



# **Graduation Options for Students with Disabilities**



## **Technical Assistance Manual**



New Mexico Public Education Special Education Division  
120 South Federal Place, Room 206  
Santa Fe, New Mexico 87501

<https://webnew.ped.state.nm.us/bureaus/special-education/>

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## Technical Assistance Manual Graduation Options for Students with Disabilities

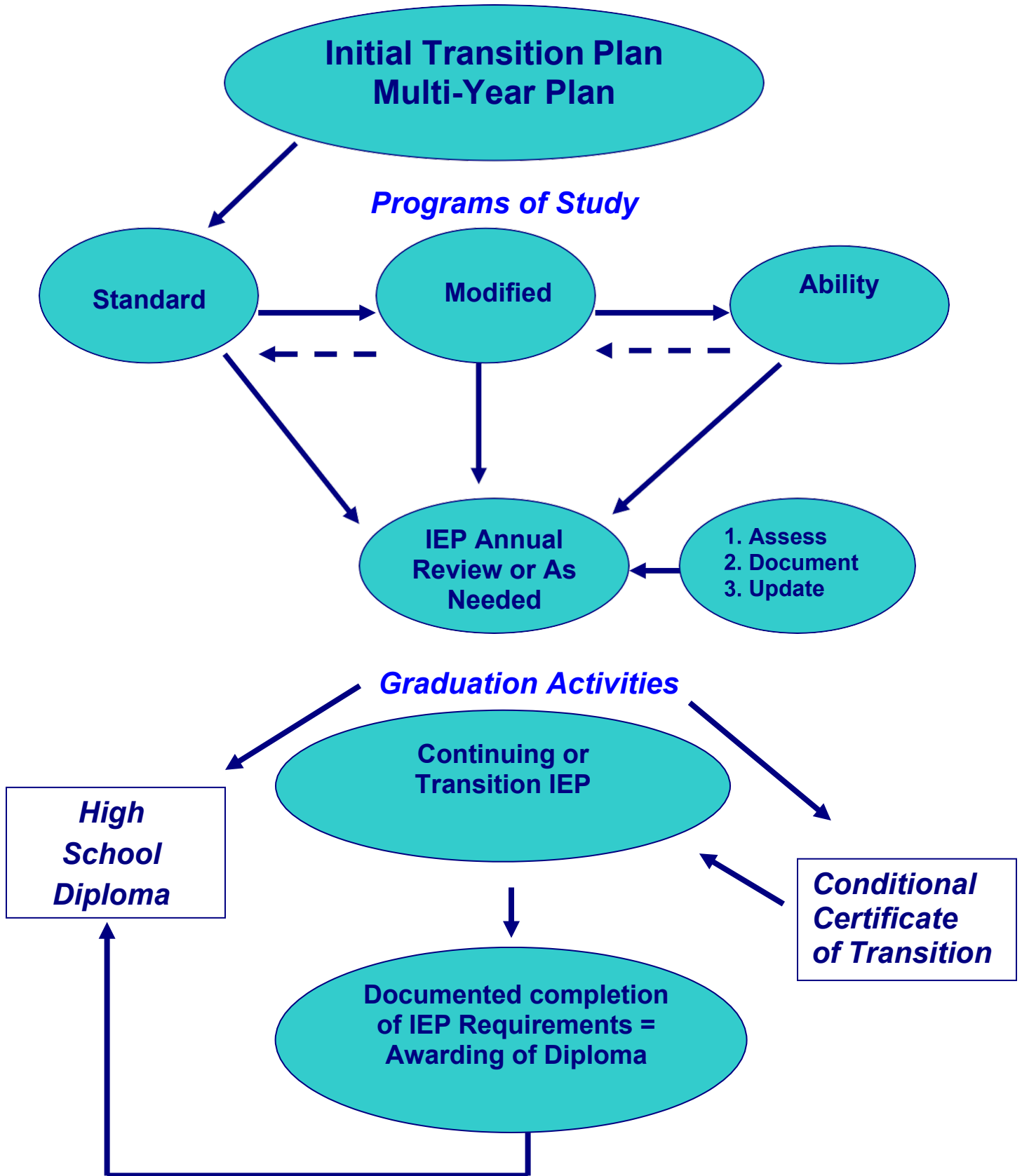
**Our task is to provide an education for the kinds of kids we have, not the kinds of kids we use to have, or want to have, or the kids that exist in our dreams.  
K.P. Gerlach**

### Introduction

The New Mexico Public Education Department's (PED) Special Education Division (SED) prepared this manual to assist Individualized Education Program (IEP) teams in planning a program of study based on a student's post-secondary goals and New Mexico's graduation requirements. New Mexico is one of many states with a high stakes graduation exam. However, New Mexico provides options for students with disabilities to earn a standard diploma. A standard diploma is defined as being identical in appearance, content, and effect. These graduation options enable the IEP team to develop a program of study that is most conducive to preparing a student to achieve his or her post-secondary goals and maintain the integrity of the high school diploma.

