

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the New Mexico Higher Education Department (NMHED or department) will hold a public rulemaking hearing on May 16, 2018. The hearing will begin at 10:30 a.m. and will be held at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505. The purpose of the rulemaking hearing is to take public comment regarding proposed repeal and replace of **5.5.2 NMAC, APPROVAL OF NEW GRADUATE PROGRAMS.**

Purpose:

Whereas by statute, Section 21-2-5 NMSA 1978, Section 21-1-26 NMSA 1978 and Section 21-1-24 NMSA 1978, the New Mexico Higher Education Department has the authority to adopt rules and regulations for oversight of all new state-funded graduate degree programs, the department proposes repeal and replace of **5.5.2 NMAC, APPROVAL OF NEW GRADUATE PROGRAMS.**

Summary of proposed rule:

The department proposes repeal and replace to update the process for approval and maintenance of all graduate degree programs proposed by all higher education institutions defined in Article XII, Section 11 of the New Mexico Constitution. The proposed rule establishes the following related to graduate degree programs: a process by which the department reviews proposed new graduate degree programs or proposed changes to graduate degree programs; the advisory review committee; factors by which new graduate degree programs or changes to graduate degree programs will be evaluated; how institutions are to request classification of instruction programs codes; a process by which initiations obtain New Mexico State Board of Finance approval; and reporting requirements for institutions.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed rule is available at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505-2100. The proposed rule is also posted on the NMHED website and may be accessed at <http://www.hed.state.nm.us/> under the “Recent Posting” section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact core.competencies@state.nm.us or 505-476-8407.

A public hearing will be held from 10:30 a.m. until 11:30 a.m. at NMHED on May 16, 2018. Any person who is or may be affected by this proposed rule may appear and testify. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or core.competencies@state.nm.us. Written comments must be received no later than 5:00 p.m. on May 11, 2018.** Please note that any written comments received will become part of the rulemaking record, be posted to the New Mexico Sunshine Portal, and be accessible to the public. If submitting written comments by email, please indicate in the subject line the number and section of each rule(s) for which you are providing comments. Oral comments will also be accepted at the rule hearing, subject to time limitations.

Legal authority for this rulemaking can be found in Section 9-25-8, Section 21-2-5, Section 21-1-26 NMSA 1978, and Section 21-1-24 NMSA 1978.

Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or auxiliary aid or service to attend or participate in the hearing should contact 505-476-8407 or email core.competencies@state.nm.us ten (10) business days prior to the hearing.