

NM IDEA B Panel
State Advisory Panel Meeting
November 7th, 2024
9:00 a.m.

Meeting Minutes

Roll Call	Secretary Lewis conducted roll call, Members present: Amanda Owens, Amy Trevino, Carli Mortensen, Christa Kulidge, Damon Terry, Alyssa Villanueva, Jennifer Donelli, Jessica Powell, Henry Sandles, Laurel Nesbitt, Lisa Keck, Melissa Wassana, Larry Melendez, Hart Lewis.
Called Meeting to Order	Chair Donelli called the meeting to order at 9:00 a.m.
Office of Special Education Guests	Miguel Lozano, Chief Counsel of the Office of Special Education Natalie Campbell, Office of Special Education All staff of the Office of Special Education were present
Agenda	Chair Donelli requested a motion to approve the amended agenda. Christa Kulidge motioned to approve the amended agenda, and Carli Mortensen provided a second. A roll call vote ensued: Christa Kulidge, Damon Terry, Jennifer Donelli, Jessica Powell, Henry Sandles, Laurel Nesbitt, Lisa Keck, Melissa Wassana, and Larry Melendez. With all members voting in favor, the motion passed.
Minutes	Approval of minutes <ul style="list-style-type: none"> • April 25th and 26th 2024 minutes • September 5th and 6th, 2024 minutes Chair Donelli requested a motion to approve the April minutes and table the September minutes until the next meeting, until changes can be made. Laurel Nesbitt made the motion, and Damon Terry provided a second. A roll call vote ensued: Amanda Owens-yes, Amy Trevino-yes, Carli Mortensen-yes, Christa Kulidge-yes, Damon Terry-yes, Jennifer Donelli-yes, Jessica Powell-yes, Laurel Nesbitt-yes, Melissa Wasana-yes, Larry Melendez-yes.
Public Comment	No public comments at this time
Chair Report	Jennifer Donelli, Chair
	<p>Chair Donelli thanked everyone for attending the meeting and expressed her gratitude for the dedication and hard work each panel member demonstrated during the first quarter. She mentioned that the panel members have established three key committees focusing on policies and procedures, family and student advocacy, and transitions. Chair Donelli also appreciated those who took the time to meet outside their regular sessions to address these critical issues.</p> <p>Chair Donelli highlighted the recent amendment to 6.29.1 NMAC, which affects the transition and policy and procedure committees. This proposed amendment aligns with legislation from the 2024 session—specifically, HB 171 on graduation requirements and SB 137 on school board training. It also revises provisions for modified diplomas in special education, updating graduation and training</p>

	<p>requirements and diploma options for students in special education. This amendment can significantly impact, especially in supporting students with disabilities and achieving meaningful education outcomes.</p> <p>Chair Donelli established meeting ground rules to enhance efficiency and professionalism. The rules outlined below will help everyone concentrate on key issues respectfully and effectively, ensuring productive discussions. Comment and question cards will be utilized to maintain order during the upcoming in-person meeting. In virtual meetings, participants will continue to use the raised hand feature.</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 <p>Chair Donelli then highlighted a grant opportunity established by the Grassroots Nonprofit Organization Elevate The Spectrum in honor of one of our former members, Tamara Wheeler. Elevate offers ten \$250.00 grants to educators, educational assistants, occupational therapists, physical therapists, and speech and language pathologists from pre-K through 12th grade across New Mexico. These grants aim to support students with autism and can be used for inclusive field trips, sensory items, and specialized software or devices. More information about the grant can be found on their website, and a link was provided to the panel members.</p> <p>In conclusion, Chair Donelli stated that the executive committee will convene to discuss a process for recognizing outstanding educators as outlined in the updated bylaws approved in the April meeting. The committee is also in the early stages of planning a joint meeting with the Interagency Coordinating Council, the ICC. Chair Donelli invited the panel to share suggestions or topics they would like to add to the upcoming agendas. She expressed her gratitude for the panel's ongoing commitment and hard work and looks forward to a productive meeting and the meaningful work they will accomplish together in the coming months. Finally, Chair Donelli invited any questions from the members.</p>
Director Report	Dr. Margaret S. Cage, Ed. D. Deputy Secretary, Office of Special Education
	<p>Dr. Cage expressed heartfelt gratitude to the panel, chair, and vice chair for the opportunity to present the director's report. Dr. Cage shared that the Office of Education focuses on revitalizing New Mexico's special education system through a comprehensive approach to systemic change. Their concentrated efforts aim to rebuild trust, enhance accountability, and invest in a robust workforce that promotes an inclusive culture. Additionally, training our OSE staff through cross-training equips them with essential knowledge to better support our partners across the state.</p>