The value of the high school diploma is currently under debate at state and national levels because of the gap between the skills required for graduation and the expectations of employers and higher education. To maintain the integrity of the diploma, it is important that all three graduation options - standard, modified and ability - promote high expectations and provide access to the general curriculum. It is also important that all three graduation options use evidence-based practices that will assist students with disabilities to successfully meet graduation requirements that prepare them to achieve their post-secondary goals.

## Identifying the Graduation Option



## **Graduation Options**

For the purposes of this technical assistance manual, a graduation option is a planned program of study (courses, IEP goals, objectives, and benchmarks) designed to address the needs of individual students. The IEP team plays a key role in the graduation process. The IEP team should consist of the student, parent, special educator, standard educator, vocational educator, building administrator or designee, transition specialist, related service provider(s), evaluation and/or diagnostic specialist, adult service provider(s), and others per the parent's or student's request. The IEP team determines the most appropriate graduation options based upon student needs and wishes and the impact of the disability. The standard graduation option is the starting point for IEP team discussions and is the primary option for the vast majority of students with disabilities. The IEP team must document the rationale for the selected program of study in the IEP, and review and update goals and objectives at least annually. The IEP team also has the responsibility of verifying that the student achieved all program goals and objectives leading to graduation and receipt of a high school diploma. The initial transition and graduation planning process begins at age 13. The IEP team assists the student to define his or her course of study and develop the four-year plan. Students receiving special education services are able to earn their high school diploma by following one of three programs of study.

**Standard Graduation Option** - means a program of study based upon meeting or exceeding all requirements for graduation as identified in the New Mexico Statutes and Rules, with or without reasonable accommodations. The IEPs for students with disabilities shall specify in which assessments each student will participate and what, if any, accommodations are needed to enable the student to participate. For students with severe cognitive disabilities, Dynamic Learning Maps (DLM) will serve as the state approved alternate assessment in math, English language arts, and science. Students with IEPs and no individualized graduation modifications will follow the guidelines established in 6.19.7 NMAC. The IEP team selects required courses and electives based on the student's post-secondary goals, strengths, interests, and needs. If the IEP team chooses a graduation option other than the standard, the IEP team must provide documentation for selecting an alternative graduation option.

**Modified Graduation Option** - means an alternative program of study meant to develop the student's career interest as it relates to the career clusters. The student's program of study must address the New Mexico Public Education Department's (PED) content standards with benchmarks and performance standards. Students on the modified option will take the general assessments, with accommodations when applicable. Students following the modified option, whose IEPs establish individualized passing scores as indicated by state assessments, should default to their individualized score when determining demonstration of competency. Students using End of Course (EoC) exams to demonstrate graduation competency are allowed an additional attempt at the EoC (up to four attempts per EoC). The first attempt may be used to establish passing scores that define a passing grade for that student. For students who use competency-based options to demonstrate competency, modifications may be made by the IEP team to the standards-based portfolio passing score. The modified graduation option takes into account the individual student's strengths, interest, career preference, and needs and allows for the substitution of classes as appropriate. The IEP team uses the IEP to document mastery of those standards and benchmarks.

**Ability Graduation Option** - means an alternative program of study based upon meeting or surpassing IEP goals and objectives, with or without reasonable modification of delivery and assessment methods, referencing skill attainment at a student's ability level, which may lead to meaningful employment. The IEP team designs the ability program of study to meet the student's needs with IEP goals, objectives, and benchmarks developed to provide the most

appropriate program for the student. Students following the ability option will take Dynamic Learning Map (DLM) as the academic achievement assessment rather than Preliminary Scholastic Aptitude Test (PSAT), Scholastic Aptitude Test (SAT), ACCUPLACER, or New Mexico Assessment of Science Readiness (NM-ASR). IEP teams will set individualized cut scores for demonstrating competency. Typically, IEP teams develop the ability program of study for students with severe cognitive and/or physical disabilities or students with severe mental health challenges. The ability program of study varies from the standard high school graduation requirements. The IEP team must individualize the ability program of study for each student's needs.

