

MEMORANDUM

Date: May 4, 2018  
To: NM HED  
From: NMSU Community College Academic Vice Presidents' Council  
RE: NM Proposed Rules 5.5.2., 5.5.6, 5.55.5, 5.55.6 and 5.55.7

The NMSU Community College Academic Vice Presidents' Council recognizes the proposed rules identified above as a concerted effort by the NM Legislator and HED to be strategic and responsible in managing the financial resources of NM that are used to support New Mexico's institutions of higher education. We can see that there are benefits to NM citizens of having statewide coordination of higher education offerings. We offer the following comments, questions and suggestions with the intent of supporting this effort in a way that is manageable and realistic for the institutions, and hopefully for the state. Our overarching comments and concerns on the compiled rules are included below. Specific questions/suggested changes are provided on the attached documents, by rule. We apologize in advance for the formatting oddities that resulted from transitioning the documents into editable word documents.

A primary concern of the Council is the proposed implementation date of June 2018.

- This is an extremely aggressive timeline and will challenge most, if not all institutions to implement. It is not evident that consideration has been given to the institutional internal timelines for regular recurring institutional functions (e.g. academic catalog publication requirements and timelines), for developing the technical capabilities to comply with the Rules, or for diverting institutional resources to address the unforeseen complexities in implementing some of these processes.
- It also appears that the state is not well positioned for immediate implementation. For example, submission and review processes, forms, timelines, etc. at the state level are not yet established.

A second area of concern includes the submission and approval process and timeline.

- First, while processes and timelines are described for the institutions, no equivalent processes or timelines are described regarding how or when institutions will receive a response from the HED regarding the status/approval of the institutions' submissions. Institutions will need to know the expected timeframe so they can plan accordingly.
- Second, we believe a condensed timeline for submitting proposals to HED is more manageable to incorporate into existing institutional timelines, which are frequently dictated by the academic calendar and the timeliness and stability of information we must provide to students regarding curricular and program offerings and requirements. For example, the 3-month advance notification of the intent to propose a new program coupled with the 9-month advance window to propose the program/etc., essentially

adds one year to an already lengthy approval process within each institution, which in some cases includes HLC approval. Existing approval processes can easily take 1 year, and the proposed timetable for state approval process adds at least 1 additional year to that process.

- The additional time that may be required for new degree programs is of particularly concern for 2-year institutions which must be able to respond quickly and proactively to the work force needs of in our community and for the future.

Another area of concern noted by the Council applies to the proposed approval/review committees.

- Cabinet Secretaries may not be best positioned to determine needed degree and certificate programs. This arrangement puts our highest state government officials managing a distantly removed level of application.
- The proposed NMCAC is offered as a means to provide multiple services (general education, meta majors, common course numbering), but is only called to meet 2 times each year. We are concerned that NMCAC will not be able to accomplish all that is intended in two meetings each year.

**TITLE 5            POST-SECONDARY EDUCATION**  
**CHAPTERSS       PUBLIC POST-SECONDARY EDUCATION GENERAL PROVISIONS**  
**PARTS             COMMON COURSE NUMBERING**

**5.55.5.1            ISSUING AGENCY:** State of New Mexico Higher Education Department, 2044 Galisteo Street, Suite 4, Santa Fe, New Mexico 87505, (505) 476-8400.  
[5.55.5.1 NMAC - N, XX/XX/XXXX]

**5.55.5.2            SCOPE:** The provisions of 5.55.5 NMAC apply to all public higher education institutions operating within and receiving financial support from the state of New Mexico.  
[5.55.5.2 NMAC - N, XX/XX/XXXX]

**5.55.5.3            STATUTORY AUTHORITY:** Section 9-25-8 NMSA1978 and Section 21-1B-1 et seq. NMSA 1978.  
[5.55.5.3 NMAC - N, XX/XX/XXXX]

**5.55.5.4            DURATION:** Permanent.  
[5.55.5.4 NMAC - N, XX/XX/XXXX]

**5.55.5.5            EFFECTIVE DATE:** June 12, 2019 [unless a later date is cited at the end of a section].  
[5.55.5.5 NMAC - N, XX/XX/XXXX]

