

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 30 EDUCATIONAL STANDARDS GENERAL REQUIREMENTS
PART 3 ELIGIBILITY FOR THE HIGH SCHOOL EQUIVALENCY ASSESSMENTS OR
PROGRAMS AND DIPLOMA IN NM

6.30.3.1 ISSUING AGENCY: Public Education Department, hereinafter the department.
[6.30.3.1 NMAC - Rp, 6.30.3.1 NMAC, 1/28/2020]

6.30.3.2 SCOPE: All individuals seeking to obtain a high school equivalency credential or department-issued New Mexico high school adult diploma and all publishers or program providers who seek to become qualified in the state of New Mexico to administer high school equivalency assessments or programs or adult diploma programs.
[6.30.3.2 NMAC - Rp, 6.30.3.2 NMAC, 1/28/2020]

6.30.3.3 STATUTORY AUTHORITY: This rule is being promulgated pursuant to Sections 22-1-9.2, 22-2-1, 22-2-2, 22-2-8.8, 22-2-8.14, 22-12A-4, 22-13-1.1, and 43-1-3 NMSA 1978.
[6.30.3.3 NMAC - Rp, 6.30.3.3 NMAC, 1/28/2020]

6.30.3.4 DURATION: Permanent.
[6.30.3.4 NMAC - Rp, 6.30.3.4 NMAC, 1/28/2020]

6.30.3.5 EFFECTIVE DATE: January 28, 2020, unless a later date is cited at the end of a section or paragraph.
[6.30.3.5 NMAC - Rp, 6.30.3.5 NMAC, 1/28/2020]

6.30.3.6 OBJECTIVE: To give individuals who have not graduated from high school the opportunity to earn a high school equivalency credential or department-issued New Mexico high school adult diploma. To establish criteria for a high school equivalency publisher or program provider to become qualified to administer a high school equivalency credential assessment or program in the state of New Mexico. To establish criteria for an adult diploma program to become qualified to administer an adult diploma program in the state of New Mexico.
[6.30.3.6 NMAC - Rp, 6.30.3.6 NMAC, 1/28/2020]

6.30.3.7 DEFINITIONS:

A. “Adult diploma program” means a program administered by a qualified adult diploma program in the state of New Mexico.

B. “Department-issued New Mexico high school adult diploma” means a diploma issued by the department, its designee, or a qualified adult diploma program to any candidate who is at least 18 years of age and who has successfully completed an adult diploma program.

C. “High school equivalency credential” means a credential issued by the department, its designee, or a qualified publisher or program to any candidate who is at least 16 years of age and who has successfully completed a high school equivalency assessment or program.

D. “High school equivalency credential assessment or program” means an assessment or program administered by a qualified high school equivalency publisher or program provider.

E. “Program administrator” means an office within the New Mexico higher education department that coordinates activities related to high school equivalency credentials, and high school equivalency assessments and programs, department-issued New Mexico high school adult diplomas, and adult diploma programs.

F. “Qualified adult diploma program” means a program that has been approved by the department to administer the adult diploma program in the state of New Mexico.

G. “Qualified high school equivalency publisher or program provider” or **“qualified publisher or program provider”** means a publisher or program provider that has been approved by the department to administer the high school equivalency assessment or program in the state of New Mexico.

[6.30.3.7 NMAC - Rp, 6.30.3.7 NMAC, 1/28/2020]

6.30.3.8 TESTING ELIGIBILITY AND USE OF THE UNDERAGE FORM:

A. Any individual, whether or not a New Mexico resident, who is at least 16 years of age, who has not earned a high school diploma or high school equivalency credential, and is not currently enrolled or required to

be enrolled in a high school is eligible to complete a high school equivalency credential assessment or program, administered by a qualified publisher or program provider.

B. Any individual who seeks to withdraw from public school before their 18th birthday shall not be permitted to begin a high school equivalency credential assessment or program unless that individual can demonstrate compliance with the New Mexico school attendance law. The individual seeking to complete a high school equivalency assessment or program shall complete forms, as required by the department, and obtain all necessary signatures. The individual shall file copies of the completed forms with the following entities:

- (1) the school district that provides the necessary signatures; and
- (2) the qualified publisher or program provider through which the individual seeks to obtain the high school equivalency credential.

C. Individuals detained at a New Mexico juvenile correctional institution or a juvenile justice division facility operated by the New Mexico children, youth and families department, shall be permitted to take a high school equivalency credential assessment or program at age 16 or 17 only when the individual requests and receives written approval to take the high school equivalency credential assessment or participate in the high school equivalency credential program from the warden, director, or educational director of that institution or facility. Such individuals shall receive the high school equivalency credential upon successful completion of a high school equivalency credential assessment or program. No other consent to take a high school equivalency credential assessment or program is required.

D. An individual enrolled in a state institution under the authority of the secretary of the department of health shall be permitted to take a high school equivalency credential assessment or program at age 16 or 17 only when the individual requests and receives written approval to take the high school equivalency credential assessment or participate in the high school equivalency credential program from the director of the facility where the individual is enrolled or from the educational director of that institution. Such individuals shall receive the high school equivalency credential upon successful completion of a high school equivalency credential assessment or program. No other consent to take a high school equivalency credential assessment or program is required.

E. Individuals enrolled in any other state institution shall be permitted to take a high school equivalency credential assessment or program at age 16 or 17 only when the individual requests and receives written approval to take the high school equivalency credential assessment or participate in the high school equivalency credential program from the director of the institution where the individual is enrolled or from the educational director of that institution. Such individuals shall receive the high school equivalency credential upon successful completion of a high school equivalency credential assessment or program. No other consent to take a high school equivalency credential assessment or program is required.

