

## PROPOSED RULEMAKING: REPEAL AND REPLACE

### ~~TITLE 6 — PRIMARY AND SECONDARY EDUCATION~~ ~~CHAPTER 63 — SCHOOL PERSONNEL — LICENSURE REQUIREMENTS FOR ANCILLARY AND~~ ~~SUPPORT PERSONNEL~~ ~~PART 11 — LICENSURE IN REHABILITATION COUNSELING, GRADES PRE-K-12~~

~~6.63.11.1 — ISSUING AGENCY:~~ Public Education Department.  
[6.63.11.1 NMAC — N, 12/14/2000; A, 6/30/2006]

~~6.63.11.2 — SCOPE:~~ All persons seeking licensure in rehabilitation counseling, grades pre-k-12.  
[6.63.11.2 NMAC — N, 12/14/2000; A, 6/30/2006]

~~6.63.11.3 — STATUTORY AUTHORITY:~~ Sections 22-2-1, 22-2-2, 22-10-3, NMSA 1978, and 22-10A-17 NMSA 1978.  
[6.63.11.3 NMAC — N, 12/14/2000; A, 6/30/2006]

~~6.63.11.4 — DURATION:~~ Permanent.  
[6.63.11.4 NMAC — N, 12/14/2000]

~~6.63.11.5 — EFFECTIVE DATE:~~ December 14, 2000, unless a later date is cited in the history note at the end of a section.  
[6.63.11.5 NMAC — N, 12/14/2000]

~~6.63.11.6 — OBJECTIVE:~~ This rule is adopted by the public education department ("PED") for the purpose of establishing licensure requirements in rehabilitation counseling to ensure that qualified personnel are available to provide appropriate transition and rehabilitation services to students in New Mexico who need those services. Applicants awarded licensure in rehabilitation counseling under this rule may provide rehabilitation counseling services and assist in providing transition services and developing individualized education programs (IEPs) and similar plans and services for students in public and private schools, institutions and agencies. Public or private agencies that are unable to hire a licensed rehabilitation counselor may provide required transition and rehabilitation counseling services to students through an alternate delivery system approved by the PED.  
[6.63.11.6 NMAC — N, 12/14/2000; A, 6/30/2006]

#### ~~6.63.11.7 — DEFINITIONS:~~

~~A. — "Rehabilitation counseling"~~ means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability who receives services under the federal Individuals with Disabilities Education Act (IDEA). The term also includes vocational rehabilitation services provided to a student with disabilities by vocational rehabilitation programs funded under the federal Rehabilitation Act of 1973, as amended.

~~B. — "Related fields"~~ means a degree in such areas as sociology, psychology, school counseling, guidance and counseling, education, special education, social work, and mental health.

~~C. — "Transition services"~~ means a coordinated set of activities for a student with a disability, as defined in the Individuals with Disabilities Education Act, that:

~~(1) — is designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;~~

~~(2) — is based on the individual student's needs, taking into account the student's preferences and interests; and~~

~~(3) — includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.~~

[6.63.11.7 NMAC — N, 12/14/2000]

~~6.63.11.8 — REQUIREMENTS:~~ Persons seeking licensure in rehabilitation counseling pursuant to the provisions of this rule shall meet the requirements of Subsections A, B, C, D or E of 6.63.11.8 NMAC.

## PROPOSED RULEMAKING: REPEAL AND REPLACE

~~\_\_\_\_\_ A. \_\_\_\_\_ Valid certificate as a certified rehabilitation counselor issued by the Commission on Rehabilitation Counselor Certification, 1835 Rohlwing Road, Suite E, Rolling Meadows, IL 60008.~~

~~\_\_\_\_\_ B. \_\_\_\_\_ Master's degree in rehabilitation counseling from a regionally accredited college or university. This requirement shall be satisfied by meeting the requirements of Paragraphs (1) or (2) of Subsection B below.~~

~~\_\_\_\_\_ (1) \_\_\_\_\_ A master's degree awarded by a New Mexico college or university must incorporate the PED's approved competencies in rehabilitation counseling.~~