Once the IEP team has identified a graduation option and developed an appropriate IEP, the team is required to assess and document student progress and to update goals, objectives, and benchmarks annually or as needed. The alternative graduation options may depart from the standard program of study only as far as necessary to meet the student's needs as determined by the IEP team. IEP teams cannot change a senior's option after the 20<sup>th</sup> school day of the final year of high school except in situations where seniors experience unusual medical emergencies. Waivers for special exceptions after the 20<sup>th</sup> school day must be sent to the PED for approval.

Successful completion of a selected graduation option earns the student a high school diploma and the right to participate equally in all graduation activities. The receipt of a standard high school diploma with the standard option terminates access to special education services. In accordance with 34 CFR § 300.102(a)(3)(iv), the term standard high school diploma does not include alternative degrees that do not align with the State's academic standards, such as a certificate or general educational development credential (GED), and the receipt of such alternative degrees may not end the student's right to a Free Appropriate Public Education (FAPE).

**Conditional Certificate of Transition** - IEP teams may use a conditional certificate of transition in the form of a continuing and transition IEP when a student has completed the high school portion of his or her education, and is on track for graduation, but the student still has transition or academic needs that must be addressed by school staff and adult service providers. In these instances, a student may receive a conditional certificate of transition that allows him or her to participate in graduation activities and continue toward obtaining the high school diploma based on a plan to implement transition services. The certificate is not a graduation option for students with disabilities. A Conditional Certificate of Transition *does not end a student's right to a free appropriate public education (FAPE)*. The certificate with follow-up plan of action allows for assistance with accessing adult services, seeking and maintaining employment, or pursuing post-secondary training with assistance. The follow-up action plan must be in the form of a continuing or transition IEP and it must identify responsibilities of the student, parents, and the school to ensure the student receives a diploma. The student receives the diploma upon successful completion of the updated and continuing IEP goals and transition outcomes.

## **Guidelines for All Graduation Options**

The IEP is the overriding document of planning for a student receiving special education and related services to progress through the educational process. In accordance with 6.31.2.11 NMAC, the IEP for each student receiving special education services in grades eight through twelve shall include graduation planning that is integrated into transition planning and services. The IEP should be coordinated and developed with a graduation/transition plan, which includes the multi-year program of study for each student who progresses through a high school program. By the end of the eighth grade, each student's IEP must contain a proposed individual

program of study for the grades remaining until high school graduation. These multi-year plans are based on the student's post-secondary goals, thus personalizing learning and providing relevance. These programs of study must be reviewed and revised on an annual basis.

- 1) The multi-year plan must:
  - be a part of all IEPs for students receiving special education support and services in grades 8 through 12 or to age 22;
  - identify by name all course options the student may take in the remaining years of the student's secondary program;
  - reflect the student's long-range measurable post-secondary goals; and
  - be reviewed on an annual basis and adjusted to address the student's strengths, interests, preferences, and needs.
- 2) The IEP team is responsible for developing a multi-year plan that is most conducive to preparing a student to achieve his or her post-secondary goals.
  - The composition of the IEP team must meet federal and state requirements.
  - When a graduation program of study is proposed, an individual knowledgeable about high school curriculum should be included on the team.
  - The parent(s) and student should be members of this team, and sign to verify and accept graduation/transition plans. (*Parent participation is not mandatory if the student is 18 years of age unless the parent has legally retained guardianship.*)
  - A school administrator or designee who has knowledge about the student should be a member of the team when an alternative program of study is developed and be able to verify and accept completed plans for students receiving special education services on the career and ability graduation options.
- 3) Program of study selection is an IEP team decision. Parents and students must be a part of the decision-making process. The student's graduation needs and personal goals are the primary considerations for identifying and developing an alternative graduation plan. The IEP team must:
  - base all decisions on the student's strengths, needs, measurable post-secondary, transition service needs, goals, interest, and preferences;
  - begin discussion on graduation/transition plans at the eighth grade IEP, including plans leading to earning a standard diploma; and
  - consider the graduation option in the order listed in regulation. If the IEP team chooses an alternative graduation option, the team must:
    - justify and document the reasons for doing so in the IEP;
    - provide sufficient documentation as a basis for its initial decision to place a student on an alternative graduation option other than the standard;
    - notify parents and students of potential consequences of this decision; and
    - base all decisions on the needs of the student and **not** on the student's ability to earn required credits or pass the current exit exam.
- 4) Assessing and documenting student progress toward graduation is crucial to the overall process. IEP teams must document the following information on the student's IEP:
  - progress toward graduation on an annual basis for all students in grades 8-12;
  - skill attainment and progress toward achieving competencies;
  - progress toward earning required graduation credits and passing the current graduation examination(s);
  - requirements of the student's program of study are met;
  - revisions to the IEP to reflect any changes in the student's graduation needs and/or plans; and

