



Office of the Governor

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## **FACT SHEET: Special Education Ombud Act**

Sponsored by Rep. Liz Thomson, Rep. Joanne Ferrary, Sen. Linda Lopez & Sen. Siah Correa Hemphill

**Advocating for students seeking special education services  
and supporting their families**

### **Why do we need a Special Education Ombud?**

Students with disabilities need access to individualized, student-centered education services in order to attain their academic goals. Yet the students who need the most assistance are often the ones who are forgotten. Parents and families of students with disabilities face innumerable barriers in virtually every aspect of their lives. Yet, these families are often expected to teach themselves a complex area of law, advocate for the student's rights, and hold schools accountable if they fail to adequately serve the student.

Navigating the special education system can seem like an overwhelming or impossible task for students with disabilities and their families. The Special Education Ombud provides critical advocacy and support to students and families seeking special education services.

### **What is the Special Education Ombud?**

The Special Education Ombud protects the educational rights of students through individual and systemic advocacy. The Ombud assists students and families navigating the special education system; identifies, investigates, and helps to resolve students' and families' special education concerns; informs students and families about special education resources in their community; and works with local, state, and federal governments to ensure quality special education services are provided statewide. The Ombud will also access educational records, with appropriate consent; analyze law, rules, and policies, monitor implementation, and recommend changes; and report on the problems and concerns of special education.

### **What is the Special Education Ombud Act?**

The Special Education Ombud Act establishes the Office of the State Special Education Ombud within the NM Developmental Disabilities Planning Council. The Act requires the Ombud to ensure that its staff, contractors, and volunteers are trained and certified to provide Ombud services. The Act requires schools to notify students of the Ombud and authorizes the Ombud to take corrective action when schools do not work with the Ombud to address special education concerns.

### **Who benefits?**

Not only will students with disabilities and their families benefit from the Ombud's advocacy, schools and governmental bodies will also benefit from the Ombud's expertise and recommendations. When students with disabilities are provided with adequate educational services, their educational outcomes significantly improve—reducing dependence on social services, stemming the flow of students into the school to jail pipeline, and preparing more students to enter the workforce and lead healthy, productive lives. The Ombud will ultimately reduce costs to the state and contribute to a stronger New Mexico economy.