	<p>In her report, Dr. Cage outlined the Office of Special Education's ongoing initiatives, progress, and plans. She emphasized that the key initiatives are to rebuild trust through family engagement, prioritize transparent communication, and foster a culture of inclusivity and respect for students and families. Additionally, the Office of Special Education is strengthening the accountability system through improved monitoring efforts, concentrating on the effectiveness and evaluation of our special education programs.</p> <p>The Office of Special Education aims to identify areas for improvement by monitoring the implementation of evidence-based practices to address our deficit areas. In addition, the office is working on structural alignment with the mission for Cradle-to-Career initiatives among all internal and external agencies through clear and consistent policies and procedures. Another goal is to establish a multi-tiered system of support wrap-around services that can be applied uniformly across all our districts and our internal and external partners.</p> <p>OSE is actively investing in the workforce and professional development statewide. Each month, OSE implements critical initiatives to equip educators and service providers with the necessary skills to deliver high-quality services. OSE offers professional development tours and office tours and maintains a newsletter to keep everyone informed and updated.</p> <p>Dr. Cage highlighted the significance of access and opportunity in creating an inclusive culture by emphasizing our commitment to students with disabilities, ensuring they have equal opportunities and experiences as their peers.</p> <p>The Office of Education is waiting for the approval of the Individualized Education Program (IEP) project and actively monitors school accountability and compliance from October to May. Additionally, it examines salary differentials and is trying to collect preliminary data.</p> <p>One of the regional education cooperatives organized a mentorship academy for special education teachers, and attendance has increased by over 30% this year. Following the academy's success, a law conference was held in September, and due to its popularity, another one is planned for the Spring. OSE also conducts ongoing working groups with key partners to gather important feedback and inform us about current projects and initiatives.</p> <p>The Office of Special Education is preparing for Parent University, which will feature national speakers and local experts who will provide valuable information for parents and educators. Lodging will be available for participants traveling over 75 miles.</p> <p>The classroom's educational priorities for students with autism spectrum disorder (ASD) are currently navigating the Individualized Education Program (IEP) process, divided into elementary and secondary sections. The Office of Special Education (OSE) has gathered feedback through a survey that will be distributed to parents during the Parent University sign-up. This will help OSE understand the topics that parents are most interested in.</p>
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	<p>Additionally, OSE has organized resource fairs across the state to collect information from parents and educators regarding the topics on which they seek more information and ongoing support.</p> <p>The first professional development tour was a success. It lasted six consecutive weeks, and I visited various schools throughout the state. The first day focused on a family resource center, which provided parents with essential information. The second day offered a complete professional development session, during which parents learned about the resources available to local education agencies (LEAs).</p> <p>OSE continues to hold office hours on Tuesdays, which are open to anyone. Training is being streamlined. The newsletter, which is sent out monthly, now has over 500 subscribers.</p> <p>Dr. Cage shared important indicators for improvement in federal reporting. The Office of Special Education (OSE) reports to the U.S. Secretary of Education based on compliance indicators and other data each year. OSE is currently awaiting verification of last year's data, which was submitted to the IDEA Part B SPP APR application. The latest report on Indicator 5, which we shared with you, highlights our cradle-to-career efforts. The percentage of students with disabilities in general education classrooms increased from 49% to 53%, while those in more restrictive settings decreased from 18% to 15%. This shows our commitment to serving more students in general education. OSE will continue to provide essential professional development across the state.</p> <p>In indicator 7, the percentage of preschool students with disabilities mastering appropriate skills on their tests, including early literacy, increased from 37% to 44.3%. This means we are reaching our students earlier and giving them much-needed support to succeed in their early literacy screenings.</p> <p>Indicator 14 shows the percentage of students with disabilities transitioning to higher education. Dr. Cage expressed gratitude to Madam Chair for aligning committee selections with our report's findings, which will positively impact our state's cradle-to-career initiatives.</p> <p>The Office of Special Education (OSE) is examining the employment situation for students with disabilities one year after high school. The transition rate has improved from 69% to 77.5%.</p> <p>OSE has funded pilot programs in Deming and Farmington, each focused on a four-year cohort. In Deming, graduation rates for students with disabilities rose from 42% to 74%, while in Farmington, they increased from 32% to 63%. We aim to replicate this success statewide.</p> <p>The project provided targeted interventions, such as addressing attendance issues, supporting failing students, promoting positive behavior, and facilitating job opportunities. Dr. Cage noted the need for additional funds for expansion, and 17 school districts expressed interest in the statewide stay-in-school project.</p>
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	<p>The OSE state plan, which will create a unified framework for special education services, is awaiting approval. Additionally, OSE is forming a Native American working group to address the needs of Native American students with disabilities. We are committed to continuous improvement, cultural competence, and equitable access to educational opportunities for all students with disabilities.</p> <p>OSE is also launching a policy writing workshop to enhance districts' ability to create and implement policies that adhere to best practices in special education. These workshops will emphasize the development of clear, effective, and consistent policies that support students with disabilities. Policies at the SEA, the State Education Agency level, mean we place those procedures on our LEAs. A unique opportunity was presented to the Las Cruces Public Schools superintendent, who agreed to pilot this particular policy writing workshop so the school district could become exemplary. Other superintendents have contacted Dr. Cage and expressed an interest in participating in the pilot program.</p> <p>In conclusion, Dr. Cage expressed gratitude to the panel for their support and efforts in raising awareness about key issues affecting students with disabilities in New Mexico. She stated that the Office of Special Education (OSE) is committed to improving educational outcomes through targeted interventions and fostering inclusivity.</p> <p>Although legislation for special education has not yet been finalized for the January 2025 session, Dr. Cage encourages ongoing support for initiatives aimed at achieving long-term improvements. The Office of Special Education (OSE) will collaborate closely with local education agencies, families, and stakeholders to develop a more equitable special education system. Dr. Cage thanked the panel for their dedication and looks forward to OSE's future work.</p> <p>Chair Donelli opened the floor for questions directed to Dr. Cage. Panel members raised questions regarding the Special Education State Plan and the date of the Law Conference.</p>
NM Finder CDD Presentation	Pat Osbourn, Associate Director
	<p>Before the presentation, Ms. Osbourn gave an overview of NM Finder. She highlighted that the Center for Developmental Disabilities at UNM is one of 67 federally designated centers of excellence in this field. NM Finder originated at the Indiana Center through a nonprofit partnership and is currently being implemented in Tennessee and New Mexico. Other states are also showing interest in this program.</p> <p>Melissa Bishop filled in for Program Specialist Debbie Montana, who could not attend the meeting. Finder was launched in July 2023 as a collaborative effort between the autism team and the information network at CDD. Both departments manage resource lines and share responsibilities for outreach and presentations. The primary goal of Finder is to meet the needs of the disability community by providing a tool that offers up-to-date, reliable, and disability-specific information.</p> <p>Laurie Ann King presented on autism, highlighting training opportunities and resources for parents. She introduced an autism portal with English and Spanish</p>

