



# NEW MEXICO CORRECTIONS DEPARTMENT

Secretary  
Alisha Tafoya Lucero

CD-120700 Language Proficiency Testing and Placement	Issued: 11/01/00 Effective: 11/01/00	Reviewed: 7/31/20 Revised: 2/23/15
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

## AUTHORITY:

- A. Policy *CD-010100*.
- B. New Mexico State Department of Education.

## REFERENCES:

- A. *State of New Mexico Commission on Higher Education State Plan for Adult Education and Family Literacy*
- B. Adult Education and Family Literacy Act.
- C. CEA Standards 30, 33 and 35.
- D. ACA Standard 2-CO-5B-01, *Standards for the Administration of Correctional Agencies*, 2<sup>nd</sup> Edition.
- E. ACA Standard 5-7B-4464, *Performance Based Expected Practices for Adult Correctional Institutions*, 5<sup>th</sup> Edition.

## PURPOSE:

To establish guidelines for the language proficiency testing and placement of inmates at the New Mexico Correctional Department (NMCD) state facilities and the private facilities with whom it contracts.

## APPLICABILITY:

Education staff at NMCD and private contract facilities.

## FORMS:

None

## ATTACHMENTS:

None

## DEFINITIONS:

- A. *English as a Second Language (ESL)*: Programs of instruction designed to help limited English proficient adults achieve full competence in the English language.

- B. *Home or Native Language*: The dominant language used by an individual in the home or learning environment.
- C. *Language Proficiency Assessment*: Evaluation of the functioning level of an individual in listening, speaking, and reading within a given language.
- D. *Limited English Proficient*: An individual with limited ability in speaking, reading, writing or understanding the English language whose home or native language is a language other than English.

**POLICY:**

The NMCD and the privately operated facilities with which it contracts shall schedule and administer language proficiency assessments to determine educational and vocational needs and appropriate placements.

- A. The NMCD shall provide for academic and vocational education programs appropriate to the needs of the inmates. **[2-CO-5B-01]**
- B. The NMCD shall provide for a comprehensive educational program, available to all inmates who are eligible that includes the following: **[5-7B-4464]**
- Educational philosophy and goals;
  - Communication skills;
  - General education;
  - Basic academic skills;
  - GED preparation;
  - Special education;
  - Vocational education;
  - Postsecondary education; and
  - Other education programs as dictated by the needs of the institution's population.



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## AUTHORITY:

Policy *CD-130700*

## PROCEDURES: [2-CO-5B-01] [5-7B-4464]

- A. All inmates who choose to enroll in education, or who are required to enroll by state statute will be surveyed regarding their home or native language. This information will be documented in the inmates' educational files.
- B. Any inmate with a home or native language other than English who achieves less than a sixth grade level on the reading test will be given an oral language proficiency assessment.
- C. English Language Learner (ELL) students will be placed at the appropriate level of English as a Second Language (ESL) instruction: Beginning Literacy ESL, Beginning Basic ESL, Low Intermediate ESL, High Intermediate ESL, Low Advanced ESL, or High Advanced ESL, at the same time that he or she is receiving academic instruction in other areas with the proper modifications.
- D. Any student with a home or native language other than English who is not making the expected progress may be referred for language proficiency testing.
- E. Any Spanish-speaking inmate who enrolls in the preparation class for the Spanish Language GED exam will be given a native language proficiency assessment of reading, writing and math skills.
- F. Any inmate with a home or native language other than English who has been found to have indicators of a need for Special Education Services, or is being referred for a full psycho-education evaluation will be referred for a native language proficiency assessment. The person administering the assessment of the language other than English must be proficient in that language (listening, speaking, reading and writing at the social and academic level). All testing information is confidential and the protocols are kept in the student's educational file.
- G. A learning disability must occur in both languages to be considered a disability and not a language proficiency issue.