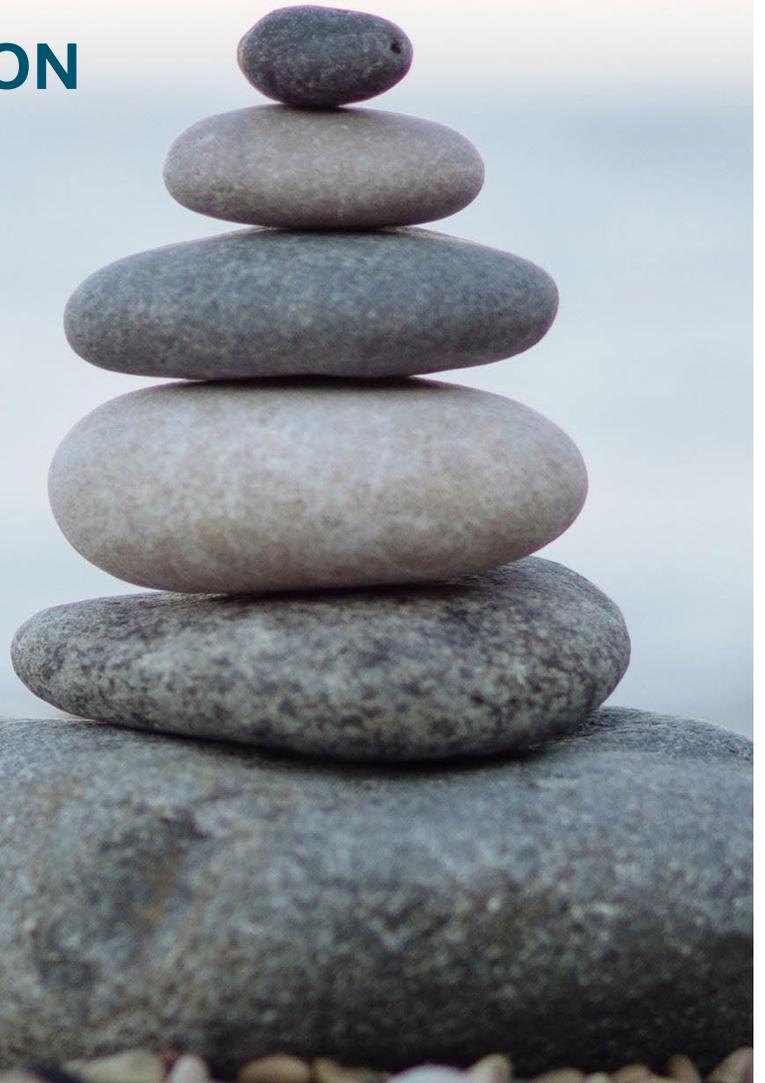


**NEW MEXICO DEVELOPMENTAL
DISABILITIES COUNCIL
OFFICE OF THE
SPECIAL EDUCATION
OMBUD**

**FISCAL YEAR 2025
ANNUAL REPORT**



The Office of the Special Education Ombud (OSEO) provides comprehensive and personalized information, resources, and support to public school students with disabilities and their families who need assistance accessing education services.

Since its launch in December 2021, OSEO staff and volunteers have assisted over 822 students and families across New Mexico. The OSEO provides individualized support by creating Advocacy Action Plans, pre-planning for school-based meetings, assisting students and families during school meetings, supporting next steps, and offering education and training about procedural safeguards, individualized education program (IEP) basics, collaboration, and communication. The OSEO team has attended hundreds of school meetings in 90 districts and 30 counties, and assisted students and families in all 5 regions of the state.

The OSEO develops and strengthens advocacy skills in students and families, while building knowledge of best practices within IEP school teams to ensure students with disabilities attain the highest levels of independence and achievement. The work to promote best practices includes not only teachers, but support staff, administrators, ancillary staff, and outside agencies, all collaborating to implement solutions that remove barriers and increase opportunities for students with disabilities in New Mexico public schools. At the center of the OSEO's work is the student. At the heart of the OSEO's goals is measurable, sustained, intergenerational improvement of student outcomes.

CALL TO ACTION

The Office of the Special Education Ombud works on the ground in the schools—next to students, families, and educators. The OSEO team sees the needs of students with disabilities each and every day. Students have the right to learn and grow in a safe environment. It is our collective responsibility to offer that to all children in New Mexico. Our families must be expected and accepted members of a team of experts to find the path to success for their child. Each child in New Mexico, whether they have a disability, are Native American, second language learners, or students experiencing poverty, deserve high quality teachers, support staff, ancillary staff, district staff, and leadership who are trained and supported to meet the needs of their students. New Mexico as a collective must find ways to build our educational community from pre-K teachers, to speech language therapists, diagnosticians, adapted physical educators, recreational therapists, social workers, teachers, and educational aides.

RECOMMENDATIONS

(1) Communication, Consistency, and Continuity is a continual struggle for districts across the state.

When analyzing the data from the IEP Checklist, OSEO reviews whether each IEP states family goals and visions for their child's life. OSEO also guides families to highlight the needs that impact their child's disability. This statement can include short term, long term, and life goals. Most IEPs have only vision statements, which often lack direct information about how schools can support communication, behavior, peer interactions, and adult interactions for learning.

