

## Transition Information: New Mexico

### **Timeline**

- *At the age of 14:*
  - The transition planning process should begin when the student turns 14 years old. The transition section of the IEP should be developed, and should include information regarding the future of the student's education and employment.
  - The transition team should begin to discuss the student's pathway to a high school diploma.
- *At the age of 16:*
  - The transition IEP goes into effect when the student turns 16.
  - The IEP should represent all the services necessary for the transition from school to work for the student. It should include all resources that are relevant to the student's transition out of school.
- *Before the age of 17:*
  - The first attempt at the state exit exam should be in the second semester of 10<sup>th</sup> grade, around age 16 or 17.
  - The guardianship/conservatorship process should begin. (The age of majority in New Mexico is 18)
    - The student should be notified of the transfer of rights by his or her 17<sup>th</sup> birthday and any necessary precautions should be taken. A signed acknowledgement of the transfer should be included in the IEP by the student's 17<sup>th</sup> birthday.
    - If families and students feel uncomfortable with the transfer of the decision-making abilities to the student, the prospective guardian needs to petition for guardianship at the local probate court.
  - The vocational rehabilitation process should begin at least 2 years prior to high school graduation.
- *Before the age of 18:*
  - Apply for Social Security benefits, Social Security Disability Insurance and Medicaid.
    - If ineligible for Medicaid, look into other health insurance options, as it is likely the individual will no longer be covered by the parents plan after age 19 if not enrolled in college or covered by Medicaid.
  - Add your name to the waiting list for residential placements in the state. Regardless of future residential plans, it is good to be on the waitlist, as these lists can be extremely long, and it is easy to remove your name than it is to add it.
- *At age 18:*
  - Register to vote.
  - Upon an individual's 18<sup>th</sup> birthday, he or she changes from a system of being entitled to certain rights and privileges to a system of eligibility.
  - Male students should register for the draft, no matter the level of functioning.
  - If applicable, individuals should apply to adult agencies for vocational and day programs, as well as for supported living.
- *At age 22:*
  - All special education services will be terminated when the student turns 22 years old.

## **Starting the Transition Process:**

The transition planning process should begin when the student turns 14 years old. The transition section of the IEP should include information regarding the future of the student's education and employment. The IEP should represent all the services necessary for the transition from school to work for the student. It will go into effect when the student turns 16 years old and at that point, should include a statement of needed transition services. It should include all resources that are relevant to that transition.

The transition team should include the parents of the student, the student if he or she can be present, teachers and therapists. The team should also include representatives from all the agencies and schools that will be involved in helping the student achieve his or her post-secondary goals. There should be a coordinated set of activities and strategies that will help the student achieve these goals. The transition IEP should also be in accordance with the student's preferences and strengths. It should include information about instruction and training in vocational skills, education-related tasks and also in daily living skills to prepare them for employment and independent living.

*The Facilitated IEP Meeting Fact Sheet:*

[www.ped.state.nm.us/seo/dispute/IEP%20HANDOUT.pdf](http://www.ped.state.nm.us/seo/dispute/IEP%20HANDOUT.pdf)

## **Education:**

The IEP should include future courses that the student will be taking in secondary school and if appropriate, after secondary school. The curriculum should be as specific and as personalized as possible to help the student transition from secondary school to other stages in life. It should also include what diploma option the student is pursuing and what his or her plans are for post-secondary education, such as vocational training or college. Students planning on going to college should take classes that will prepare them for doing so. They should complete all the applications and standardized tests before they graduate, during their junior and senior years.

All special education services will be terminated when the student turns 22 years old. In terms of graduation, the state provides minimum requirements for graduation, which LEAs can add to. The only diploma option that students have is to get the standard high school diploma. The only allowance for those requirements is that alternate courses can be used to fulfill those required credits for graduation.

There is a state exit exam for graduation. All students take the same test, but if students with disabilities want to, they can have a lower passing score. The first attempt at the state exit exam should be in the second semester of 10<sup>th</sup> grade. Students who fail the

exam can retake the same exam again. They can retake the exam once except in 12<sup>th</sup> grade, where they can retake the exam twice.

*Pathways to Diploma:*

[www.ped.state.nm.us/se0/transition/tam.pathways.to.diploma.pdf](http://www.ped.state.nm.us/se0/transition/tam.pathways.to.diploma.pdf)

There are various pathways to the diploma that should be discussed during IEP meetings beginning in 8<sup>th</sup> grade. There is the standard pathway, which means that the student must meet all the requirements of the New Mexico Standards of Excellence like any other student. The person with disabilities will be permitted to have some allowances, but must complete the state exit exam and meet any other district requirements. The next pathway is the "Career Readiness" program, which is a course of study that is more focused on ensuring that the student has all the basic knowledge and skills to compete in the current job market and keep a job. They also have to complete the set requirements and take the state exit exam, and can do so with approved accommodations. The final program is the "Ability" program that is based upon the student meeting his/her IEP goals. The IEP cannot change the student's pathway after the twentieth day in the program. Once the student has completed high school even if they are still continuing secondary education, they can get a certificate. If they complete any of the three aforementioned programs, they will receive a standard high school diploma.