	podcasts tailored for families and education professionals. The portal also offers resources for Indigenous communities, Spanish materials, and an updated training calendar for autism programs.
Break	11:05 a.m. to 11:10 a.m.
Panel Member Reports	Unmet Needs of Students with Disabilities
1st Question on Service Gap Analysis	<p>Chair Donelli requested that the panel review three strategic guiding questions related to NM Executive Order 062</p> <p>Based on your review of current special education services across New Mexico districts, what are the most critical unmet needs regarding specialized instruction and related services, particularly in rural and underserved communities? Additionally, how do these gaps impact student outcomes under IDEA requirements?</p>
	<p>Member Kulidge commented that finding qualified school staff is a significant challenge due to licensure issues. New Mexico is among the lowest-paying states, and the Public Education Department (PED) should reassess licensure requirements. The multiple layers of regulations, including the national and state boards, discourage potential employees from coming to New Mexico, contributing to staffing shortages.</p> <p>Member Keck raised concerns about recruitment and retention incentives for teachers and staff and sought clarity on these issues. She found that many speech-language pathologists (SLPs) and occupational therapists (OTs) doubt that promised bonuses will be awarded. Dr. Cage mentioned plans for bulletin boards and a public service campaign promoting recruitment funds after Phase 1, similar to initiatives in Texas. Although funding has improved teacher salaries, Keck worries that money from the Yazzie and Martinez case mainly benefits children with access to quality services. For example, schools in Albuquerque serving primarily white, middle-class students have received extensive literacy training, while Native American-serving schools lack similar opportunities. Without active tracking, funding may continue to support families with traditional access to resources. It's crucial to ensure that families typically excluded from these discussions benefit from the Yazzie and Martinez case.</p> <p>Member Mortensen highlighted that due process in state complaints often involves children being denied a free appropriate public education (FAPE) due to a lack of necessary accommodations and services. This issue largely stems from an insufficient workforce; there aren't enough providers available. She hears concerns from teachers, parents, and friends about the challenges of delivering these essential services without adequate staff. While the state has introduced some initiatives, she believes they fall short of the moral responsibility to do more. Specifically, targeted funding is needed to cover certification costs and fill hard-to-fill positions.</p> <p>There is a pressing need for additional support, as this responsibility extends beyond what is currently provided. She suggested exploring various opportunities, such as expanded loan forgiveness for service providers.</p> <p>Additionally, she supports reducing licensure requirements for ASL interpreters and other related roles. We must take a comprehensive look at our workforce, as reports consistently indicate that due process issues and state complaints directly impact our students' ability to access FAPE.</p>