~~\_\_\_\_\_ (2) \_\_\_\_\_ A master's degree awarded by a college or university outside of New Mexico must be for a rehabilitation counseling program approved by the PED.~~

~~\_\_\_\_\_ C. \_\_\_\_\_ Master's degree in school counseling, vocational counseling or other related field and the provisions of Paragraphs (1) or (2) of Subsection C below;~~

~~\_\_\_\_\_ (1) \_\_\_\_\_ one year of experience in rehabilitation counseling, or~~

~~\_\_\_\_\_ (2) \_\_\_\_\_ 15 semester hours of credit in the rehabilitation counseling competency areas of vocational/transition assessment, medical aspects of disability, psychosocial and/or psycho-cultural aspects of disability, case management in rehabilitation counseling, issues and practices in rehabilitation counseling, or placement aspects of rehabilitation counseling.~~

~~\_\_\_\_\_ D. \_\_\_\_\_ Bachelor's degree in rehabilitation counseling from a regionally accredited college or university and one (1) year of experience in a public or private facility in which direct vocational rehabilitation counseling is the primary job responsibility. The degree requirement shall be satisfied by meeting the requirements of Paragraphs (1) or (2) of Subsection D below.~~

~~\_\_\_\_\_ (1) \_\_\_\_\_ A bachelor's degree awarded by a New Mexico college or university must incorporate the PED's approved competencies in rehabilitation counseling.~~

~~\_\_\_\_\_ (2) \_\_\_\_\_ A bachelor's degree awarded by a college or university outside of New Mexico must be for a rehabilitation program approved by the PED.~~

~~\_\_\_\_\_ E. \_\_\_\_\_ Bachelor's degree in a related field and the provisions of Paragraph (1) or (2) of Subsection E below.~~

~~\_\_\_\_\_ (1) \_\_\_\_\_ two years of experience in a public or private facility in which direct vocational rehabilitation counseling is the primary job responsibility, or~~

~~\_\_\_\_\_ (2) \_\_\_\_\_ 15 semester hours of credit in the rehabilitation counseling competency areas of vocational/transition assessment, medical aspects of disability, psychosocial and/or psycho-cultural aspects of disability, case management in rehabilitation counseling, issues and practices in rehabilitation counseling, or placement aspects of rehabilitation counseling.~~

~~[6.63.11.8 NMAC N, 12/14/2000; A, 6/30/2006]~~

**6.63.11.9** ~~\_\_\_\_\_~~ **REFERENCED MATERIAL:** Competencies for entry level rehabilitation counselors. The rehabilitation counselor will be able to:

~~\_\_\_\_\_ A. \_\_\_\_\_ provide those individualized and/or group services, which will assist in career development, employment preparation, self determination development; vocational assessment, and integration in the workplace and community for all students;~~

~~\_\_\_\_\_ B. \_\_\_\_\_ demonstrate job development skills and address application of job modification assistance;~~

~~\_\_\_\_\_ C. \_\_\_\_\_ provide technical assistance to special education teachers in developing transition plans and implementing those plans;~~

~~\_\_\_\_\_ D. \_\_\_\_\_ provide program development at the high school and middle school level that supports transition planning and provides a continuum of career development activities from exploration through planning;~~

~~\_\_\_\_\_ E. \_\_\_\_\_ provide assistance with course selection and registration for middle school and high school students including special education students;~~

~~\_\_\_\_\_ F. \_\_\_\_\_ demonstrate strong leadership skills and teamwork through interagency collaboration; working with general education staff, vocational education staff, parents, students, employers, adult service providers and post-secondary education representatives;~~

~~\_\_\_\_\_ G. \_\_\_\_\_ demonstrate knowledge of labor markets, post-secondary opportunities, curricula and materials that support the identification of student aptitudes, interests, preferences, and strengths;~~

~~\_\_\_\_\_ H. \_\_\_\_\_ participate in meetings of individualized educational program (IEP) teams that address transition requirements for students served under the Individuals with Disabilities Education Act (IDEA);~~