## **Guardianship:**

The age of majority in New Mexico is 18 years old. At that age, all rights will be transferred to individuals from their guardians, which makes them responsible for their own decisions, even decisions related to their finances, living situations and also their health issues. They should be notified of this transfer by their 17<sup>th</sup> birthday and any necessary precautions should be taken. At every IEP meeting, after the student's 16<sup>th</sup> birthday, the transfer of rights should be discussed so that the student and the transition team acknowledge that that transition will be happening and are prepared for it. A signed acknowledgement of the transfer should be included in the IEP by the student's 17<sup>th</sup> birthday.

If the family does not feel that it is in the student's best interests for the transfer to occur, they can petition at the local district court for guardianship. This requires that the student be proven incapacitated and therefore unable to make educated decisions about his or her own welfare. There are various forms of guardianship such as temporary and limited guardianships or conservatorships. The terms of the guardianship will be included in the court order discussed during the hearing. Once a petition is filed at a district court, there will be a hearing where lawyers representing both the disabled individual and the guardian will debate whether the guardianship is necessary.

*The Handbook for Guardians and Conservators: A Practical Guide to New Mexico Law*  
<http://www.nmddpc.com/media/files/NMGAHandbook5-07.pdf>

## **Vocational Rehabilitation:**

The objective of the Division of Vocational Rehabilitation is to teach students how to get and keep a job and live independently. They provide assessments of basic vocational skills and they help guide students through the period of time before they enter the job market. Most applications to the Division of Vocational Rehabilitation programs take approximately 60 days to be approved. They help with Social Security and Medicaid. They are also providers of the federally funded “Ticket to Work” program and the “TRACE Apprenticeship Program”. They provide services related to assistive technology and the development of vocational skills and living skills. VR counselors help their clients develop an IPE (Individualized Plan of Employment). These counselors also help in job placement and supported employment and help with understanding the other obstacles that are involved in the job process (transportation, living, etc.). The program is completed after you have been able to keep a job for over 90 days.

To locate an office, visit [www.dvrgetsjobs.com/NMDVRLocations/NMDVRLocations.aspx](http://www.dvrgetsjobs.com/NMDVRLocations/NMDVRLocations.aspx)

## **Social Security:**

Benefits should be applied for before the student’s 18<sup>th</sup> birthday and then be re-evaluated after the student’s 18<sup>th</sup> birthday. It is also important that the office be contacted well in advance before the student’s 18<sup>th</sup> birthday to understand that eligibility and application process.

Applicants may apply online or by contacting Social Security directly. Local Social Security offices can be found using SSA’s office locator or by calling 800-772-1213.

- *Social Security Administration:* [www.socialsecurity.gov](http://www.socialsecurity.gov)
- *Social Security Benefit Application:* [www.socialsecurity.gov/disabilityonline](http://www.socialsecurity.gov/disabilityonline)
- *Social Security Benefits for People with Disabilities:* [www.ssa.gov/disability](http://www.ssa.gov/disability)
- *Social Security Office Locator:* <https://secure.ssa.gov/ICON/main.jsp>

## **Housing Resources:**

New Mexico Public Housing Agency Contact Information:  
[www.hud.gov/offices/pih/pha/contacts/states/nm.cfm](http://www.hud.gov/offices/pih/pha/contacts/states/nm.cfm)

US Department of Housing and Urban Development: HUD in New Mexico  
[http://portal.hud.gov/portal/page/portal/HUD/states/new\\_mexico](http://portal.hud.gov/portal/page/portal/HUD/states/new_mexico)

Disability.gov Guide to Housing:  
[www.disability.gov/resource/disability-govs-guide-housing](http://www.disability.gov/resource/disability-govs-guide-housing)

## **New Mexico Resources**

### **Special Education Bureau**

New Mexico Public Education Department  
(505) 827-1457

[www.ped.state.nm.us/seb](http://www.ped.state.nm.us/seb)

Transition page: [www.ped.state.nm.us/seo/transition/index.htm](http://www.ped.state.nm.us/seo/transition/index.htm)

### **State of New Mexico Division of Vocational Rehabilitation**

[www.dvrgetsjobs.com](http://www.dvrgetsjobs.com)

### **Developmental Disabilities Supports Division**

New Mexico Department of Health

<http://nmhealth.org/about/ddsd>

### **College and Career Readiness Bureau**

New Mexico Public Education Department  
(505) 827-6729

[http://ped.state.nm.us/ped/CCR\\_index.html](http://ped.state.nm.us/ped/CCR_index.html)

### **New Mexico Children, Youth and Families Department**

<http://cyfd.org/>

*Transition Services:* <http://cyfd.org/transition-services>

### **New Mexico Guardianship Association**

[guardianshipnm.org](http://guardianshipnm.org)