**5.55.5.6            OBJECTIVE:**  
A.        Establish and maintain a statewide common course numbering system for all lower division courses.  
B.        Establish a process by which courses are added, deleted, or reclassified within the common course numbering system.  
C.        Establish a process by which approved common course descriptions and student learning outcomes are revised.  
[5.55.5.6 NMAC - N, XX/XX/XXXX]

**5.55.5.7            DEFINITIONS:**  
A.        "**Crosswalk**" means a table or database that shows an inventory of equivalent courses offered at multiple institutions.  
B.        "**Department**" means the New Mexico higher education department.  
C.        "**Discipline**" or "**disciplines**" means areas of study that have been included within the common course numbering system.  
D.        "**Equivalent course**" means a set of lower division courses offered at multiple institutions that have been identified as sharing at least eighty percent of their student learning outcomes and the institutions offering those courses have agreed to adopt the same four letter and four number designation, course title, and course description.  
E.        "**Faculty**" means the current members of the faculty at the public higher education institutions operating within and receiving financial support from the state of New Mexico.  
F.        "**Institution**" means a public higher education institution operating within and receiving financial support from the state of New Mexico.  
G.        "**New Mexico common course numbering system**" or "**common course numbering system**" or "**NMCCNS**" means a statewide numbering system for all lower division college-level courses offered at public higher education institutions in New Mexico.  
H.        "**Unique course**" means a lower division course that does not meet the criteria of an equivalent course and is only offered at a single institution.  
[5.55.5.7 NMAC - N, XX/XX/XXXX]

**5.55.5.8            GENERAL REQUIREMENTS:**  
A.        All lower division courses offered by institutions shall be part of the New Mexico common course numbering system and shall be labeled as either equivalent courses or unique courses.

5.55.5 NMAC

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B. The NMCCNS will be available to students as an online crosswalk and each institution shall have a link to the crosswalk on its website.

C. Beginning August 1, 2019, each institution will publish a cross-walk in their academic catalog and on their website. Beginning August 1, 2020 lower division course; shall appear with the NMCCNS four letter and four number designation. The common course designations, course descriptions, and course student learning outcomes shall be implemented at all institutions. Common courses shall be made available to students through course catalogs, student information systems, and websites.

D. If courses have been identified as being equivalent, the courses shall share the following:

- (1) a four letter and four number designation;
- (2) course title;
- (3) course description; and
- (4) student learning outcomes.

E. A course that is only offered at a single institution shall be assigned a unique designation that will be used only at the institution that offers the unique course.

F. The department shall maintain a database of all lower division college-level courses offered by all institutions. As part of the database, the department shall make available a list of all disciplines, courses, and the following information for each course:

- (1) the course four letter and four number designation;
- (2) course title;
- (3) course description; and
- (4) student learning outcomes of the course.

G. Any tribal college or tribal university may participate within the common course numbering system, upon execution of a memorandum of understanding with the department expressing its intent to implement the common course numbering system. If a tribal college or university has executed a memorandum of understanding with the department, the tribal college or tribal university shall be considered an institution for purposes of the Subsection F of 5.55.5.7 NMAC.

[5.55.5.8 NMAC - N, XX/XX/XXXX]

**5.55.5.9 NEW MEXICO CURRICULUM AND ARTICULATION COMMITTEE:** The department will convene and chair, as a non-voting member, a statewide committee of faculty to advise the department on issues related to articulation and curriculum, such as common course numbering, general education curriculum, meta-majors, transfer modules, degree programs, or any other matters related to curriculum.

A. The New Mexico curriculum and articulation committee (NMCAC) shall consist of at least one representative from each institution. The representative should also be a member of the institution's curriculum committee.

(1) Each institution will have one vote on matters brought before the committee. In case of a tie vote, the committee chair shall cast the tie-breaking vote.

(2) The NMCAC may form subcommittees upon the request of any committee member. Subcommittees may seek subject matter experts to review or study a specific matter. Subcommittees shall report findings and make recommendations to the NMCAC membership.

B. The NMCAC will meet at least twice during the academic year.  
[5.55.5.9 NMAC - N, XX/XX/XXXX]

**5.55.5.10 CHANGES WITHIN THE NEW MEXICO COMMON COURSE NUMBERING SYSTEM:**

A. The department shall create and make available change forms to be used by institutions to request the following changes within the common course numbering system:

- (1) addition of a course;
- (2) removal of a course;
- (3) reclassification of a course;
- (4) change to course description; and
- (5) change to student learning outcomes.