The "Impact Statement" is a requirement for many IEP templates in New Mexico. While the statement can be found in most IEPs, only 55% of those Impact Statements include current data from the teacher, ancillary staff, assessments, or evaluations.

The IEP reviews show an improvement in the Prior Written Notice, the official written records of the meeting, where parent proposals are increasingly included, along with the proposals offered by the school/district when discussing services, specialized instruction, and best practices. The OSEO IEP checklist reflects 67% of IEPs have proposals from both parents and district.

Glaringly, lack of data continues to be an issue when completing IEPs and PWNs. 76% of IEPs reviewed provided an explanation for each proposal about why they are accepted or rejected. Many of the districts have IEP templates which require these explanations before they can finalize an IEP. When schools are rejecting proposals from the team, they are only using data and assessments 39% of the time. Data usage builds confidence in the decision-making process, to ensure opinion and bias are not the driving forces for best practices. OSEO looks forward to the approved Universal IEP Template rollout, as the template requires proposals by both parents and the district, and will require explanations for school/district decisions.

OSEO urges the Public Education Department to provide comprehensive training on the use of the Universal IEP Template, emphasizing the need for current data to be used in these explanations.

(2) Behavioral Support for Students with Disabilities remains inadequate in schools systems.

The OSEO IEP Checklist reflects nearly 45% of IEPs reviewed do not use objective information to demonstrate Present Levels of Academic Achievement and Functional Performance (PLAAFP). 50% of IEPs use measurable data in the PLAAFP, which include behavior and social emotional learning. Recording measurable data in IEPs for the PLAAFP is a national best practice that has been shown to positively impact student experiences on school campuses.

OSEO urges the Public Education Department to provide comprehensive training on the use of the Universal IEP Template, emphasizing the need for objective information and measurable data to be used in the PLAAFP.

68% of IEPs identify “all needs” even though many lack specificity to ensure the student’s goals will improve their learning over time. When ombuds attend IEP meetings with families, OSEO has seen a notable increase in the use of current observations in the PLAAFP, as well as greater involvement of families to document the student’s strengths and the family’s concerns. OSEO provides direct support to families by attending IEP meetings and collaborating with school teams to ensure that family perspectives are meaningfully included in the PLAAFP. Through this support, OSEO helps families share their child’s strengths, needs, and concerns, ensuring that the PLAAFP accurately reflects a comprehensive understanding of the student and informs the development of individualized goals and services.

(3) Transition Plans

When we analyzed the data for transition plans, OSEO found about half of the plans included appropriate and measurable postsecondary goals for employment and education/training. OSEO noted a significant gap in the appropriate measurable goal for independent living. OSEO data also included whether an assessment was used to determine if a student needed an independent living goal. Over 75% of IEPs did not have an appropriate goal, and 69% did not use assessment data to make that decision.

OSEO found that about 81% of the transition plans included one or more transition assessments, most of them falling into the categories of student interview or interest inventory. While only one assessment

is required, OSEO is concerned about the lack of data being used to inform decisions. New Mexico needs meaningful data-driven transition plans that cover employment, education, and independent living for our students to take informed and confident steps into life after school. OSEO will continue to inform parents and the community of the variety of transition assessments available, and provide materials that support creating the necessary steps for students to achieve their goals.

OSEO urges the Public Education Department to provide comprehensive training on the use of the Universal IEP Template, emphasizing the importance of stating appropriate and measurable goals and including assessment data in transition plans.

In FY 26, OSEO will provide more resources, education, and assistance to engage in supported decision making (SDM), a newly enacted legal process to provide assistance to individuals requiring decision making supports, while still maintaining all decision making authority. SDM can be a powerful process that helps people with disabilities to create a team of support to make important life decisions. For example, a person with a disability can decide their mother will be their medical advisor, their uncle their financial advisor, and others will assist in other major life decisions. When implemented thoughtfully, SDM allows a person living with disabilities to maintain as much independence as possible. OSEO will work to implement SDM in Transition Plans so that transition age students can exercise advocating for themselves, seeking assistance in making major life decisions, and maintaining their independence. Over time, the OSEO will work to implement SDM not only with students aged 14-22, but with students of all ages, down to pre-K.

OSEO urges the Public Education Department to provide comprehensive training on the use of the Universal IEP Template, emphasizing that the IEP teams should support students to exercise and maintain their decision-making rights.

(4) Systemic Change

Since its inception, OSEO has grappled with this question: How do students, families, and advocates effect systemic change when tools like Due Process, State Complaints, Mediation, and Facilitated IEPs are not designed for that purpose? These parental options address individual cases but carry no expectation of driving change at the school, district, regional, or state level. True systemic change in New Mexico must come from every level and every angle, with consistent practices, policies, and training across the entire system.

Recommendations from OSEO for systemic change:

- Every district should offer annual information sessions to parents and school staff, to educate them on student rights under the IDEA and procedural safeguards in the IEP process. Specifically, the information should include what those rights look and sound like in the classroom/school setting.
- Every district should offer training for parents, teachers, and staff on how disabilities impact learning and behavior.
- The annual training on Special Education Law provided by RECs, NM Office of Special Education (NMOSE), and districts should be expanded to include all district staff and families.