	<p>Member Nesbitt presented slides on how emergency treatment centers affect our students. She pointed out a significant issue: children in private residential treatment centers (RTCs) often lack access to special education services. These services are only provided when the student's IEP team identifies the RTC as the proper placement.</p> <p>The primary problem is the confusion between RTCs and private schools and the misunderstanding that sending a child to an RTC is not a parental placement under IDEA and state law. Such decisions are typically made in emergencies, prioritizing treatment needs over educational needs.</p> <p>The LEA, where the private school is located, has a "child find" responsibility, and parents can seek reimbursement for private school tuition. The Individuals with Disabilities Education Act (IDEA) does not explicitly address residential treatment centers (RTC), leaving this to the states. IDEA allows LEAs to provide additional services to parentally placed private school children beyond those required by federal regulations.</p> <p>In New Mexico, the law states that a school district must provide services when a student is placed in a private non-sectarian educational training center or residential treatment center by the district or through a due process decision. If such a placement is made for reasons related to Free, Appropriate Public Education (FAPE) or the Least Restrictive Environment (LRE), the district is responsible, which is rare.</p> <p>Public agencies must ensure that children with disabilities are placed in private facilities that provide special education services. If a parent enrolls a child in a private center without a due process decision, the school district must allocate funding accordingly.</p> <p>Students with disabilities often face educational challenges in residential treatment centers (RTCs), where the focus is primarily on treatment. Despite legal obligations, many students in RTCs do not receive the necessary educational support.</p> <p>The Individuals with Disabilities Education Act (IDEA) does not mandate Residential Treatment Centers (RTCs) to provide educational services, complicating parents' reimbursement for private school costs. This highlights the urgent need for educational support in these centers.</p> <p>Texas has established a transparent model by outlining school district responsibilities for special education in RTCs. Its regulations ensure that all children in residential facilities receive the necessary support. If a local educational agency (LEA) refers a child to an RTC for educational purposes, the district must provide a Free, Appropriate Public Education (FAPE).</p>
2nd Question Resource Allocation & Equity Question	<p>How effectively do current funding mechanisms and resource distributions address the diverse needs of students with disabilities across different socioeconomic and geographic regions of New Mexico, and what systemic changes would ensure more equitable access to comprehensive special education services?</p>
	<p>Member Kulidge commented that often, students who are both identified as English learners and students with disabilities are overlooked. This issue affects different geographic regions uniquely, but it is significant for all. She would like to see systemic changes addressing the needs of those subpopulations. She has worked closely with the bilingual departments in Las Cruces and Farmington to address that group of kids.</p>

