mortensen said that she will not accept an inappropriate goal for her daughter. Ms. Mortensen mentioned that she was very appreciative that the special education director attended their meetings because they have her back. Ms. Mortensen said that it would be helpful if districts could identify the children with complicated issues so a compliance person could review their IEPs and help determine if needed services are being provided and if the goals are appropriate.</p>
Announcements	No announcements
Motion to adjourn meeting	Chair Garcia and Chair Donelli thanked the ICC & the IDEA Panel. Chair Garcia asked for a motion to adjourn the meeting. Luanne Stordahl made a motion to adjourn the meeting. Delphine Trujillo second the motion. There were no objections or abstentions. The motion passed. The meeting was adjourned at 1:12pm.
Recess for the Day	1:12pm