

**ATJ FUND GRANT COMMISSION
MID-YEAR GRANT REPORT**

Grant Period: July 1, 2019-June 30, 2020
Reporting period: July 1, 2019-December 31, 2019
Report Due: January 31, 2020

This report should be limited to no more than 5 pages

I. Grantee Information

Grantee organization's name: Native American Disability Law Center

Project name: Success for Native American Students with Disabilities

Name of contact person: Therese E. Yanan

Email address of contact person: tyanan@natedisabilitylaw.org

Amount requested in original grant and extension applications: \$

Amount awarded (original grant plus extension): \$

II. Goals and Outputs

A. Describe any changes in the goals/outputs of your project during the grant period?

The Law Center staff is continuing to attend Juvenile Detention court hearings and the Specialty Courts, such as Grade and Wellness courts. The original plan was to attend these hearings to identify students eligible for our services and screen students during the hearings. It became apparent that the screening process would be more efficient if an advocate is onsite on the days court is in session.

We met with the Administrator for San Juan Juvenile Services to request workspace where the advocate can meet with and interview clients 1.5 days of the week during court sessions. The Administrator designated a classroom and more recently opened up a cubicle where the advocate can meet with families more privately. This consistent weekly presence has allowed more convenience for Juvenile Services staff to contact the advocate for referrals, information and technical assistance.

B. Described any significant changes in key personnel during the initial grant period?

There were not changes in key personnel. Ms. Hoechst and Mr. Chee will continue the work to meet the project's goals.

C. Describe what your organization was able to accomplish with the grant funds during the initial grant period?

In this reporting period, the Law Center assisted 26 students with 29 different matters including: providing technical assistance to prepare parents for IEP meetings, representing clients in disciplinary hearings and manifestation determination review meetings, assisting parents in requesting evaluations for special education services, and advocating for clients to

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return to school or to receive education while suspended or expelled. We referred four non-native students to Disability Rights New Mexico and Pegasus Legal Services for additional advocacy and representation. We referred one student that was out of our service area to Arizona Center for Disability Law. Additionally, we provided one training in October in San Juan County for parents of youth involved in the Juvenile Justice System on their rights in school disciplinary processes under IDEA and state law. We provided one training to the Gallup McKinley County JPOs in October on the special education process under IDEA.

D. Has your organization made the amount of progress toward project goals you had intended to make by this point in the project? If not, please describe the reasons.

The Law Center is continuing to make effective progress by creating productive and trusting relationships with the Juvenile Justice Services, Juvenile Probation Officers and our referral agencies: Disability Rights New Mexico and Pegasus Legal Services for Children. A more detailed assessment of our progress based on the Statement of Work is below.

1. Provide technical assistance on how to obtain more appropriate education services to 50 Native American Students referred to Juvenile Justice Services.

Our new approach in having an advocate onsite two days out of the week, in a private cubicle space to provide technical assistance and intakes, has steadily increased our referral numbers. The weekly onsite presence is more convenient for Juvenile Probation Officers, Judges and court staff to make direct referrals to our advocate. It also provides an opportunity to meet with families and students while they are conducting other business at the court, which serves to break down some of the barriers created by lack of transportation and difficulty with communication.

2. Provide direct advocacy to obtain appropriate education services to 15 Native American students referred to Juvenile Justice Services.

We provided direct advocacy to six Native American students that were referred through the Juvenile Justice Services. This includes representation at school disciplinary hearings and IEP meetings.

3. Provide training to 20 parents on their children's educational rights.

We continue to work with the JPOs to make referrals to our parent trainings. We provided one parent training that included three parents, one student and one Juvenile Probation Officer.

4. Provide training to Juvenile Probation Officers and community mental health workers on the Individuals with Disabilities in Education Act and school discipline.

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We provided training to three JPOs, and our advocate attends the JPO weekly staff meetings consistently to provide updates and to provide general information regarding disciplinary processes for students under IDEA.

We met the counselors from Cottonwood Counseling, the new counseling agency for San Juan Juvenile Services, during the court sessions and at the counseling agency office to establish a process for referrals. We provided them with our agency materials and information about our services.

Additionally, Ms. Hoechst presented at a Round table discussion on “Using the New Mexico Indian Education Act to Protect the Rights of Native American Students” at Southwestern Polytechnic Institute (SIPI) in October. The presentation focused on the need for culturally appropriate school discipline interventions for Native American students and educated attendees on how to use state laws to request these interventions. It was attended by judges, attorneys, students at SIPI, and community members.

5. Coordinate services with Disability Rights New Mexico and Pegasus Legal Services for Children:
 - a. to expand representation for students in the juvenile system and
 - b. to identify systemic issues and possible solutions to address these issues.

We have direct communication with an attorney from both agencies for non-native students requiring direct representation and advocacy.

III. Accounting:

1. Amount contracted: \$ 45,000
2. Amount expended to date: \$ 13,657

IV. Client Profile

Please present a story that captures the essence of your project. The story should be of a real client (or project participant) but change any details that might lead to identification of the person/people. This material may be used to make the public aware of the impact of civil legal service activities.

In August of 2019, a juvenile probation officer referred client DF, a 14-year-old Navajo male and his mother, to our Advocate onsite at the detention center. DF had been out of school for two years and was being denied re-enrollment in his home school district. While DF was not in school, he was arrested and placed on probation. Initially, we advised client to try to re-enroll again, and if denied, to ask for documentation for the denial. He was denied again but given the option to enroll in a GED program or online school. Both were not feasible due to

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his age and the lack of internet access at home. Client was also denied enrollment in another school because of his credit status that resulted from his long-term absence from school.

Ms. Hoechst, Law Center Attorney, contacted counsel for the school district to explain the situation and request immediate re-enrollment of DF as required by law. Following this communication, the school agreed to re-enroll DF and to conduct evaluations to determine if DF qualified for any special education services. DF successfully re-enrolled in his home school district but was determined ineligible for special education. The family reported that DF is progressing academically and has not had any behavioral concerns or referrals since his return to school.

In another case, ZB, 15-year-old Navajo male, was placed on long term suspension from school and not allowed to re-enroll and enroll in any other local schools due to his criminal charges. ZB's mother reached out to us for assistance. Ms. Hoechst provided representation to re-enroll ZB in school or for the school to provide alternative education to prevent ZB from repeating 9th grade twice and falling two years behind his peers. Ms. Hoechst and advocate provided information and advice concerning evaluations under IDEA, student rights in disciplinary hearings and laws related to ZB's suspension (Gun Free Schools Act).

Although all attempts to enroll ZB back into his school and all other local schools were unsuccessful, we explored other options for ZB to continue his education. With our advocacy and support, ZB was successfully enrolled in a school out of state near ZB's family. We also provided information to the parent on how to request for an evaluation for special education services.

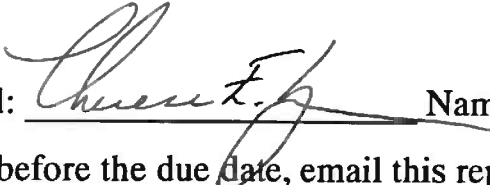
V. Reports, Newsletters, Etc.

If your organization issued any newsletters, annual reports, or other documents describing your programs and accomplishments during the grant period, please attach them to this report.

The Law Center has not issued any newsletters, annual reports, or other documents in this reporting period.

VI. Other

Please share any other information your organization would like to include in this report.

Signed:  Name: Therese E. Yanan Date: February 4, 2020

On or before the due date, email this report to Vannessa Sanchez at: vsanchez@nmbar.org