- The State should pass legislation to require that all Special Education Directors have prior experience as a special education classroom teacher or administrator.
- All special education staff—including principals, head teachers, ancillary staff, and superintendents—should be trained in “Writing Highly Effective IEPs.”
- The Martinez Yazzie state plan should include explicit measurable goals and outcomes related to special education and students with disabilities.

THE KEY TO SUCCESS

NMOSE and NM Public Education Department (NMPED) must provide required, cyclical, leveled training to educators and school staff annually. The training could utilize a train-the-trainer model, although this model is not recommended, especially for new trainings. **NMOSE must be expanded to include a regional team of trainers that will schedule and implement *on-going* training to all districts.** Each district is already assigned to an Educational Administrator within NMOSE. NMPED should expand that team with experts in special education best practices and Universal Design Learning (UDL) to ensure all districts receive consistent aligned training on special education law, autism spectrum disorder, behavior management, data collection, and how disability impacts student learning and behavior. Required trainings should include:

- IEP training for all superintendents, principals, special education directors, and special education and gifted case managers;
- Behavior management training, including how to use Behavior Intervention Plans; and
- Comprehensive training on the correct use of the universal IEP template.

SEVERE LACK OF FUNDING & RESOURCES FOR OSEO

Providing students and families adequate support as they navigate the complex special education system is critical to ensure their voices are heard. The OSEO has strived to expand its workforce, through staff expansions, contracts, and volunteer recruitment. Despite multiple years attempting to recruit and train volunteers, however, volunteer recruitment has not been successful. The reality is that special education advocacy and consulting work is much too time-consuming and complex for volunteers to tackle. Even if OSEO cannot acquire adequate funding to hire full time staff and contractors, some compensation, such as stipends, is necessary to expand the ombud workforce.

Nevertheless, OSEO has seen a rising tide of requests for ombud services in the last year, including requests from schools and referrals from community and family members. With deep regret, in Fiscal Year 2026, OSEO will inform families that there will be a waitlist for ombud services for the first time since its launch in December 2021, due to lack of funding and resources. Students and families who seek immediate advocacy assistance from ombuds will not be able to access that assistance.

The OSEO is acutely aware that any delay in accessing education services can be devastating to a student developmentally, and strongly urges the State to provide funding and resources to:

- Expand OSEO staff and consultants to provide adequate student and family support statewide;
- Fund a liaison program that offers stipends to people in every district.

JUVENILE JUSTICE & USE OF FORCE

OSEO routinely provides services to students who experience restraints or police actions in school:

- Elementary (Kindergarten to 5th Grade) - 13 cases, 105 restraints (3 students were 40, 20, and 18), and 10 police actions
- Middle School (6th Grade to 8th Grade) - 8 cases, 10 restraints, 13 police actions
- High School (9th Grade to Age 22) - 2 cases, zero restraints, 2 police actions
- Total - 23 cases, 115 restraints, 25 police actions

The cases above resulted in 10 state complaints. In at least one of the state complaints, the state complaint findings declined to address the use of restraint, and made only narrow determinations regarding whether school staff implemented the behavioral supports identified in the IEP, stating that IDEA did not address restraint and seclusion. While the school did not prove that staff used appropriate de-escalation techniques, nor that the student was in danger of harming themselves or others, which would justify use of restraint, appropriate responses had not been listed in the IEP.

In FY 24, OSEO participated in a broad group of education stakeholders to craft a bill to clarify allowable responses to student behavior, including restraint and seclusion, so that schools would have a better understanding of what responses are allowable and what responses are prohibited. **OSEO urges State policymakers to pass this legislation, which more clearly defines restraints and seclusion, and includes other important provisions requiring data collection and adequate notice to families when these incidences occur.**

OSEO has supported 18 families who have had police involvement at school. While this is a fairly insignificant number compared to our total of 277 cases in FY 25, the impact of involvement in the juvenile justice system is very significant.

In their Juvenile Justice Project, the PACER Center states that while many factors play a role in students becoming involved in corrections, school failure is a strong risk factor.¹ There are several school-related factors that make an arrest more likely for inappropriate, nonviolent behaviors that are often typical of a student's disability. The factors include:

- Inadequate training for educators in special education, especially training related to student behavior;
- Zero-tolerance discipline policies in school; and
- Few school-wide positive behavior interventions and supports, which are proven to improve student behavior.

The presence of a disability is never an excuse to break the law. OSEO understands that police involvement will occur for truly violent behaviors, but we believe the key to reducing police involvement in schools is appropriate prevention through Behavior Intervention and Crisis Plans, understanding of the disability, addressing all needs through the IEP, and appropriate Least Restrictive Environment placements, along with a Continuum of Services and behavior supports that help the student learn to decrease their behavior. OSEO cases with police involvement include elementary, middle, and high schools. Police involvement could have been decreased by use of the strategies listed above.

¹ Students with Disabilities & the Juvenile Justice System: What Parents Need to Know, <https://www.fredla.org/wp-content/uploads/2016/01/JJ-8.pdf>.