B. The change forms shall be completed and submitted to the department by the institution's chief academic officer or designee only after receiving approval by the chief academic officer. It is the responsibility of the institution to complete all required internal reviews.

C. If the change form is submitted on or before the deadline published by the department, consideration of the change form shall be placed on the next NMCAC meeting agenda. If the institution submits the

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Comment [1]: Dates (months) for these meetings should be identified that coincide well with university catalog deadlines. We are also concerned that 2 times a year is insufficient to deal with all matters that are assigned to this committee.

change form after the published deadline, consideration of the change form will be postponed until the subsequent NMCAC meeting.

D. The department shall conduct an initial review of the change form to determine whether it has been correctly and fully completed. The department may request additional information from the institution for use in its initial review.

E. The department may determine that the change form does not need to go to the NMCAC. The following actions may be approved by the department and do not require approval by the NMCAC:

(1) an institution proposes the addition of a course and agrees to adopt the four letter and four number designation, course title, course description, and student learning outcomes of an existing equivalent course; or

(2) an institution proposes the addition of a unique course and the institution reports the course title, course description, and learning outcomes of the new unique course to the department.

F. If the department determines that the change form has met the initial review criteria and is required to be reviewed by the NMCAC, the department shall submit the change form and all supporting material to the NMCAC and require that the change form be considered by NMCAC.

G. If the department determines that a change form is not correctly and fully completed, the department shall return the change form to the institution with recommendations as to how deficiencies may be remedied. A change form shall not be presented to the NMCAC until the department has completed initial review and determines that the change form is correctly and fully completed.

H. In reviewing the change form and supporting materials, the NMCAC may request more information from the institution. If additional information is requested, the institution shall submit the additional information by the deadline set by the department. If the additional information is not received by the deadline, consideration of the change form will be postponed to the subsequent NMCAC meeting.

I. The department shall have a representative present during the NMCAC meeting to present the change form. The department shall not make any recommendation to NMCAC regarding the change.

J. A representative from the applicant institution shall be present during the NMCAC meeting and shall be prepared to respond to questions presented by NMCAC members.

K. NMCAC shall consider the change form, any supporting materials, and information presented during its meeting. The chair shall conduct a roll call or written vote. Each institution shall cast a single vote. Based on the majority vote, NMCAC may approve, deny, table, or send the request to a subcommittee for further review. The vote shall be certified by the committee chair and the department shall issue official notice of the NMCAC decisions to all institutions.

L. The department shall assign four letter and four number designations, in consultation with registrars from each of New Mexico's higher education sectors. If the department determines that a course is unique, the department shall assign a unique four letter and four number designation to the course without submission to the NMCAC. The department shall issue official notice of the new or reclassified course's designation to all institutions.

M. An institution must receive notice of the course's four letter and four number designation from the department before the institution publishes and makes new or reclassified courses available to students.

N. Approved changes to a course description or student learning outcomes shall be adopted by all institutions within six months of the change approval by NMCAC.

O. Institutions shall notify the department if any approved commonly numbered course will no longer be offered at least 30 days prior to the time the course will no longer be offered.

P. The department shall update the common course numbering system to reflect all changes.  
[5.55.5.10 NMAC - N, XX/XX/X:XXX]

#### 5.55.5.11 MAINTENANCE OF THE COMMON COURSE NUMBERING SYSTEM:

A. The department shall be responsible for regular updates to the common course numbering system. The department shall conduct regular maintenance and upkeep of the common course system to ensure the system accurately reflects course offerings.

B. The department shall convene committees of discipline specific faculty to review all of the lower division courses in the discipline. The each discipline committee shall review all of the lower division courses in the discipline and make recommendations to add new courses, remove old courses, reclassify existing courses, and revise the course descriptions and student learning outcomes. The committees shall convene on a regular basis and based on a schedule set by the department.

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**Comment [2]:** 90 days makes inactivation of courses difficult, subsequent to catalog editing and publishing dates.