	<p>Member Keck highlighted the ongoing over-representation of culturally and linguistically diverse students in public schools. She suggested collaborating with higher education to develop an ESL endorsement focused on the needs of English Learners (EL) with special education requirements. It proposed financial incentives for teachers to gain specialized licenses. She also questioned the identification process for EL students.</p> <p>Member Nesbitt sought clarification from Members Kulidge and Member Keck on the challenges EL students face in accessing special education services. Member Keck noted that students struggle to demonstrate proficiency once identified as EL, complicating their educational experience.</p> <p>Critics argue that a student can be both an EL and have a learning disability, challenging the evaluation process. Member Kulidge added that distinguishing between language acquisition and language disability is challenging. The assessment tool for English proficiency measures five areas—listening, speaking, reading, and writing—requiring proficiency in all to be considered proficient. She emphasized that the EL identification process must be clarified before addressing disabilities, especially for nonverbal students. Both programs are federally funded, raising the question of how to meet the needs of students who qualify for both.</p>
3rd Question Implementation & Accountability	<p>What barriers have panel members identified in implementing IEPs and providing support services? What accountability measures could be established to ensure districts meet their obligations under state and federal IDEA requirements while addressing these unmet needs?</p>
	<p>Chair Donelli emphasized the need for a parent-centered approach in IEP meetings, highlighting that simply providing a 20-page rights document at the beginning or end is ineffective. She suggests sending this information with the meeting notification to give parents time to prepare, helping them understand their rights and engage effectively. Additionally, providing resources such as parent centers and Disability Rights in New Mexico can aid parents in feeling prepared and confident during discussions.</p> <p>Member Keck noted that certain aspects of IEPs (Individualized Education Programs) cannot be implemented without sufficient staff. Chair Donelli highlighted the importance of parents as key IEP team members and expressed hope that the new IEP revisions would help families feel more included. However, she did not see specific changes aimed at enhancing family participation.</p> <p>Member Nesbitt identifies the challenge of obtaining regular, meaningful progress reports on students' goals as a key issue. She stresses the importance of clear communication for parents and suggests standardized models for reporting to enhance understanding. She also emphasizes the need for comprehensive training on behavior intervention plans for all educational staff, led by experts. Proper training will ensure everyone understands the Individualized Education Plan (IEP) and can adapt it to support students' behavioral success, especially when disciplinary issues arise. Implementing behavior intervention plans requires excellent training on the behavior intervention plan for everyone involved in the child's education. The training must be extensive and conducted by someone with behavioral expertise.</p> <p>Member Kulidge states she has spoken with the Office of Special Education and appreciates their efforts in developing training. She believes a standard IEP template will help the Public Education Department (PED) identify significant gaps. In Las Cruces, she advocates for improved progress reporting, emphasizing that measurable goals often must be documented.</p>

	<p>Secretary Lewis emphasized the need for everyone to feel that their concerns are heard and recognized by others. He supports a universal IEP, as parents from diverse backgrounds often encounter inconsistencies that can be confusing. Parents must understand the IEP process, their roles in meetings, and their safeguards. He also believes that student teachers should invest time in getting to know families and fostering relationships to ensure parents fully understand their rights before IEP meetings.</p> <p>Member Owens agreed with previous comments about the need to understand the connection between students' current performance levels and the measurable goals we set. She finds it frustrating when reading goals do not reflect actual progress and when goals are established for a child to read at the next grade level without adjusting their services or methodologies. She is also concerned that students in the same grade who need specialized reading instruction receive the same amount of services despite differing reading levels. Furthermore, setting goals that expect a child to make a full year of progress in one year is unrealistic. Owens believes teachers should receive training in behavior management and accurate data collection for student behavior.</p> <p>Member Powell addressed Members Kulidge and Owens, stressing the importance of ensuring their voices are heard. As a representative from CES Leap, part of Alternative Life, she highlighted their training for teachers in methodologies and special education, particularly in writing Individualized Education Program (IEP) goals without using AI. Their staff includes a behavioral specialist who supports Functional Behavioral Assessments (FBAs) and Behavior Intervention Plans (BIPs). One-third of their students are in the program, and many seek dual licensure in special education. They are dedicated to providing teachers with the necessary resources and support.</p> <p>Member Keck supported Member Owen's comment about student groupings in reading special education, emphasizing the importance of training for the administration to understand better and help children with disabilities.</p>
Lunch	Reconvened at 1:20
Committee Meetings	<p>Chair Donelli reminded everyone of the Committee Objectives, noting that there will be a designated chair, timekeeper, and note-taker for the meeting. Participants will break into groups and are expected to schedule at least one meeting before the next panel meeting in February 2025. Members will send the proposed dates and times to Ms. Ellis, who will create a calendar invite.</p> <p>Chair Donelli stated that today's goal is to continue developing and expanding on an action plan. After the committee working sessions, each group will share its progress with the rest of the committee. Breakout rooms were utilized for panel members, as the meeting was conducted virtually.</p>
Committee Report out by Committee Chair	Family Community Committee Report
	<p>Member Keck shared a critical issue regarding students living outside conventional family settings. Many grandparents are raising children, as are kids in foster care or involved in the juvenile justice system. The committee felt that our systems and approaches need to be flexible enough to honor these students' unique living situations.</p> <p>While in Española, the head of special education mentioned that many</p>