For example, students with deficits in social communication skills may say inappropriate things or make threats, but are not a danger to themselves or others. Other examples of mishandled incidents involve young students that hit and kick anyone that gets too close to them when they are dysregulated, and students that might have violent behaviors that are predictable and preventable.

The first critical step that each school must take is training IEP teams how to create effective Behavior Intervention Plans (BIP). OSEO conducted a training on this topic for the Albuquerque Public Schools Summer Institute in 2025, and will continue to advocate for more training in IDEA Discipline Provisions. OSEO continues to partner with other agencies to reduce the number of students with disabilities in the juvenile justice system.

ADVOCACY SERVICES

Since its launch on December 1, 2021, the OSEO has assisted 822 students and families in 90 school districts, 30 of 33 counties, one Pueblo, and all five of OSE's educational regions in New Mexico. Of the 822 assisted, 485 (53.31%) were cases in which an ombud attended at least one school meeting to advocate with the student or family. Additionally, OSEO has assisted 337 students and families through telephone calls by providing resources, information, and strategies about the school's special education obligations, communication procedures, next steps, best practices, and educational services.

OSEO handled 32 calls to support and advise professionals in FY25. Calls from professionals seeking guidance and assistance have increased each year as ombuds have built relationships with school and district staff. These professional calls include overarching IEP and special education support services, as well as general questions about how to meet student needs on the school campus.

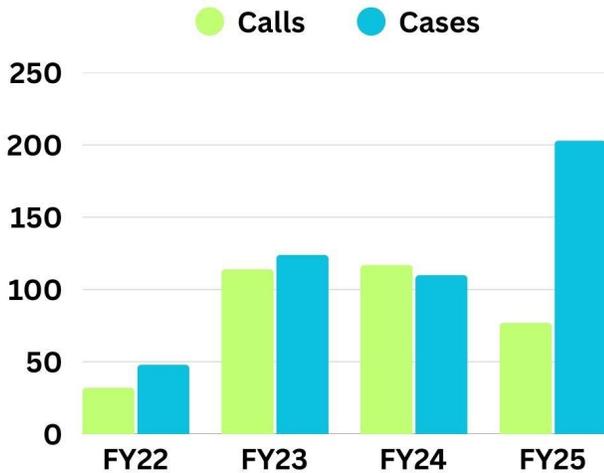
In FY25, five ombuds supported families with face-to-face meetings, records analysis, advocacy plans, school-based meetings, trainings, presentations, community outreach, and other supports and services, for a total of 5,579 students and families.

The OSEO has received new requests for services at a fairly consistent rate each fiscal year:

FY25 Call and Cases	Q1	Q2	Q3	Q4	Total
Call only, no form (information request)	0	0	0	0	0
Call + form, no case (form not completed)	21	8	12	11	52
Professionals calling (information request)	4	6	10	12	32
Cases (form sent and received, ombud assigned)	56	55	51	41	203
TOTAL	81	69	73	64	287

CASES:

- FY2025: 287 students and families served (203 cases, 52 phone calls, 32 professional calls)
- FY2024: 227 students and families served (122 cases, 83 phone calls, 22 professional calls)
- FY2023: 238 students and families served (124 cases, 114 phone calls)
- FY2022: Q3 & Q4: 80 students and families (48 cases, 32 phone calls)
-



In FY25, ombuds resolved 193 cases, compared to 55 cases resolved in FY24, including both newly initiated cases, active cases from prior years, and reactivated cases. Many cases take months or even years to close, depending on their complexity.

During intake, families reported the following concerns with their school districts (based on 203 total cases, wherein families could choose more than one concern):

- 84 cases (41%) indicated that their child's IEP was not being followed, including issues with lack of progress data or goals.
- 86 cases (42%) reported accommodations or services were not provided as outlined.
- 76 cases (37%) involved communication concerns between families and schools.
- 26 cases (13%) addressed issues related to student progression or transition.

It is important to note that OSEO does not count reactivated cases as new cases. When a case is resolved, it is based on the concerns outlined in the Advocacy Action Plan. The ombud and the family communicate throughout the resolution process, and once the plan is successfully implemented, the case is considered closed. However, if any additional issues arise, families can reactivate their case by contacting the office or the ombud originally assigned to their case. OSEO will begin tracking the number of reactivated cases starting in FY26.