- supports and services that will help students achieve IEP goals and meet graduation requirements.
- 5) Transition planning is an important part of the IEP process beginning no later than the first IEP to be in effect when a student is in the eighth grade. The IEP team should address the following components of transition planning:
    - Coach every student to think about goals for life after high school and develop a long range plan.
    - Ensure the IEP contains appropriate measurable post-secondary goals based upon age-appropriate transition assessments, and that these are updated annually.
    - Develop a plan to ensure the high school experience relate to each student's post-secondary goals.
    - Ensure that each student gains the skills and competencies needed to achieve his or her desired post-secondary goals.
    - Identify and link students and families to needed post-secondary services, supports, or programs before the student exits the school system.
    - Ensure that the student has necessary evaluations, documents, or reports to facilitate a smooth transition to adult services and/or postsecondary institutions.
    - Ensure that all domain areas of transition (instruction, related services, community experiences, the development of employment and other post-secondary living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation) are considered and documented in the IEP, pursuant to federal regulations and state special education rules.
  - 6) Students receiving special education services must participate in the Statewide College and Workplace Readiness Assessment System and take the current state graduation and/or exit exam or the state approved New Mexico Alternate Assessment. The IEP must specify:
    - which assessment will be administered,
    - are accommodations necessary, and if so,
    - what State approved accommodations are needed.
  - 7) IEP teams must determine if the student is eligible for participation in an alternate assessment according to the following criteria:
    - The student's past and present levels of academic achievement and functional performance in multiple settings indicates that a significant cognitive disability is present;
    - The student needs intensive, pervasive, or extensive levels of support in school, home, and community settings; and
    - The student's current cognitive and adaptive skills and performance levels require direct instruction to accomplish acquisition, maintenance, and generalization of skills in multiple settings.
  - 8) As a best practice, IEP teams should identify strategies that will help the student master skills required to pass the assessment for students on the Standard graduation option or to achieve the level of proficiency determined by the IEP team for students graduating on the Modified or Ability program of study. The team should also consider identifying who will be responsible for ensuring the completion of the above items.



Note: The NMPED strongly encourages IEP teams to review the most current New Mexico Statewide Assessment page for guidance on selecting appropriate accommodations. This guidance is updated annually.  
<https://webnew.ped.state.nm.us/bureaus/assessment-3/>

- 9) Additional responsibilities for IEP teams include the following:
- Monitor and report student progress toward meeting IEP goals to parents with at least the same frequency as the reporting schedule for non-disabled students.
  - Verify that each student achieved program goals and objectives leading to graduation and receipt of a high school diploma.
  - Protect the integrity of the diploma for all students by complying fully with the requirements of the graduation options for students receiving special education services.
  - Ensure that the IEP and Prior Written Notice of Actions Proposed (PWN), given to the parents at the end of each IEP meeting, reflects the student's progress toward his or her graduation plans as he or she transitions into high school, and at all points in the process.

Note: See the Public Education Department's *Technical Assistance Manual: Developing Quality IEP's* for assistance and forms.  
<https://webnew.ped.state.nm.us/wpcontent/uploads/2018/03/Developing-Quality-IEPs.pdf>

- 10) Pursuant to 34 CFR §§ 300.43 and 300.320 and State rules including 6.31.2 NMAC and 22-13-1.1 NMSA, IEP teams must provide each eligible student with a summary of the student's academic achievement, functional performance, and additional recommendations on how to assist the student in meeting his or her post-secondary goals.
- 11) The Department strongly recommends that building administrators monitor progress of each student with a disability toward graduation plan requirements throughout high school.
- 12) When the exit IEP team meets to review the student's program of study and progress to determine if the student has fulfilled graduation plan requirements, the building administrator must be included on the team. The building administrator is responsible for ensuring the integrity of the graduation process. The LEA's Special Education Director is responsible for monitoring graduation data.
- 13) A student graduating under any option or receiving a certificate with a follow-up plan of transition must participate equitably in all graduation ceremonies.
- 14) The least restrictive environment (LRE) principles apply to all graduation options, and IEP teams must ensure that the student has appropriate access to the general education curriculum.