	<p>grandparents do not have access to technology. We keep hearing about numerous opportunities, such as the resource presented by CDD, which is excellent but only accessible if you have a computer or a cell phone. This exclusion affects many families who do not rely on technology or do not have access to it.</p> <p>Another critical issue is the perception of education, which stems from the diversity of family structures. Technology is not always available in rural areas, so relying solely on online education can be unhelpful for many. Resources are not consistently shared across communities, raising the question of who truly benefits from the various initiatives that NMPED is pursuing.</p> <p>The committee also reframed a critical issue surrounding student engagement: How often do students feel like they are part of their Individualized Education Program (IEP)? Many families report that the paperwork and documentation do not make sense to the adults in the room and likely do not make sense to the children they are meant to serve.</p> <p>It was mentioned that a teacher in Estancia had done commendable work in including children in their IEPs, and this teacher could be utilized for professional development to encourage others to do the same. Member Keck also shared her own efforts at the Native American Community Academy, where she is working with a social worker to create a process for students as they prepare for their IEP meetings.</p> <p>We recognize that IEP meetings can be a source of trauma for students, reopening wounds each year. Therefore, we strive to be sensitive and mindful about conducting our meetings and include the students.</p> <p>She also mentioned that the lack of a central hub for resources available throughout the state remains a critical issue. This is particularly challenging for families needing food, housing, or clothing, as connecting them with all the available options becomes difficult. This situation has prompted discussions about how schools can help inform families about these resources. Having a designated point person at each school would facilitate this. Social workers sometimes fulfill this role, but we need to consider more creative solutions from the state to improve this situation. Additionally, the SMART goals we are encouraging from the Public Education Department (PED) have not changed. Questions were then taken from the panel.</p> <p>Chair Donelli clarified the previous meetings and addressed the issue of a central hub. She noted that it might be beneficial to invite someone from FINDER to participate, as it is already an established entity. She suggested that there could be a way to enhance its functionality, allowing for input from this committee.</p>
	<p>Policy Committee Report</p>
	<p>Member Nesbitt reported that the committee had met twice before, focusing on forward-looking policy suggestions. They decided to concentrate on the first critical issue regarding public comments on rules, regulations, or legislation proposed by the state concerning the education of children with disabilities, particularly emphasizing the unmet needs of these children.</p> <p>Until recently, the committee had not addressed this new proposed rule during their two interim meetings, which had been productive. The committee primarily discussed potential second or third critical issues related to additional forward-looking policy suggestions. However, with the recent awareness of the proposed rule, they recognized it was essential for the panel to provide public</p>

comments.

One topic discussed in the group was the logistics of approaching this task. This situation is a good test case for establishing how the committee and the panel will work together. The proposal is to hold a meeting shortly, possibly as soon as next week, to allow everyone to review the proposed rule. Members who would like to contribute to the discussion or submit written input will be invited so that the committee can incorporate the panel's suggestions into the comments they draft.

Once a draft of the public comments is prepared, it will be submitted to the executive team for approval by the December 5th deadline. Member Nesbitt inquired whether this was the appropriate process, suggesting that someone from the committee could take the lead in drafting the comments and facilitating executive approval before the submission deadline.

Ms. Nesbitt noted that Chief Lozano endorsed this approach, but he and Ms. Ellis were also discussing what would happen if a quorum of the panel were to accidentally convene, which would change the meeting's status to an official panel meeting. Chair Donelli suggested that all panel members submit their comments to the committee chair, who would draft the collective input and forward it to the panel's executive committee for further action.

It was clarified that written input should be sent to Ms. Nesbitt after everyone has reviewed the proposed revisions. Ms. Nesbitt asked to set a deadline of one week from today for submission. Ms. Ellis will send a calendar invite to panel members to facilitate this process.

As for critical issue number one, Member Nesbitt stated it is the only item on the agenda. Ms. Nesbitt then reviewed the recommendations related to critical issue number two, which focuses on advising the State Education Agency (SEA) in developing and implementing legislation, rules, the Office of Special Education (OSE), and Public Education Department (PED) strategic plans and guidance documents, with particular emphasis on the unmet needs of children with disabilities.