FORMAL DISPUTE RESOLUTION

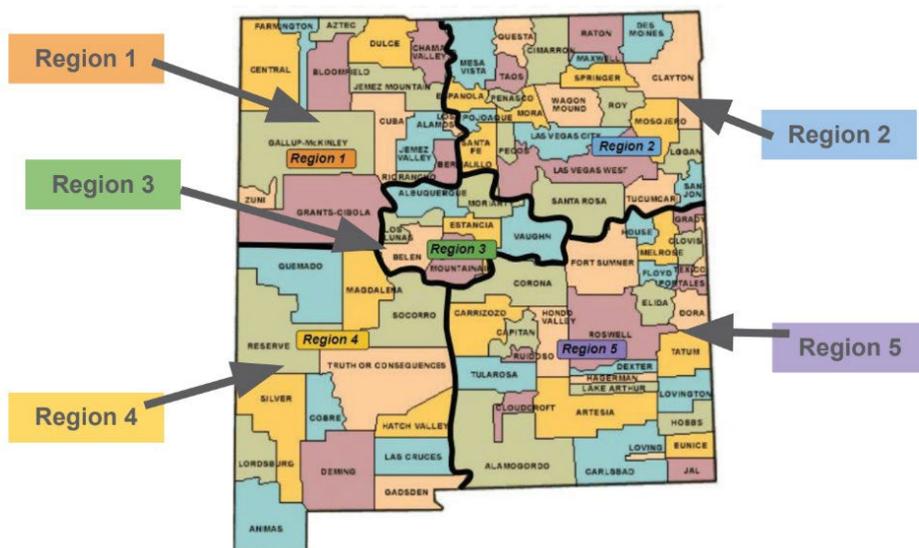
New Mexico provides four distinct dispute resolution mechanisms, each with its own set of procedures: Due Process Hearings, Facilitated Individual Education Program, Mediation, and State Complaint. OSEO offers support to families with Facilitated IEPs, Mediation, and State Complaints. Ombuds do not participate in Due Process Hearings because they are not attorneys.

OSEO supported 19 families with formal dispute resolution proceedings through NMPED in FY25. 5 of the 19 cases were referred to OSEO after the dispute resolution had already been filed. In those instances, OSEO received referrals from NMOSE, state IEP facilitators, and district staff. The breakdown by region of the 19 cases are:

- Region 1 - one (1)
- Region 2 - six (6)
- Region 3 - six (6)
- Region 4 - three (3)
- Region 5 - three (3)

The data posted by NMOSE about all state complaints filed during our FY25 breaks down by region as follows:

- Region 1 - three (3) formal complaint filed
- Region 2 -thirteen (13) formal complaints filed
- Region 3 – ten (10) formal complaints filed
- Region 4 - six (6) formal complaints filed
- Region 5 - five (5) formal complaints filed



When compared by population, Region 2 had far more state complaints than any other region. One district in the region received 6 state complaints and 6 Corrective Action Plans. Compared by population Region 4 had the second most state complaints, followed by Region 3, Region 5, and Region 1.

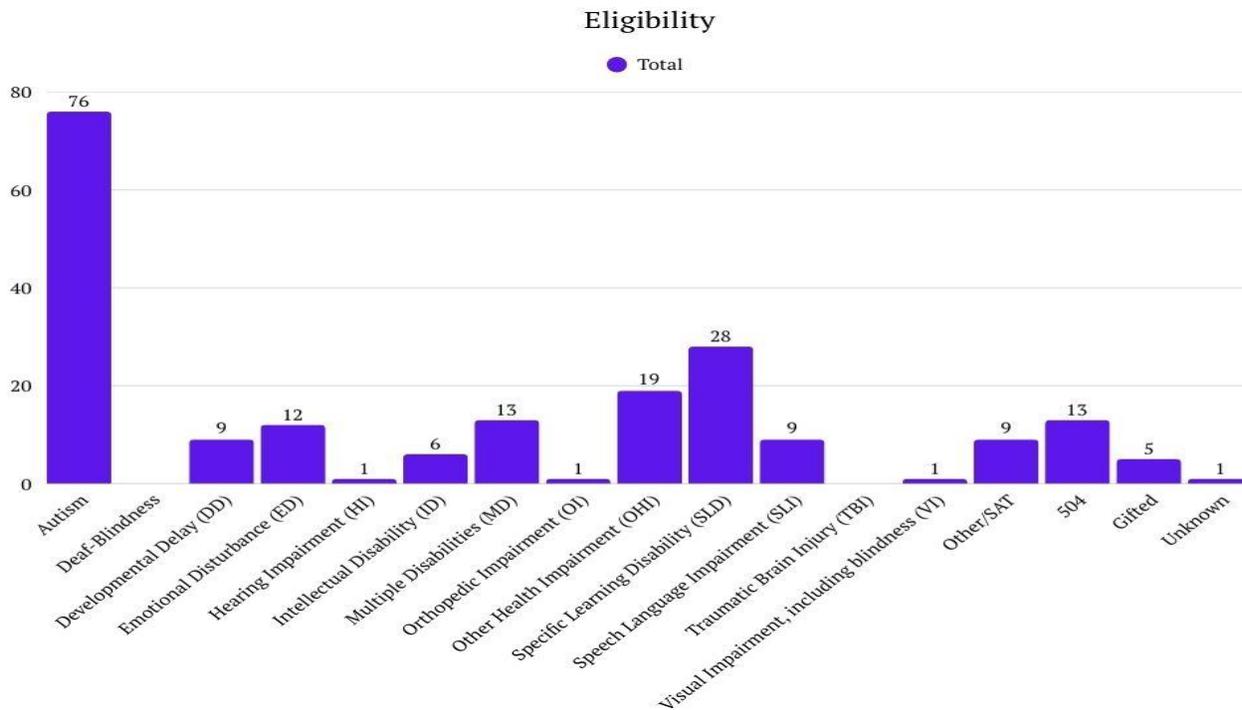
The data also shows that 78% of all state complaints filed in NM during FY 25 received a Corrective Action Plan (CAP). When OSEO supported a family with the filing of the state complaint, 100% received a Corrective Action Plan. It is important to note that less than 7% of OSEO cases involved formal dispute resolution.