## Additional Guidelines for Standard Graduation Option

- 1) The student must:
  - meet or exceed the requirements for graduation based on the Standards for Excellence Section J of 6.29.1.9 NMAC and Section 22-13-1.1 NMSA 1978;
  - participate in the Statewide College and Workplace Readiness Assessment System
  - meet all other standard graduation requirements of the district; and
  - pass the current New Mexico graduation and/or exit exam—with or without accommodations by obtaining the minimum level of proficiency and/or performance established by the Public Education Department.
- 2) Credits may include courses in which curriculum or instructional accommodations are applied as long as the student achieves the same competencies listed on the graduation requirements.
- 3) The IEP team should look closely at the student's results from grades nine and ten short-cycle diagnostic assessment and scores on the first attempt on the high school exit exam. The IEP team should treat those scores as baseline of performance from which the IEP team identifies strategies to improve a student's skills and enable him or her to pass the current state graduation and/or exit exam.
- 4) **Steps for teams to follow are:**
  - Ensure progress in the general education curriculum so that a student can meet the same educational standards that apply to all students.
  - Align goals to the state standards with benchmarks and assessment and focus on helping the student attain the skills needed to achieve standards reflected in assessment.
  - Be sure the student takes practice assessments. A student may know the material but if not familiar with the test format, he or she may have difficulty passing the test.
  - Ensure the availability and implementation of allowable accommodations

Note: The SED strongly encourages the use of the *New Mexico High School Competency Examination Domain Specifications* to help prepare students for the exam question format. The Domain Specification document can be accessed on the NMPED website.

<https://webnew.ped.state.nm.us/bureaus/assessment-3/>

- 5) If the student passes the graduation exit exam on the first attempt, the IEP team should work to ensure that the student continues to meet all other requirements for graduation on the standard option.
- 6) If the student's transition plan includes accessing services such as special services at the post-secondary level or Division of Vocational Rehabilitation (DVR) Services, the IEP team should determine whether the student requires updated evaluations, reports, or documents to support a smooth and effective transition to the post-secondary setting.

## Additional Guidelines for Modified Graduation Option

- 1) The IEP team must consider the standard graduation option first. If the IEP team changes the student's program of study from the standard to the modified, the team

must:

- justify and document the reasons for rejecting the standard program of study on the IEP and PWN;
- provide parents and students with a clear, concise definition of the standard program of study and explain the differences between it and the modified program of study;
- notify parents and students of potential consequences of the choice that may limit the student's post-secondary options;
- demonstrate that sufficient documentation and evidence exists to support its decision to place the student on the modified program of study; and
- base all decisions on the needs of the student and **not** solely on the student's ability to earn required credits or pass the current exit exam.

2) To earn a diploma on the modified graduation option a student must:

- earn at least the district's required number of credits (the IEP team determines the standard and alternate courses that will make up the student's program of study and ensure the student meets requirements identified in the Standards for Excellence);
- achieve competency in all areas of the Employability and Career Development Standards with Benchmarks and Performance Standards; and
- take the current graduation exit exam and achieve a level of proficiency determined by the student's IEP team.

3) Completion of the modified program of study requires that a student **achieve** his or her IEP goals and objectives based on the Employability and Career Development Standards with Benchmarks and Performance Standards. These Standards, Benchmarks, and Performance Standards are included in the CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR CAREER AND TECHNICAL EDUCATION, GRADES 7-12 in Subsection 2.29.3.8 NMAC:

- Students will know and understand the importance of employability skills:
  - BENCHMARK 1: Identify and demonstrate the use of positive work behaviors and personal qualities needed to be employable.
  - BENCHMARK 2: Develop a personal career plan to meet career goals and objectives.
  - BENCHMARK 3: Demonstrate skills related to seeking and applying for employment to find and obtain a desired job.
- Students will explore, plan and effectively manage careers:
  - BENCHMARK 1: Maintain a career portfolio to document knowledge, skills and experience in a career field.
  - BENCHMARK 2: Demonstrate skills in evaluating and comparing employment opportunities in order to accept employment positions that match career goals.
  - BENCHMARK 3: Identify and exhibit traits for retaining employment to maintain employment once secured.
  - BENCHMARK 4: Identify and explore career opportunities in one or more career options to build an understanding of the opportunities available in the cluster.
  - BENCHMARK 5: Recognize and act upon requirements for career advancement to plan for continuing education and training.
  - BENCHMARK 6: Continue professional development to keep current on relevant trends and information within the industry.
  - BENCHMARK 7: Examine licensing, certification and credentialing requirements at the national, state and local levels to maintain compliance with industry requirements.
  - BENCHMARK 8: Examine employment opportunities in entrepreneurship to

consider entrepreneurship as an option for career planning.