During their September meeting, the committee identified issues to address and began reviewing the recommendations from the Restraint and Seclusion Working Group report. Sections one through five restate the 32 recommendations from that report.

Items 1.1 to 1.32 repeat the recommendations shared with the Legislative Education Study Committee (LESC). Ms. Nesbitt said she could resend the report and the accompanying policy paper for reference if necessary.

She also participated in that working group and could share the documents with the entire panel, though she was unsure who had access to them.

The committee recommends that the PED, Office of Special Education, enhance the written documentation requirements for restraint or seclusion to include the rationale for determining imminent danger of serious physical harm and the insufficiency of less restrictive interventions. This documentation should also cover attempted positive behavior interventions and de-escalation strategies.

Additionally, we propose that the PED create a guidance document on these reporting requirements and provide district and school administrators training, emphasizing the laws on restraint, seclusion, and reporting.

Furthermore, the PED suggests amending the restraint statute to require team

	<p>meetings and reviews of behavior interventions after every instance of restraint or seclusion instead of after two instances within 30 days, promoting more frequent evaluations of behavioral interventions outlined in the IEP.</p> <p>She reviewed Number Five of the New Mexico legislature's recommendations about the definitions of physical restraint, physical escort, mechanical restraint, seclusion, and timeout. Instead of making further recommendations, the working group has already discussed enhanced definitions.</p> <p>We need more precise documentation for physical escorts, seclusion, timeout, and elopement. The committee notes that discussions and definitions are currently being developed.</p> <p>Number 6 addresses the OSE bill and recommends resolving any conflicts with IDEA. The language surrounding OSE has been confusing historically. To avoid disputes, any newly drafted bill must be respected and aligned with IDEA.</p> <p>Number 7 suggests including citations from NMAC in proposed OSE legislation to streamline the legislative process.</p> <p>Number 8 states that the PED/OSE includes a requirement in statute or rule that each district have parent advisory councils comparable to gifted advisory councils and also provide state-level technical support for those councils. The councils should be for the primary purpose of special education parents advising the district of special education needs. One committee member has conducted excellent research and compiled valuable resources for the committee to review. This is a general recommendation suggesting that such councils be required for districts. Member Nesbitt stated that this is still in draft form at this point.</p> <p>Recommendation 9 addresses classroom door and window coverings. The PED/OSE proposes a bill to ban these coverings in all classrooms for student safety. However, it needs to be clearer whether the ban applies to all classrooms or just special education classrooms.</p> <p>Ms. Nesbit concluded by reading recommendation number 10 and was available for questions. Member Mortensen clarified recommendation number 9 regarding window coverings.</p>
	<p>Transition Committee Report</p>
	<p>Chair Donelli reported that the transition committee could not provide updates on items one and two as they had not participated in the previous meeting. However, the committee discussed the annual transition conference and asked whether the office could clarify when PED or another entity organized it. Ms. Ellis responded that DVR manages the conference since they are under PED.</p> <p>The next action item was not addressed due to a lack of context. The committee focused on DVR and aimed to provide more information about their services. They considered ways to enhance training and share information through various channels, such as the Office of Special Education newsletter and the parent newsletter, which could include shout-outs for DVR to explain their services from a professional and family perspective. The committee is becoming more aware of the need for a more extensive discussion regarding the types of training that should be provided. The subsequent discussion item examined making student-led conferences and student-centered IEPs available to make the norm.</p> <p>The Committee discussed creating a survey for school personnel to assess their understanding of the IEP's transition data page. Key issues included underestimating service needs and the delays in addressing these topics until</p>

	<p>junior and senior years. The committee considered how to better support students in understanding DVR, possibly outlining expectations by grade level.</p> <p>While the Committee considered drafting recommendations, the members of today's transition committee believed it was inappropriate to do so while temporarily serving as chair. The committee did not set a follow-up meeting, as Chair Donelli preferred to leave that decision to the committee chair.</p>
Date and Location of Next Meeting	Chair Donelli announced that the next IDEA B Panel meeting will be held virtually on February 20-21, 2025. Chief Lozano and Ms. Ellis discussed the reimbursements from OSE.
Adjournment	Chair Donelli adjourned the meeting at 3:14 p.m.