 <p><b>CD-120300</b></p>	<p><b>NEW MEXICO CORRECTIONS DEPARTMENT</b></p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i>  <b>Courage Responsibility Ethics Dedication - CRED</b>ibly serving the public safety of New Mexico</p>	
	<p><b>ISSUE DATE:</b> 10/07/83</p> <p><b>EFFECTIVE DATE:</b> 10/07/83</p>	<p><b>REVIEWED:</b> 07/31/17</p> <p><b>REVISED:</b> 10/08/15</p>
	<p><b>TITLE: Educational and Vocational Testing</b></p>	

**AUTHORITY:**

- A. Policy *CD-010100*.
- B. Individuals with Disabilities Education Act.
- C. Federal Statute 34 CFR Part 300.
- D. NMAC 6.31.2.1.

**REFERENCES:**

- A. ACA Standard 2-CO-4A-01 and 2-CO-5B-01, *Standards for the Administration of Correctional Agencies*, 2<sup>nd</sup> Edition.
- B. ACA Standards 4-4474, *Standards for Adult Correctional Institutions*, 4<sup>th</sup> Edition.
- C. New Mexico State Board of Education Regulations.
- D. CEA Standard 70-71, 72, 50 and 58.

**PURPOSE:**

To provide guidelines for the psycho-educational and vocational testing of New Mexico inmates at state and private facilities which provide services to and house inmates. **[2-CO-4A-01] [2-CO-5B-01]**

**APPLICABILITY:**

All staff involved in assessing the educational needs of inmates processed by the RDC, especially Licensed Educational Diagnosticians and Licensed Psychologists at State and privately operated facilities.

**FORMS:**

None

**ATTACHMENTS:**

None

**DEFINITIONS:**

- A. *Individualized Program (IP)*: An education plan of goals and objectives developed for an individual with a disability by the IP team.

- B. *Psycho-educational testing*: A comprehensive assessment battery administered by a licensed professional that may include the following areas: academic and achievement skills, cognitive/intellectual abilities, processing abilities, classroom behavior/performance, creativity and/or thinking skills, communication and language skills, and physical abilities.

**POLICY:**

Inmates, whether housed in State or privately run institutions, shall be scheduled for and administered appropriate assessment instruments to evaluate and determine their educational needs.


The Department shall have a system of academic and vocational counseling as well as initial screening, assessment, and evaluation to determine each inmate's educational needs. [4-4474] [2-CO-4A-01] [2-CO-5B-01]



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David Jablonski, Secretary of Corrections  
New Mexico Corrections Department

07/31/17  
Date

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**AUTHORITY:**  
Policy *CD-120300*

**PROCEDURES:**

The following procedures shall be used in the testing and assessment process:

**A. Reception and Diagnostic Center (RDC): [2-CO-4A-01] [2-CO-5B-01]**

1. All inmates shall be scheduled for testing in a timely manner.
2. Testing should be coordinated and supervised by the RDC staff on a scheduled basis consistent with the rate of intake and discharge.
3. All test results, assessments, and evaluations should be placed in the inmate's appropriate file. This information is not available to anyone except through the individual's signed consent or by court order.
4. All assessments required by the RDC shall be completed prior to the inmate's appearance before the RDC Classification Committee.
5. Copies of all educational files shall be transferred from RDC to facilities which the inmate is transferred at the time the inmate is transferred.
6. Educational Assessment:
  - a. A representative of the Education Bureau shall interview all inmates at RDC for a summary educational assessment. Information may be documented on prior educational and vocational experience as well as work history data. All inmates will be administered a basic skills test.
  - b. Information developed in the course of this interview and testing program shall be submitted to the RDC staff for inclusion in the inmate's file.
7. Educational Testing:
  - a. After the inmate has been transferred from RDC and has arrived at the receiving institution, he/she shall proceed through an orientation process. At the receiving institution, an Education Registrar or Supervisor of Education shall ensure further

academic testing, as needed per program requirement. The registrar or designee shall be responsible for the tests being kept, administered and scored in an appropriate, professional manner, following the strictest adherence to the rules established for each one of the tests administered.

- b. The testing environment shall be such that it maximizes the validity of the test results.
- c. The Education registrar/designee shall be responsible for explaining to students the nature of the test to be administered and the manner in which the test results will be used.
- d. The Education Registrar or their designee supervises the scoring of the tests and enters the results on the diagnostic form. If deemed necessary by the Registrar, the inmate may be referred to the Special Education Teacher for follow up.
- e. The Special Education Teacher will evaluate any inmate referred to him or her, and if appropriate, will prepare a special education referral packet for the Licensed Diagnostician.
- f. The Education Registrar or other representative from the Education Bureau shall attend or provide ILP information to the initial classification/ITAP/TAP committee meeting in an advisory capacity.

#### **B. Licensed Diagnostician:**

Licensed Diagnosticians administer tests to determine the need for special education services. All Diagnosticians working for the New Mexico Corrections Department or private contract facilities must hold a valid and current license from the State of New Mexico.

1. The Diagnostician will review the special education referral packet to ascertain that all the necessary documentation is in the file.
2. After the referral packet has been reviewed, the Diagnostician will inform the Special Education Teacher of his or her findings and will set up a time to conduct the proper testing, if necessary.
3. Before any evaluation is done, the Diagnostician will explain the purpose of the testing and make sure that the Consent for Evaluation form has been properly signed.
4. The Diagnostician will keep all protocols and testing materials under secured conditions and will follow all the proper procedures concerning the administration, scoring and confidentiality of all the testing materials under his or her care.
5. After the testing has been conducted, the Diagnostician will write the psycho-educational report in a timely manner. He or she will notify the Special Education Teacher that the

report is ready, and will provide said teacher with two copies of the report – one for the educational file of the inmate and another for the inmate’s personal use.

6. The Diagnostician will attend the IP meeting that has been set by the Special Education Teacher to explain his or her findings from the evaluation and provide some recommendations for the education plan of the student.
7. Once the report has been explained and all questions answered, the Diagnostician will fill out the appropriate IP Committee Assessment Report form and he or she will collect the appropriate signatures and other documentation necessary.
8. In case of a disagreement with the report, the Diagnostician will collect the dissenting statements and the supporting evidence and will document the event.
9. The Diagnostician will make him or herself available to all staff in matters concerning testing and the proper procedures for handling, administering, scoring and reporting.



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