- 4) The IEP team should document the classes, courses, and/or experiences which will be used to assure that the student achieves standards as identified in the Employability and Career Development Standards with Benchmarks and Performance Standards in the Program of Study section of the student's IEP.
- 5) In the best interest of the student, a high school counselor should be included in the IEP meeting to assist the student and other team members in developing the program of study.

### **Additional Guidelines for Ability Graduation Option**

- 1) While the standard option must be considered first, if the IEP team rejects both it and the modified option, the team must:
  - justify and document the reasons for rejecting the standard and modified option on the PWN;
  - provide parents and students with a clear, concise definition of the ability graduation option and explain the differences between it and the standard and modified options;
  - notify parents and students of potential consequences of the choice that may limit the student's post-secondary options;
  - demonstrate that sufficient documentation and evidence exists to support its decision to place the student on the ability program of study; and
  - base all decisions on the needs of the student and **not** on the student's ability to earn required credits or pass the current exit exam.
- 2) Under the Ability graduation program of study, the majority of the goals and objectives relate to functional life skills and community skills. The ability program of study was developed for students who have a significant cognitive disability or severe mental health issues.
- 3) To graduate on this option, it must be the case that:
  - a student has been consistently working toward identified goals, objectives, and benchmarks, developed by the IEP team; and
  - has achieved a level of success that the IEP team agrees is commensurate with the student's abilities.
- 4) The student must successfully complete the requirements of the ability graduation option and his or her IEP by participating in specially designed programs that meet his or her educational and transition service needs through community-based instruction, transportation, work experience, community participation, recreation and leisure, accessing adult services, independent living skills, etc.
- 5) The IEP team must document student progress toward goals and objectives, referencing skill attainment.
- 6) The student must take either the current state graduation examination(s) administered pursuant to NMSA 1978, Sec. 22-13-1.1(k) or (l) or the state-approved alternate assessment, achieving a level of proficiency to be determined by the student's IEP team, and meet all other graduation requirements established by the IEP team.

In order to establish goals and objectives for students with significant cognitive disabilities, educators will refer to the DLM link.

For additional information on state-approved alternate assessments, please visit:

<https://webnew.ped.state.nm.us/bureaus/assessment-3/alternate-achievement-assessments/>.

## Establishing a Level of Proficiency for Standard and Ability Options

- 1) “Target level of proficiency” is a score on the current graduation exam, determined by the IEP team as the proficiency level the student must reach to graduate.
- 2) To establish the target level of proficiency, the IEP team must review the student’s results from grades nine and ten short-cycle diagnostic assessment and performance on the **first** attempt on the graduation exam.
- 3) The IEP team must establish a targeted proficiency level on all sections of the graduation exam where the student’s score falls below the State’s minimum requirement.
- 4) For the purposes of accountability and reporting, if the score determined by the IEP team falls short of the State’s minimum requirement, the district must report the student as a **no pass** on the graduation examination.
- 5) The IEP must document the target levels of proficiency on the IEP and PWN and outline a plan of action to be taken by both the student and the district to assist the student in meeting the target level of proficiency.

### Steps IEP teams must consider:

- The level of competency must be reasonable and based on the student’s present level of academic achievement and functional performance in a variety of settings.
- Progress in the general education curriculum so that a student can meet the educational standards that apply to all students.
- Align goals to the state standards with benchmarks and assessment and focus on helping the student attain the skills needed to achieve standards reflected in assessment.
- Allow for practice assessments. A student may know the material, but if he or she is not familiar with the test format, he or she may have difficulty passing the test.
- Ensure that the targeted proficiency score is higher than the score achieved by the student on the first attempt, in order to promote progress.
- Ensure the availability and implementation of allowable accommodations.

## Additional Guidelines for Issuing a Conditional Certificate of Transition

- 1) The IEP team must:
  - review graduation plans on an annual basis for students in grades 8-12;
  - provide documentation and justification that the issuance of a conditional certificate of transition is warranted;
  - evaluate and document on the PWN the student’s progress toward meeting diploma requirements for his or her identified program of study; and
  - provide PWN that a student will receive a conditional certificate of transition in the form of a continuing or transition IEP.
- 2) The conditional certificate of transition:
  - indicates the student has attended four years (or more) of high school;
  - does not terminate the student’s right to FAPE;
  - is not reported as an “exit” in the Student Teacher Accountability Reporting System (STARS);
  - is reported in the district’s membership
  - allows the student to participate equally in all graduation activities;
  - does not end the students right to FAPE; and
  - allows the student to return to school for additional educational and transition needs.

