

1 SENATE JOINT MEMORIAL 17

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 DECLARING OCTOBER "DISABILITY HISTORY AND AWARENESS MONTH";
12 RECOMMENDING DISABILITY HISTORY AND AWARENESS INSTRUCTION IN
13 PUBLIC SCHOOLS DURING OCTOBER OF EACH YEAR.

14
15 WHEREAS, according to the United States census, at least
16 forty-nine million Americans live with a disability; and

17 WHEREAS, in the past, it was common for people with
18 disabilities to be segregated and institutionalized; and

19 WHEREAS, in the late nineteenth and early twentieth
20 centuries, a "eugenics" movement led to laws and practices that
21 caused people with disabilities to be institutionalized and
22 sterilized; and

23 WHEREAS, after American soldiers returned home from World
24 War I with disabilities sustained during service, laws were
25 passed to provide them vocational rehabilitation; and

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1 WHEREAS, thereafter, multiple private foundations were
2 established by people with disabilities or their advocates to
3 spread awareness about and obtain services for people with
4 disabilities, including the American foundation for the blind
5 founded by Helen Keller and the national paraplegia foundation
6 founded by the paralyzed veterans of America; and

7 WHEREAS, immediately after World War II, President Harry
8 S. Truman signed into law a "National Employ the Handicapped
9 Week", which led to state and local committees promoting the
10 competence of people with disabilities; and

11 WHEREAS, after World War II, workers exposed the abusive
12 conditions at the mental health institutions in which they
13 served during the war and founded the national mental health
14 foundation; and

15 WHEREAS, the 1950s and 1960s civil rights movement that
16 sought to address inequities in the treatment of African
17 Americans and others accelerated the change in perceptions
18 about another significant population of people treated
19 unequally, namely, people with disabilities; and

20 WHEREAS, in the 1960s, laws and local practices led to
21 more access to public buildings and transportation for people
22 with physical disabilities; and

23 WHEREAS, in 1972, the commonwealth of Virginia ceased its
24 forced sterilization program for people with disabilities; and

25 WHEREAS, in 1972, two United States district courts ruled

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1 that public schools could not exclude disabled children, and in
2 1975, the federal Education of All Handicapped Children Act of
3 1975 was enacted, later renamed the Individuals with
4 Disabilities Education Act, requiring free, appropriate public
5 education in the least restrictive setting; and

6 WHEREAS, in the 1970s, twenty years after Mary Switzer,
7 director of the United States office of vocational
8 rehabilitation, emphasized independent living as a quality-of-
9 life issue, centers for independent living were established to
10 empower people with disabilities by providing necessary support
11 services without institutionalization so that people could
12 remain in their homes and communities; and

13 WHEREAS, a monumental shift in disability public policy
14 resulted from the passage of Section 504 of the federal
15 Rehabilitation Act of 1973, which banned discrimination on the
16 basis of disability by recipients of federal funds and was
17 modeled after laws that banned race, ethnic origin and gender-
18 based discrimination by federal fund recipients; and

19 WHEREAS, in enacting the Rehabilitation Act of 1973,
20 congress adopted the viewpoint that the inferior social and
21 economic conditions of people with disabilities were not a
22 consequence of the disability itself, but rather a result of
23 societal barriers and prejudices; and

24 WHEREAS, after the Rehabilitation Act of 1973, the
25 exclusion and segregation of people with disabilities became

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1 viewed legally as discrimination; and

2 WHEREAS, a 1986 amendment to the Rehabilitation Act of
3 1973 defined supported employment for people with disabilities
4 as a "legitimate rehabilitation outcome"; and

5 WHEREAS, the Fair Housing Amendments Act of 1988
6 prohibited housing discrimination against people with
7 disabilities; and

8 WHEREAS, in 1990, congress passed the Americans with
9 Disabilities Act; and

10 WHEREAS, in New Mexico, the disabilities concerns
11 subcommittee of the legislative health and human services
12 committee was created in 2010 to focus on the concerns and
13 needs of people with disabilities; and

14 WHEREAS, despite gains in awareness about people with
15 disabilities since the time of forced institutionalization and
16 sterilization and widespread discrimination and
17 marginalization, there remain significant impediments to the
18 acceptance and integration of people with disabilities; and

19 WHEREAS, people with disabilities continue to face a
20 significantly lower level of income and a likelihood of living
21 in poverty; and

22 WHEREAS, education is needed to dispel persisting myths,
23 stigmas and stereotypes that persist about people with
24 disabilities;

25 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE

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1 STATE OF NEW MEXICO that the month of October be designated
2 "Disability History and Awareness Month"; and

3 BE IT FURTHER RESOLVED that the board of each school
4 district and the governing body of each charter school in the
5 state be requested to encourage each school to provide
6 disability history and awareness instruction in grades
7 kindergarten through twelve every October; and

8 BE IT FURTHER RESOLVED that, during disability history and
9 awareness month, students be provided instruction to expand
10 their knowledge, understanding and awareness of individuals
11 with disabilities, the history of disability and the disability
12 rights movement; and

13 BE IT FURTHER RESOLVED that disability history instruction
14 include the events and time lines of the development and
15 evolution of services to, and the civil rights of, individuals
16 with disabilities; and

17 BE IT FURTHER RESOLVED that the contributions of specific
18 individuals with disabilities, including acknowledged state and
19 national leaders, be recognized; and

20 BE IT FURTHER RESOLVED that disability awareness
21 instruction be integrated into existing school curricula by
22 supplementing lesson plans, inviting classroom and assembly
23 speakers with experience or expertise on disabilities or by
24 providing other school activities related to disabilities; and

25 BE IT FURTHER RESOLVED that disability awareness

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1 instruction be delivered by qualified school personnel or by
2 knowledgeable guest speakers, including people with
3 disabilities; and

4 BE IT FURTHER RESOLVED that the goals of disability
5 history and awareness instruction include:

6 A. instilling in students a sensitivity toward
7 fellow students with disabilities and encouraging educational
8 cultures that nurture safe and inclusive environments for
9 students with disabilities in which bullying is discouraged and
10 respect and appreciation for students with disabilities is
11 encouraged;

12 B. a discussion of disability as a natural part of
13 the human experience, in which individuals are more alike than
14 different;

15 C. an acknowledgment that, regardless of
16 disability, each citizen is afforded the same rights and
17 responsibilities as every other citizen;

18 D. the creation of a more inclusive school
19 community, where students with disabilities are included in
20 every aspect of society and every student is acknowledged for
21 the student's unique gifts, talents and contributions; and

22 E. a reaffirmation of the local, state and federal
23 commitment to the full inclusion in society of and the equal
24 opportunity for all individuals with disabilities; and

25 BE IT FURTHER RESOLVED that the public education

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1 department be requested to encourage each school board to use
2 an established disability curriculum that incorporates the
3 goals for disability history and awareness instruction; and

4 BE IT FURTHER RESOLVED that each school district and
5 charter school be encouraged to exercise innovation to
6 accomplish the goals of disability history and awareness
7 instruction; and

8 BE IT FURTHER RESOLVED that state higher education
9 institutions be encouraged to conduct and to promote activities
10 on each campus to provide education, understanding and
11 awareness of individuals with disabilities; and

12 BE IT FURTHER RESOLVED that copies of this memorial be
13 transmitted to the secretary of public education, the director
14 of the vocational rehabilitation division of the public
15 education department, the secretary of human services, the
16 superintendent of the New Mexico school for the deaf, the
17 superintendent of the New Mexico school for the blind and
18 visually impaired, the superintendent of the New Mexico
19 military institute and the executive director of the New Mexico
20 commission for the blind.