~~\_\_\_\_\_ I. \_\_\_\_\_ provide staff development in the area of transition for students with disabilities including training for students, employers, counselors, teachers, parents, and other service providers;~~

~~\_\_\_\_\_ J. \_\_\_\_\_ provide leadership in self-determination, including facilitating the participation of students in their own IEP team meetings;~~

## PROPOSED RULEMAKING: REPEAL AND REPLACE

~~\_\_\_\_\_ K. \_\_\_\_\_ work with the PED to ensure compliance with applicable state and federal regulations;~~  
~~\_\_\_\_\_ L. \_\_\_\_\_ participate in professional development activities to maintain knowledge of preferred practices in rehabilitation counseling.~~  
[6.63.11.9 NMAC – N, 12/14/2000; A, 6/30/2006]

### ~~HISTORY OF 6.63.11 NMAC: [RESERVED]~~

#### **TITLE 6        PRIMARY AND SECONDARY EDUCATION** **CHAPTER 63    SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ANCILLARY AND SUPPORT PERSONNEL** **PART 11        LICENSURE IN REHABILITATION COUNSELING, GRADES PRE K-12**

**6.63.11.1        ISSUING AGENCY:** Public Education Department, hereinafter the department.  
[6.63.11.1 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.2        SCOPE:** All persons seeking licensure in rehabilitation counseling, grades prekindergarten to 12.  
[6.63.11.2 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.3        STATUTORY AUTHORITY:** Sections 9-24-8, 22-2-1, 22-2-2, and 22-10A-17 NMSA 1978.  
[6.63.11.3 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.4        DURATION:** Permanent.  
[6.63.11.4 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.5        EFFECTIVE DATE:** September 27, 2022, unless a later date is cited in the history note at the end of a section.  
[6.63.11.5 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.6        OBJECTIVE:** The purpose of this rule is to establish the requirements for individuals seeking licensure in rehabilitation counseling. Individuals with a license in rehabilitation counseling may provide rehabilitation counseling services and assist with providing transition services, developing individualized education programs (IEPs), and similar plans and services for students in public and private schools, institutions, and agencies. Public or private agencies unable to hire an individual with a license in rehabilitation counseling may provide required transition and rehabilitation counseling services to students through an alternate delivery system approved by the department.  
[6.63.11.6 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

#### **6.63.11.7        DEFINITIONS:**

**A.        “Ancillary provider certificate”** means a one-year, non-renewable certificate issued to a candidate who holds a baccalaureate degree in a field of study reasonably related to vocational rehabilitation and who is working toward a level 1 license in rehabilitation counseling under a one-year individualized mentorship plan approved by the department.

**B.        “Individualized mentorship plan”** means a plan developed by the employer of an individual holding an ancillary provider certificate that describes the training and skills required for an individual to achieve competency in rehabilitation counseling.

**C.        “Rehabilitation counseling”** means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability who receives services under the federal Individuals with Disabilities Education Act (IDEA). The term also includes vocational rehabilitation services provided to a student with disabilities by vocational rehabilitation programs funded under the federal Rehabilitation Act of 1973, as amended.

**D.        “Related field”** means a:  
**(1)**        baccalaureate degree in a field of study reasonably related to vocational rehabilitation that demonstrates basic preparation in a field of study, such as vocational rehabilitation counseling, social work, psychology, disability studies, business administration, human resources, special education, management, public

## PROPOSED RULEMAKING: REPEAL AND REPLACE

administration, or another field that reasonably provides competence in the employment sector, in a disability field, or in both business-related and rehabilitation-related fields; or

(2) master's or doctoral degree in a field of study, such as vocational rehabilitation counseling, law, social work, psychology, disability studies, business administration, human resources, special education, management, public administration, or another field that reasonably provides competence in the employment sector, in a disability field, or in both business-related and rehabilitation-related fields.

**E. "Transition services"** means a coordinated set of activities for a student with a disability, as defined in the Individuals with Disabilities Education Act, that:

(1) is designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(2) is based on the individual student's needs, taking into account the student's preferences and interests; and

(3) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

[6.63.11.7 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.8 REQUIREMENTS FOR LEVEL 1 LICENSE:** Individuals seeking licensure in rehabilitation counseling shall be at least 18 years of age and meet the requirements of subsections A, B, or C of this section.