- 3) Before awarding a conditional certificate of transition in the form of a continuing or transition IEP, the IEP team must agree to the following:
  - The student's program and instruction have been appropriate and implemented as written.
  - The student has attended four or more years of high school.
  - The student may participate equally in all graduation activities.
  - The student has a follow-up plan of action in the form of a continuing or transition IEP.
- 4) Districts must ensure that the student has a continuing or transition IEP that outlines measures, resources, and specific responsibilities for the district, the student, and the parent to ensure the student receives the high school diploma.
- 5) Upon satisfactory completion of a standard, modified, or ability program of study, the student will receive his or her diploma, and be reported as an exited student in STARS.
- 6) A student who does not return to complete the follow-up plan of action will be considered a dropout unless they are enrolled in another school district, private school, or State or district-approved education program (including a GED program), or temporary absence due to suspension or school-approved illness.

### **NM Graduation Requirements:**

For specific, current information on New Mexico graduation requirements, please visit: <https://webnew.ped.state.nm.us/bureaus/college-career-readiness/graduation/> . The site contains links to:

- Graduation Portfolio Rubrics,
- Frequently Asked Questions on Changes in Graduation Requirements,
- Fourth Math Course Options for school year 2020-2021,
- Industry Recognized Credentials,
- Programs of Study, and
- Local Demonstration of Competency.

There are also links to competency requirements, course requirements, and graduation coursework checklists through 2025.



# Appendices

**A. Glossary of Terms** **17-19**

**B. Federal and New Mexico Laws and Regulations** **20-21**

## Glossary of Terms

### **Ability Option:**

Is a program of study for students with significant cognitive disabilities who are unable to benefit from a standard or modified program of study. A student completing the ability program of study typically works toward goals, objectives, and benchmarks identified within the IEP that relate primarily to employability and independent living skills and/or community participation. The student will earn a high school diploma once he or she meets the goals, objectives, and transition outcomes plan outlined in the IEP.

### **Alternate Assessment:**

An instrument used in gathering information on the standards based performance and progress of students whose disabilities preclude them from valid and reliable participation in general assessments. Alternate assessments measure the performance of a relatively small population of students who are unable to participate in the general assessment system, with or without accommodations as determined by the IEP team.

### **Diploma:**

A student receives a high school diploma upon completion of any of the three programs of study as outlined. Wording and visual appearance shall be the same in all instances.

### **Dynamic Learning Maps (DLM):**

An assessment designed for students with the most significant cognitive disabilities for whom general state assessments are not appropriate, even with accommodations. Results from DLM assessments support interpretations about what students know and can do.

### **Conditional Certificate of Transition:**

District or charter school ensures that a conditional certificate of transition entitles a student who has attended four years or more of high school to participate in graduation activities, and requires that the student continue receiving special education supports and services to obtain the high school diploma to age 22.

### **Continuing and Transition IEP:**

An IEP detailing actions or steps needed in order for a student to progress toward completion of graduation requirements based on the chosen option. This should include, at a minimum:

- Goals, objectives, or benchmarks;
- Other agency involvement;
- Time lines;
- Related services; and
- A plan for periodic assessment of the progress toward graduation.

### **High School Transcript:**

- This educational record remains on file for 90 years.
- This document should be clear to any reader.
- There should be no distinguishing titles such as “special education” on course names.
- Schools may need to develop course offerings (including title and number) that are broad enough to include New Mexico Standards and Benchmarks supporting the modified and ability programs of study.
- The Department recommends the Course Classification System published in the Student Teacher Accountability Reporting System–Users Guide. The Department reviewed these course classifications for non-discriminatory language
- When evaluating educational activities for the purpose of awarding credit, one should



utilize flexibility and creativity in terms of assessments and documentation. Many courses interchange with community-based or related service activities (i.e., speech therapy or journalism can be substituted for communication skills credit; a mentorship at a local news station might be used as a fine arts elective). Building administrators and high school counselors should be involved in this process.

- In addition to using the current New Mexico Standards and Benchmarks as a foundation, student performance on the New Mexico High School Exit Exam may serve as supporting validation of the student's skills. The IEP team needs to assess the application of the student's knowledge and skill base as it relates to life situations such as employability, community involvement, and independent living.

#### **Modified Option:**

An alternative graduation option for students with disabilities. This option is based upon meeting the department's employability and career education standards with benchmarks and performance standards as identified in the student's IEP. It is a program of study that is based upon the student's meeting or exceeding all requirements for graduation as specified in Section 22-13-1.1 NMSA 1978.