While OSEO's sample size is relatively small, OSEO's data for formal dispute resolution has shown concerning trends:

- Mediation only resulted in working agreements between the school and the family when a state complaint was filed first, and then the parties chose mediation. Of the three families who filed for mediation only, two did not reach an agreement, and one reached an agreement that was not followed, forcing the family to write a state complaint.
- In a majority of OSEO cases, the Corrective Action Plan failed to solve issues. The same issues and concerns continued. While ombuds worked with NMOSE during these situations, there seems to be little ability to make lasting systemic change.
- New Mexico has a severe lack of special education attorneys who work with families. This leads to fewer due process cases. If families can find an attorney, the wait list for legal services is long. Cost is also a prohibitive factor for many NM families.
- Families who file complaints without support from OSEO often miss real concerns happening with their child's education and focus on more emotion-evoking concerns which may not be violations under IDEA.
- Failure to implement the Corrective Action Plan can be multi-faceted. Districts continually struggle with compensatory time and do not always have the staff to complete the necessary hours. Further, scheduling is often an issue, students are burned out, and at times parents become so frustrated with the process that they decline the compensatory services required by the Corrective Action Plan.

The bottom line is, no matter how many times ombuds works with families and districts to correct a specific issue, systemic change is often not happening in the districts. The State must find a way to harness dispute resolution practices to create real change, rather than exhaust students, families, and advocates, who must fight for the same changes over and over again.

FY25 Families Served by Special Education Eligibility



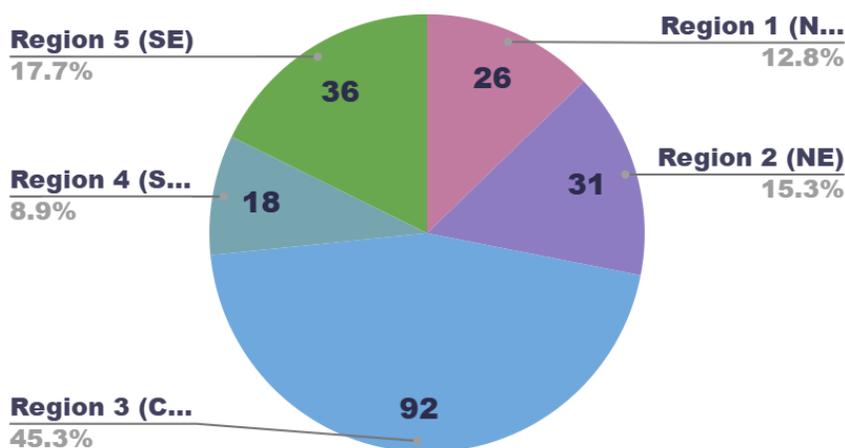
OSEO provides services at no cost to families to all students with disabilities who may qualify for support through an Individualized Education Program (IEP), or a 504 Plan. Ombuds also support students who are in the SAT process. The Student Assistance Team (SAT) creates interventions and documentation about students experiencing challenges in academic performance or social-emotional learning who may also be eligible for services.

In FY25, autism continues to represent the largest eligibility category among students served by OSEO, accounting for 37% of new cases (76 students). To improve data accuracy and better inform service delivery, OSEO enhanced its data collection process in FY25 by adding an eligibility question to both the service request form and the follow-up service assessment survey.

As a result of this improvement, cases with unknown eligibility significantly decreased. In FY24, 11.5% of cases (12 cases) had unknown eligibility due to families not disclosing the student’s disability or OSEO lacking access to school documentation. In FY25, that number dropped to just one case. With more complete eligibility data, OSEO can more effectively support families in determining appropriate specialized services for students and identify targeted professional development opportunities for educators.

FY25 New Mexico District Regions Served

FY25 Regions



To maintain data collection consistency across state agencies, the OSEO utilizes the NMOSE's five regions: Region 1 (NW), Region 2 (NE), Region 3 (Central), Region 4 (SW), and Region 5 (SE). In FY 25, 45.3% of families assisted by the OSEO resided in the Central region, which includes two of the largest school districts in the state. The OSEO has observed a recent increase in smaller districts reaching out for assistance as families better understand the OSEO and its services, receive referrals from families who have utilized the ombud program, and see OSEO flyers posted in high traffic areas within each school, as required by law.

Having multiple cases in any district is often a sign the district or school has ensured information about OSEO's free services are shared with families, and not necessarily that the district is doing a poor job supporting students with disabilities. In fact, some districts are repeatedly the subject of criticism and complaint, but ombuds are not able to develop a caseload in those districts because families are so fearful of retaliation.

