

HOUSE MEMORIAL 48

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

D. Wonda Johnson

This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

A MEMORIAL

REQUESTING THE INDIAN EDUCATION DIVISION OF THE PUBLIC EDUCATION DEPARTMENT, IN CONSULTATION AND COLLABORATION WITH NEW MEXICO'S INDIAN NATIONS, TRIBES AND PUEBLOS, TO CONVENE A WORKING GROUP TO DEVELOP A COMPREHENSIVE STUDY OF THE NEEDS OF NATIVE AMERICAN CHILDREN WITH SPECIAL NEEDS AND DISABILITIES, THE IMPACTS OF ADVERSE CHILDHOOD EXPERIENCES ON NATIVE AMERICAN CHILDREN AND YOUTH AND THE BARRIERS TO IDENTIFICATION AND ACCESS TO SERVICES AND SUPPORTS FOR NATIVE AMERICAN CHILDREN WITH AUTISM SPECTRUM DISORDER.

.217303.1AIC February 13, 2020 (9:20am)

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight↔  
delete = →bold, red, highlight, strikethrough↔

underscored material = new  
[bracketed material] = delete  
Amendments: new = → bold, blue, highlight  
delete = → bold, red, highlight, strikethrough

WHEREAS, federal and state laws exist that guarantee all children with disabilities the right to an appropriate public education and other related services, specifically designed to meet their unique needs; and

WHEREAS, national research reveals that Native Americans suffer the greatest number of disabling conditions of all ethnic groups in the United States, and Native American children showed the second highest incidence of students with disabling conditions among minority groups in public schools; and

WHEREAS, Native American students are over-represented in special education programs, with more than sixteen percent of Native American students identified for special needs programs compared to the twelve percent nationwide average, and Native American boys are one and one-half times more likely than their peers to be identified for special education services; and

WHEREAS, past federal policies that provided for the removal of the Native American children from their homes and communities to boarding schools and punishment for speaking their native languages and practicing their traditions and cultures impact today's Native American children and youth through historical trauma and adverse childhood experiences; and

WHEREAS, historical trauma and adverse childhood experiences manifest in high rates of depression, anxiety and

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

attention-deficit/hyperactivity disorder among Native American students that lead to school and disciplinary problems, grade failure, poor academic achievement and the need for medication and counseling; and

WHEREAS, these trends continue through graduation, as only seventy-two percent of Native American students graduate from high school compared to the national average of eighty-five percent; and

WHEREAS, studies show that one in one hundred ten children in the United States will receive a diagnosis on the autism spectrum, including one in seventy-one boys, but the incidence of autism spectrum disorder in Native American children is unknown at the national and state levels; and

WHEREAS, other research suggests that Native American children may face certain barriers that lead to a lack of or delayed access to evaluation, diagnosis and services, meaning that Native American children may not be getting the services they need to reach their full potential; and

WHEREAS, there is little to no information available that examines the challenges and barriers that Native American children with special needs and disabilities in New Mexico face on a daily basis; and

WHEREAS, there is a lack of attention on the effects of trauma and adverse childhood experiences on Native American children and youth and the need for trauma-informed and

.217303.1AIC February 13, 2020 (9:20am)

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

culturally relevant educational practices in schools; and

WHEREAS, there is a remaining need for identification of barriers to implementation of and access to screening for autism spectrum disorder, diagnosis, referral, early intervention services and support among the Native American population in New Mexico;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the Indian education division of the public education department, in consultation and collaboration with New Mexico's Indian nations, tribes and pueblos, be requested to convene a working group of representatives from HEC→the Indian Affairs Department (IAD)(or its designee), the Children, Youth, and Families Department (CYFD) tribal liaison, the state's urban Indian centers, the Early Childhood Education and Care Department (ECECD),←HEC Indian nations, tribes and pueblos, schools with a high percentage of Native American students, Native American advocacy organizations and Native American health care providers to develop a comprehensive needs assessment of Native American students with special needs and disabilities, the impacts of trauma and adverse childhood experiences on Native American children and youth and the barriers to early identification and access to services and supports for Native American children with autism spectrum disorder; and

BE IT FURTHER RESOLVED that the working group be requested

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

to make a report of its findings and recommendations to the legislative education study committee and the appropriate legislative interim committee dealing with Indian affairs issues by November 1, 2020; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the director of the Indian education division of the public education department, New Mexico's twenty-two Indian nations, tribes and pueblos, the chair of the legislative education study committee and the co-chairs of the New Mexico legislative council.

- 5 -