#### **Original IEP/Graduation:**

The first IEP that addresses the high school program of study will typically be a transitional IEP held prior to the student entering 9<sup>th</sup> grade.

#### **Prior Written Notice of Actions Proposed (PWN):**

One of two kinds of notices required in connection with an IEP meeting. The IEP team provides this type of notice to parents at the conclusion of an IEP meeting. The **PWN** identifies all actions proposed and if proposed items were accepted or rejected and the reasons for doing so.

#### **Standard Diploma:**

All diplomas awarded by a school district or charter school shall be identical in appearance, content and effect, except that symbols or notations may be added to individual student's diplomas to reflect official school honors or awards earned by students. 6.29.1(J)(13)(q) NMAC

#### **Transfer of Rights:**

Under New Mexico law, a person's age of majority begins on his or her 18<sup>th</sup> birthday. A person who has reached the age of majority is an adult for all purposes not otherwise limited by State law. A guardianship proceeding under the Probate Code is the only way an adult in New Mexico can legally be determined to be incompetent and have the right to make his or her own decisions taken away. Public agencies and their IEP teams are not empowered to make such determinations under New Mexico law. Accordingly, when a student with a disability reaches 18 and does not have a court-appointed guardian, all rights accorded to parents under IDEA and New Mexico laws and regulations transfer to the student.

Each annual IEP review for a student who is 14 or older must include a discussion of the rights that will transfer to the student upon the 18<sup>th</sup> birthday and, as appropriate, a discussion of the parents' plans for obtaining a guardian before that time. In addition, each student's IEP beginning not later than when the student turns 14 must include a statement that the student and parents have been informed of the rights that will transfer to the student at age 18 as required by 6.31.2.13(K) NMAC.

#### **Transition Plan:**

Transition planning is a formal process for helping kids with IEPs figure out what they want to do after high school and how to get there. It's required by the Individuals with Disabilities Education Act (IDEA). The purpose of transition planning is to help your child prepare to be an independent young adult.

## Appendix B



**The following Federal and New Mexico State laws and regulations are important sources for information regarding services available to students with special needs. It is strongly advised that the reader familiarize her or himself with the rights and privileges afforded them by the state of New Mexico and our national government.**

### **IDEA (Individuals with Disabilities Education Act) Regulations**

#### **34 CFR § 300.43 Transition Services**

The 2004 Reauthorization of the Individuals with Disabilities Education Improvement Act (IDEA) outlines the responsibility of districts to provide transition services to students with disabilities.

#### **34 CFR § 300.300 Parental Consent**

(a) Parental consent for initial evaluation. (1)(i) The public agency proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under § 300.8 must, after providing notice consistent with §§ 300.503 and 300.504, obtain informed consent, consistent with § 300.9, from the parent of the child before conducting the evaluation.

#### **34 CFR § 300.306 Determination of eligibility**

Helps define who can receive special services

#### **34 CFR § 300.320 Individualized Education Programs (IEP)**

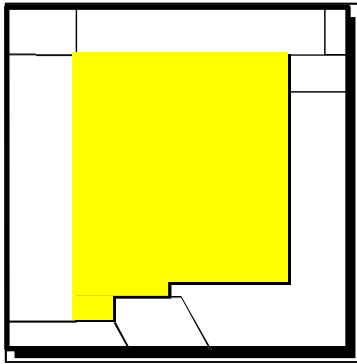
Includes a definition of the IEP and how the program must be structured.

#### **34 CFR § 300.324 Development, review, and revision of IEP**

Details much of the implementation of the IEP from inception to transition

#### **34 CFR § 300.520 Transfer of Parental Rights at Age of Majority**

Discusses the legal issues related to a child reaching majority age.



## **New Mexico Statutes Annotated (NMSA)**

**Section 22-13-1.1 Graduation Requirements**

**Section 22-13-1.2 End of Year Course Test Alignment**

**Section 22-2C-4.1 Statewide College and Workplace Readiness Assessment System**

## **New Mexico Administrative Code (NMAC)**

6.19.7: Public School Accountability: High School Readiness Assessment System for Career and College

6.29.1(J): Standards for Excellence: Graduation Requirements

(1) New Mexico Eleventh Grade SBA

(13) Graduation Requirements Students with IEPs

6.29.1(L): Statewide Assessment System

6.31.2.11: Special Education: Children with Disabilities

(E)- Participation in Statewide and District-wide Assessments

(G)- Graduation Planning and Post-Secondary Transitions

6.31.2.11: Educational Services for Students with Disabilities

(E)- Participation in statewide and district-wide assessments.

(G)- Graduation planning and post-secondary transitions.