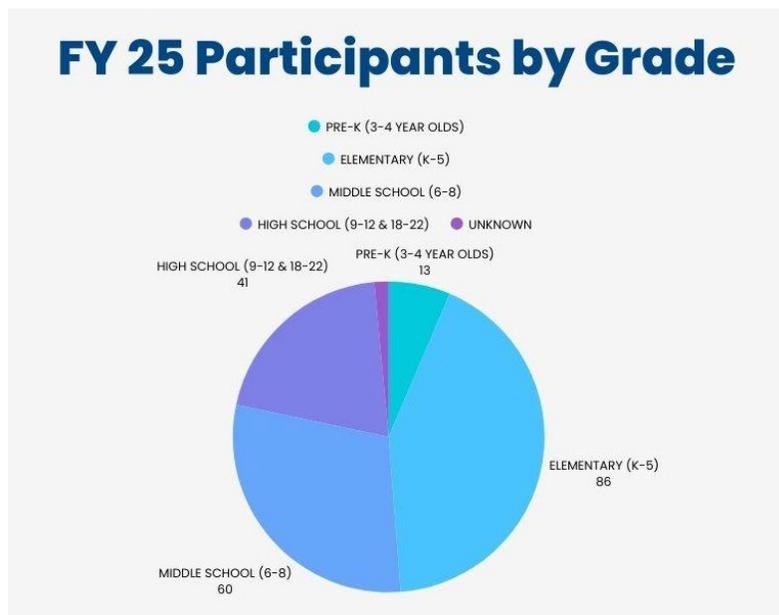
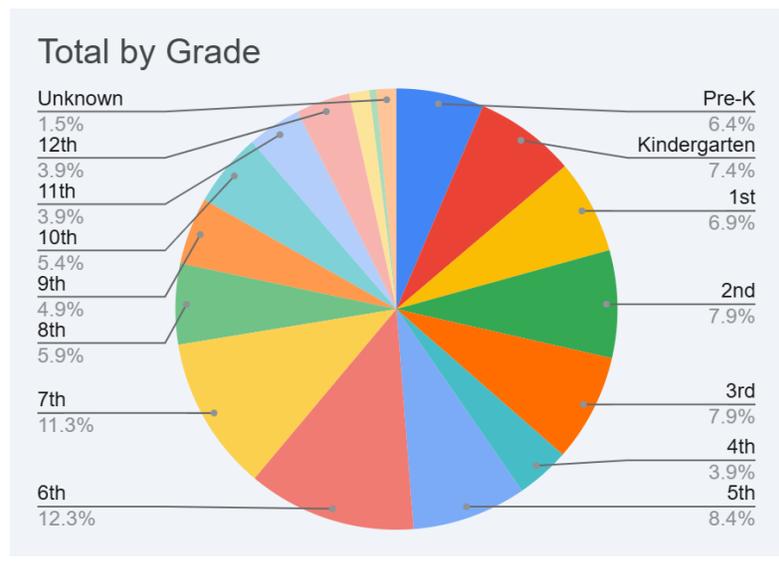
Region 3 includes New Mexico's largest district and statistically would generate more cases. The OSEO also has participated in 27 family information presentations or vendor table events in Region 3. Ombuds continue to be concerned that many districts are still not following the Special Education Ombud Act's statutory requirement of posting and distributing information about OSEO's free advocacy services to all families in their public schools. It is clear from the little information OSEO receives from communities within noncompliant districts that families do need advocacy support and information about their child's rights, but are simply not aware the OSEO offers advocacy services at no cost to families.

OSEO is required to complete yearly outreach. In FY25, OSEO presented or had a vendor table for nearly 50 events across the state of NM. After reviewing the outreach data, there is a correlation between the regional events OSEO participated in, and the number of cases OSEO received from that area. For the most part, when the OSEO team is out in the community sharing information about OSEO's free services, OSEO receives more cases.

In Region 1, OSEO participated in 6 events (12%); 12 events (24%) in Region 2; 27 events (55%), including 8 statewide events, in Region 3; and 2 events each (4%) in Region 4 and Region 5.

FY25 Students Served by Grade

- Pre-K (Ages 3 to 4) - 13
- Elementary (Kindergarten to 5th Grade) - 86
- Middle School (6th Grade to 8th Grade) - 60
- High School (9th Grade to Age 22) – 41
- Unknown - 3



BEHAVIOR SUPPORTS

Of the 822 total families assisted by the OSEO, 389 families (47.32%) sought assistance to address how schools were handling behavior and discipline. Of the 203 new cases received in FY 25, 103 cases (50.74%) sought assistance to address how schools handled behavior and discipline. Behavior-related cases were distributed across the regions as follows:

- o Region 1 - 16
 - o Region 2 - 14
 - o Region 3 - 40
 - o Region 4 - 17
 - o Region 5 - 16
- Total: 103

ADVOCACY ACTION PLAN

The Advocacy Action Plan was implemented by the OSEO team in FY 25, and includes the primary and secondary issues the student and family are facing. It is a document which is completed by the student, family, and ombud to ensure the entire IEP team is focusing on the services, actions, and procedures that will build student success. The plan is reviewed once the team has been working together to see when the case can be considered “Resolved.” It is important to note that all a family needs to do is call their ombud if and when a need arises to “Reactivate” their case. The decision to identify a case as resolved is a group decision, with the final decision by the assigned ombud and State Ombud.

Through the use of the Advocacy Action Plan, OSEO was able to resolve 193 cases in FY25, compared to 55 cases resolved in FY24.

DIRECT MEETINGS WITH FAMILIES

In FY25, the number of new cases nearly doubled, increasing from 110 in FY24 to 203. This growth resulted in a corresponding rise in direct meetings with families. To effectively meet this increasing demand, while maintaining high-quality support, the OSEO must increase the number of regional ombuds and contractors. Additional staffing and contractor support will ensure that families receive timely assistance without being placed on a waitlist. Furthermore, additional overhead support is necessary to sustain the continued growth of the office and maintain the efficiency and effectiveness of services provided.