**A.** Attainment of a baccalaureate degree and demonstration of experience as follows:

(1) Baccalaureate degree in a field of study reasonably related to vocational rehabilitation, that demonstrates basic preparation in a field of study, such as vocational rehabilitation counseling, social work, psychology, disability studies, business administration, human resources, special education, supported employment, customized employment, economics, or another field that reasonably prepares individuals to work with consumers and employers; and

(2) Paid or unpaid work experience, for not less than one year, consisting of:

(a) Direct work with individuals with disabilities in a setting such as an independent living center;

(b) Direct service or advocacy activities that provide experience and skills in working with individuals with disabilities; or

(c) Direct experience in competitive and integrated employment environments as an employer, a small business owner or operator, as self-employed, or in other capacities that provide experience in human resources or recruitment, or experience in supervising employees, training, or other activities.

**B.** Attainment of a master's or doctoral degree in a field of study, such as vocational rehabilitation counseling, law, social work, psychology, disability studies, business administration, human resources, special education, management, public administration, or another field that reasonably provides competence in the employment sector, in a disability field, or in both business-related and rehabilitation-related fields.

**C.** Attainment of a certificate as a rehabilitation counselor issued by the Commission on Rehabilitation Counselor Certification.

[6.63.11.8 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

**6.63.11.9 REQUIREMENTS FOR AN ANCILLARY PROVIDER CERTIFICATE:**

**A.** An ancillary provider certificate may be issued to an individual who:

(1) is at least 18 years of age;

(2) holds at least a baccalaureate degree in vocational rehabilitation counseling or a related field; and

(3) possesses a one-year individualized mentorship plan approved by the department and signed by the individual's direct supervisor or program manager as well as the employing agency's human resources division.

**B.** Upon successful completion of a department-approved mentorship plan, an individual holding an ancillary provider certificate shall be eligible for a level 1 license in rehabilitation counseling.

[6.63.11.9 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

## PROPOSED RULEMAKING: REPEAL AND REPLACE

**6.63.11.10 REFERENCED MATERIAL:** Competencies for rehabilitation counselors. The rehabilitation counselor will be able to:

- A.** provide those individualized and/or group services, which will assist in career development, employment preparation, self-determination development; vocational assessment, and integration in the workplace and community for all students;
- B.** demonstrate job development skills and address application of job modification assistance;
- C.** provide technical assistance to special education teachers in developing transition plans and implementing those plans;
- D.** provide program development at the high school and middle school level that supports transition planning and provides a continuum of career development activities from exploration through planning;
- E.** provide assistance with course selection and registration for middle school and high school students including special education students;
- F.** demonstrate strong leadership skills and teamwork through interagency collaboration; working with general education staff, vocational education staff, parents, students, employers, adult service providers and post secondary education representatives;
- G.** demonstrate knowledge of labor markets, post-secondary opportunities, curricula and materials that support the identification of student aptitudes, interests, preferences, and strengths;
- H.** participate in meetings of individualized educational program teams that address transition requirements for students served under the IDEA;
- I.** provide staff development in the area of transition for students with disabilities including training for students, employers, counselors, teachers, parents, and other service providers;
- J.** provide leadership in self-determination, including facilitating the participation of students in their own IEP team meetings;
- K.** work with the department to ensure compliance with applicable state and federal regulations;
- L.** participate in professional development activities to maintain knowledge of preferred practices in rehabilitation counseling.

[6.63.11.10 NMAC – Rp, 6.63.11 NMAC, 9/27/2022]

### **HISTORY OF 6.63.11 NMAC: [RESERVED]**

6.63.11 NMAC, Licensure in Rehabilitation Counseling, Grades Pre K-12, filed 12/14/2000, was repealed and replaced by 6.63.11 NMAC, Licensure in Rehabilitation Counseling, Grades Pre K-12, effective 9/27/2022.