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**Comment [3]:** Not clear what "rotating" means

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**Comment [4]:** What will the schedule be based on? This should be a regularly scheduled meeting.

C. Each discipline committee's recommendations will be sent to the NMCAC and chief academic officers with a request for comment from the appropriate faculty. Faculty comments will be forwarded to the committee to be considered. After the comments have been considered, revised discipline documents will be presented to the NMCAC for approval and sent to the chief academic officers for implementation.

D. ~~After approval by NMCAC, revised~~ course descriptions and student learning outcomes shall be adopted by all institutions ~~and published in the ensuing year's academic catalog.~~  
[5.55.5.11 NMAC - N, XX/XX/XXXX]

**5.55.5.12 TRANSFER OF COMMONLY NUMBERED COURSES BETWEEN HIGHER EDUCATION INSTITUTIONS IN NEW MEXICO:** If a student completes a commonly numbered course at an institution and transfers to another institution, the receiving institution shall accept the course as equivalent to the course with the same number that is offered at the receiving institution.

A. Courses that are not commonly numbered are subject to the transfer policies of the receiving institution.

B. Commonly numbered courses are not guaranteed to fulfill general education or degree requirements at the receiving institution.

[5.55.5.12 NMAC - N, XX/XX/XXXX]

**5.55.5.13 COMPLAINTS RELATED TO THE TRANSFER OF COMMONLY NUMBERED COURSES:**

A. Institutions shall establish appropriate policies and practices for receiving and resolving complaints from students or other complainants regarding the transfer of commonly numbered courses. Such policies shall include at least the following components:

(1) Complainants shall be required to first seek resolution of their complaint directly within the institution.

(2) A time frame within which the institution will investigate the complaint and respond to the complainant shall be specified.

(3) The institution shall assure that an impartial party will be involved in consideration of the complaint.

(4) The institution shall assure that no adverse action will be taken against the student or complainant as a result of registering the complaint.

(5) The institution shall identify the department as the agency to be contacted in cases where the complaint remains unresolved.

B. When a student or other complainant contacts the department with a complaint, the department will require that the complaint be submitted in writing. The complaint must include a summary of the process followed by the complainant in an attempt to resolve the complaint through the institution's internal procedures.

C. Following receipt of a written complaint, the department will contact the relevant institution to ascertain whether or not the complaint is bona fide, that is, whether or not the institution's internal complaint process has been followed sufficiently to warrant filing of the complaint with the department.

D. Upon determination that the complainant has not followed the institution's internal process to a sufficient extent, the department shall refer the complainant to the institution to follow the institution's complaint procedure.

E. Upon determination that the complaint is bona fide, the department will request a response to the complaint from the institution, summarizing its position and justification for its course of action. Such response shall be provided in writing to the department within 10 days of receipt by the institution.

F. The department will conduct an analysis of the complaint, considering all information submitted by both parties, and may at its discretion solicit additional information relevant to the complaint. The analysis will be consistent with the general principles and other specifications of 5.55.5 NMAC.

G. The department will render its decision as to the appropriateness of the actions of the parties to each complaint. If a student's articulation complaint includes commonly numbered courses or courses contained in a meta-major or transfer module and is upheld, the receiving institution shall reimburse the student the complete cost, including tuition, books and fees, of each course the student was required to repeat at the receiving institution.

[5.55.5.13 NMAC - N, XX/XX/XXXX]

**5.55.5.14 REPORTING:**

A. An institution shall report annually to the department by August 31.

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**Comment [5]:** This could be problematic depending on when the revisions are made and catalog publication dates. Changes cannot be made/published for one year after academic catalogs are published.

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**Comment [6]:** "within six months of approval" is problematic depending on when the revisions are made and catalog publication dates. Changes cannot be made/published for one uyear after academic catalogs are published.

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~~Deleted: within six months of approval by NMCAC~~

- B. An institution shall report on a form provided by the department.
- C. The department shall use the information and data provided by the institutions to prepare its annual report to the legislative finance committee and the governor regarding the status of articulation and transfer, which includes common course numbering, general education, meta-majors, and transfer modules.  
[5.55.5.14 NMAC - N, XX/XX/XXXX]

**HISTORY OF 5.55.5 NMAC:**

History of Repealed Material: **[RESERVED]**