FY25 FAMILY DIRECT MEETINGS



INTERAGENCY COLLABORATION

OSEO staff continue to collaborate with NMPED, NMOSE, NMPED's Indian Education Division, Albuquerque Career Connection with United Way, SWITT (School to Work Transition Team), START at UNM-CDD, Parents Reaching Out, EPICS, Legislative Education Study Committee, and the Children's Cabinet, among other agencies.

OSEO deepened its collaboration with the Early Childhood Education and Care Department, including the 619 Coordinator and Family Infant Toddler program, to help bridge support between Part C (Early Intervention) and Part B (Preschool Special Education) services. In FY25, OSEO supported 13 cases involving children in Pre-K and observed that many families were concerned that ancillary services from Early Intervention were not being carried over into the child's IEP upon turning three. Families were often unaware that eligibility criteria and percentage thresholds change under Part B, and that their child may no longer qualify for some previously provided services. While this does not mean that the child does not need these services, additional data must be collected to determine eligibility. Transitioning from Early Intervention can be challenging for families, who are moving from highly individualized support with a single case coordinator, to working with a full team under different regulations and criteria. To support families, OSEO is now working with ECECD to invite staff, Pre-K providers, and families to OSEO office hours and to provide targeted training, as requested.

OUTREACH

The OSEO hosted Family Knowledge Nights each month in FY 25. OSEO staff found that, while the presentations were connected to the needs and timeframes of a school year, parents really just wanted to find answers to their urgent questions. Several topics covered in the presentations included: "Guardian-Based Data Collection, Creation and Use," "Picture Schedules: Their Impact in the Classroom and at Home," "The Power Of Impact Statements," and more.

The team also made several presentations to therapeutic ancillary service groups, as well as to teachers in districts, and discovered many professionals have questions about IDEA, the procedural safeguards, and best practices when working with students with disabilities. As a result, OSEO started hosting Family Office Hours and Professional Office Hours in FY26. Family support hours will be offered from 4:00 - 5:00 on the first Thursday of each month, and Professional support hours will be offered from 4:00 - 5:00 on the second Thursday of the month.

OSEO attended over 50 community events throughout the state of New Mexico. The team attended all 5 Regional family and district listening sessions hosted by NMOSE. OSEO also attended transition fairs, community events, state agency events, and conferences to present information about the statewide services OSEO offers to all public school students and families at no cost. Ombuds emphasized how they come to the IEP table with families and collaborate to find positive solutions for students. OSEO engaged with nearly 3,400 people, not including the people engaged in the 908 IEP meetings attended by ombuds.

INTAKE PROCEDURES

In FY25, intake procedures were revised to ensure that all families who called the OSEO intake line received the required Service Agreement and Release of Records Agreement, reinforcing that their concerns were acknowledged and actionable. In FY25, out of 203 cases, 52 families (25.62%) who inquired about services did not complete the intake process. In comparison, in FY24, out of 110 cases, 51 families (46.36%) did not complete intake. This represents a significant decrease, reflecting the effectiveness of the revised intake procedures.

PRIOR WRITTEN NOTICE

OSEO stresses to families that effective communication, consistent individual student data collection, and the continuity of high-quality education services are deeply interconnected and essential to the academic success of students with disabilities.

Clear communication is vital to prevent misunderstandings, particularly for families of non-verbal or high-needs students, where accurate information-sharing can significantly impact outcomes. Data collection serves as the foundation for key educational documents, including IEPs, BIPs, 504 Plans, safety plans, and other individualized supports.

Among these, the Prior Written Notice (PWN) is legally the most critical record of communication between families and schools. Federal law requires the PWN to document all proposals made during an IEP meeting—by both the family and the school—and the responses to each proposal.

OSEO's analysis of IEP checklists in FY25 revealed that 68.8% of responses indicated "Yes" when asked whether proposals were included from both the school and parents. In contrast, reviewing past years' data, only 52% had indicated "Yes." This demonstrates a modest improvement over time.

This trend is largely attributed to efforts through OSEO to train and inform families that the Prior Written Notice (PWN) serves as the official record for documenting communication during IEP meetings. Ensuring families understand this process has led to more accurate and complete documentation, reinforcing transparency, accountability, and shared understanding between families and school teams. Reviewing the Prior Written Notice (PWN) with families is a critical step to ensure clarity, understanding, and agreement regarding decisions made during IEP meetings. This process helps families confirm that the information accurately reflects team discussions, supports transparency, and strengthens communication between the school and the family.

Data from recent meetings highlights the effectiveness of this practice: Out of 93 meetings, only 7 PWNs were significantly changed after the meeting, demonstrating that the majority of PWNs were clear and accurate as initially presented. Additionally, OSEO supported families in reviewing the PWN before the end of the meeting in 76 of the 93 cases, further ensuring that families had the opportunity to ask questions and confirm understanding. By consistently engaging families in this process, the team can strengthen communication, reduce misunderstandings, and enhance the overall effectiveness of the IEP process.