[6.30.3.8 NMAC - Rp, 6.30.3.8 NMAC, 1/28/2020]

6.30.3.9 ISSUANCE OF HIGH SCHOOL EQUIVALENCY CREDENTIALS:

A. Upon successful completion of a high school equivalency credential assessment or program:

- (1) the qualified high school equivalency publisher or program provider shall issue a transcript to the individual; and
- (2) the individual shall submit documentation of the successful completion to the program administrator.

B. Any individual, whether or not a New Mexico resident, who successfully completes a high school equivalency credential assessment or program and is at least 16 years of age will receive the high school equivalency credential.

C. A high school equivalency credential issued after successful completion of a high school equivalency credential assessment or program shall be equivalent to a high school diploma or a New Mexico diploma of excellence issued by a school district pursuant to Section 22-13-1.1 NMSA 1978.

[6.30.3.9 NMAC - Rp, 6.30.3.9 NMAC, 1/28/2020]

6.30.3.10 ISSUANCE OF DEPARTMENT HIGH SCHOOL ADULT DIPLOMAS:

A. Upon successful completion of an adult diploma program:

- (1) the qualified adult diploma program provider shall issue a transcript to the individual; and
- (2) the individual shall submit documentation of the successful completion to the program administrator.

B. Any individual, whether or not a New Mexico resident, who successfully completes an adult diploma program and is at least 18 years of age will receive a department-issued New Mexico high school adult diploma.

C. A department-issued New Mexico high school adult diploma awarded after successful completion of a high school equivalency credential assessment or program shall be equivalent to a high school diploma or a New Mexico diploma of excellence issued by a school district pursuant to Section 22-13-1.1 NMSA 1978. [6.30.3.10 NMAC - Rp, 6.30.3.10 NMAC, 1/28/2020]

6.30.3.11 CRITERIA FOR BECOMING A QUALIFIED HIGH SCHOOL EQUIVALENCY PUBLISHER OR PROGRAM PROVIDER:

A. A high school equivalency publisher or program provider shall submit an application to the department, as required by the department, and shall meet criteria to be designated a qualified high school equivalency publisher or program provider in the state of New Mexico. The application shall include the following criteria:

- (1) the high school equivalency credential assessment or program shall be recognized by the division of the United States department of education that oversees career and college readiness standards as an eligible high school equivalency publisher or program;
- (2) the high school equivalency assessment or program shall be comparable to all college and career readiness standards established by the state of New Mexico;
- (3) the high school equivalency publisher or program provider shall assess high school-level skills in applied life and work contexts;
- (4) the high school equivalency publisher or program provider shall prepare individuals within its program to enter college or the workforce, upgrade their skills, advance to a better job, or move from one field of work to another; and
- (5) the high school equivalency publisher or program provider shall issue a transcript acceptable for college admissions and applications.

B. The department shall convene a review committee composed of staff from the department and the New Mexico higher education department, including the program administrator and staff from the adult education division. The review committee shall evaluate high school equivalency publisher or program provider applications and make a determination as to whether the applicant meets criteria to become a qualified high school equivalency publisher or program provider in the state of New Mexico. [6.30.3.11 NMAC - Rp, 6.30.3.11 NMAC, 1/28/2020]

6.30.3.12 CRITERIA FOR BECOMING A QUALIFIED ADULT DIPLOMA PROGRAM:

A. An adult diploma program shall submit an application to the department, as required by the department, and shall meet criteria to be designated a qualified adult diploma program in the state of New Mexico. The application shall include the following criteria:

- (1) the adult diploma program shall be recognized by the division of the United States department of education that oversees career and college readiness standards as an eligible adult diploma program;
- (2) the adult diploma program shall be comparable to all college and career readiness standards established by the state of New Mexico;
- (3) the adult diploma program shall assess high school-level skills in applied life and work contexts;
- (4) the adult diploma program shall prepare individuals within its program to enter college or the workforce, upgrade their skills, advance to a better job, or move from one field of work to another; and
- (5) the adult diploma program shall issue a transcript acceptable for college admissions and applications.

B. The department shall convene a review committee composed of staff from the department and the New Mexico higher education department, including the program administrator and staff from the adult education division. The review committee shall evaluate adult diploma program applications and make a determination as to whether the applicant meets criteria to become a qualified adult diploma program in the state of New Mexico. [6.30.3.12 NMAC - Rp, 6.30.3.12 NMAC, 1/28/2020]

HISTORY OF 6.30.3 NMAC:

6.30.3 NMAC, Eligibility for the General Educational Development Tests (GED Tests) and Diploma in NM, filed 5/31/2001, was repealed and replaced by 6.30.3 NMAC, Eligibility for the High School Equivalency Assessments or Programs and Diploma in NM, effective 12/31/2019.

PRE-NMAC HISTORY: The material in this regulation is derived from that previously filed with the State

Records Center and Archives under:

SDE Regulation 71-21, Minimum Age Requirement for G.E.D. Test Administration in New Mexico, filed January 31, 1972;

SDE Regulation 73-20, Regulation Governing Minimum Age Requirement for G.E.D. Test Administration in New Mexico, filed June 12, 1973; and

State Board of Education Regulation 80-12, eligibility for the G.E.D. Assessment or program and Diploma in New Mexico, filed March 3, 1981.