

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 18 EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)
PART 950 ERRDS, HIGHER EDUCATION DEPARTMENT

1.18.950.1 ISSUING AGENCY: New Mexico Commission of Public Records - State Records Center and Archives
[1.18.950.1 NMAC - Rp, 1.18.950.1 NMAC, 01/05/2014]

1.18.950.2 SCOPE: Higher Education Department
[1.18.950.2 NMAC - Rp, 1.18.950.2 NMAC, 01/05/2014]

1.18.950.3 STATUTORY AUTHORITY: Section 14-3-4 NMSA 1978, it shall be the duty of the commission to adopt and publish rules to carry out the purposes of the Public Records Act. Section 14-3-6 NMSA 1978, the administrator shall establish a records management program for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.
[1.15.950.3 NMAC - Rp, 1.18.950.3 NMAC, 01/05/2014]

1.18.950.4 DURATION: Permanent
[1.18.950.4 NMAC - Rp, 1.18.950.4 NMAC, 01/05/2014]

1.18.950.5 EFFECTIVE DATE: January 5, 2014, unless a later date is cited at the end of the section.
[1.18.950.5 NMAC - Rp, 1.18.950.5 NMAC, 01/05/2014]

1.18.950.6 OBJECTIVE: To establish a records retention schedule for the orderly management, retention, disposition and preservation of records necessary for carrying out the Public Records Act pursuant to Section 14-3-6 NMSA 1978.
[1.18.950.6 NMAC - Rp, 1.18.950.6 NMAC, 01/05/2014]

1.18.950.7 DEFINITIONS:

- A. "Administrator"** means the state records administrator (Section 14-3-2 NMSA 1978).
- B. "Agency"** means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).
- C. "Archives"** means the permanent records of the state of New Mexico, which may include government and private collections of the Spanish, Mexican, territorial and statehood periods, assessed to have significant historical value to warrant their preservation by the state of New Mexico. The term also refers to the organizational unit of the SRCA storing these records.
- D. "Audit"** means a periodic examination of an organization to determine whether appropriate procedures and practices are followed.
- E. "Commission"** means the state commission of public records (Section 14-3-2 NMSA 1978).
- F. "Disposition"** means final action that puts into effect the results of an appraisal decision for a series of records (e.g., transfer to archives or destruction).
- G. "Microphotography"** means the transfer of images onto film and electronic imaging or other information storage techniques that meet the performance guidelines for legal acceptance of public records produced by information system technologies pursuant to regulations adopted by the commission.
- H. "Non-record"** means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts; blank forms, transmittal letters or forms that do not add information; sample letters; and reading file or informational files.
- I. "Pending litigation"** means a proceeding in a court of law whose activity is in progress but not yet completed.
- J. "Public record"** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection

with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).

K. "Records custodian" means the statutory head of the agency using or maintaining the records or the custodian's designee.

L. "Record destruction" means the process of totally obliterating information on records by any method to make the information unreadable or unusable under any circumstances.

M. "Records management" means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.

N. "Records retention and disposition schedule" means rules adopted by the commission pursuant to Section 14-3-4 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

O. "Retention" means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.
[1.18.950.7 NMAC - N, 01/05/2014]

1.18.950.8 ABBREVIATIONS AND ACRONYMS:

A. "CFR" stands for code of federal regulations.

B. "E-DEAR" stands for data editing and reporting system.

C. "EDRRDS" stands for education records retention and disposition schedules.

D. "ERRDS" stands for executive records retention and disposition schedules.

E. "GEARUP" stands for gaining early awareness and readiness for undergraduate programs

F. "GRRDS" stands for general records retention and disposition schedules.

G. "JRRDS" stands for judicial records retention and disposition schedules.

H. "LRRDS" stands for legislative records retention and disposition schedules.

I. "LGRRDS" stands for local government records retention and disposition schedules.

J. "SRCA" stands for state records center and archives.

K. "USC" stands for United States code.

[1.18.950.8 NMAC - N, 01/05/2014]

1.18.950.9 INSTRUCTIONS:

A. Records retention and disposition schedules identify the types of records maintained by state agencies and specify a period of time which records must be retained. A retention period may be stated in terms of months or years and is sometimes expressed as contingent upon the occurrence of an event. There are several types of records retention and disposition schedules promulgated by the commission for state agencies. General schedules list records common to all agencies and executive schedules list records specific to an agency. Each record series will be represented in the format listed below.

(1) **Program** - describes the function of the records

(2) **Maintenance system** - describes how an agency files (organizes) records

(3) **Description** - describes the purpose and content of a record

(4) **Retention** - defines the length of time records must be kept before they are eligible for destruction or archival preservation.

B. For records of a general administrative nature, refer to the GRRDS, General Administrative, 1.15.2 NMAC.

C. For records of a financial nature, refer to the GRRDS, General Financial, 1.15.4 NMAC.

D. For records of a personnel nature, refer to the GRRDS, General Personnel, 1.15.6 NMAC.

E. For records of a medical nature, refer to the GRRDS, General Medical, 1.15.8 NMAC.

F. Retention periods shall be extended until six months after all current or pending litigation; current claims, audit exceptions or court orders involving a record have been resolved or concluded.

G. The descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are included in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.

H. Confidentiality is denoted for files likely to contain confidential materials or information; however files without a confidentiality note may contain confidential or privileged information. Failure to include a

confidentiality note in the description of a record series does not waive confidentiality. Refer questions concerning the confidentiality of a file to legal counsel for the agency.

I. Records may be photographed, microfilmed, digitized or converted to computer output microfilm provided a microphotography plan has been approved by the state records administrator (Section 14-3-17 NMSA 1978). Such photographs, microfilms, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction as evidence in all courts or administrative agencies (Section 14-1-6 NMSA 1978).

J. Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.

K. Email is a transmission medium for content that may or may not be a public record. Email messages that contain information sent or received by an agency in connection with the transaction of official state business or in pursuance of law are public records and are subject to retention requirements established in records retention and disposition schedules. Email messages are required to be categorized, filed and retained on the basis of content (1.13.4 NMAC, Records Management Requirements for Electronic Messaging). The content of email messages may vary considerably; therefore, each email shall be evaluated to determine if it meets the definition of a public record as defined in the Public Records Act. Non-records or transitory emails that do not provide evidence of official agency policies or business transactions may be deleted.

L. Non-scheduled public records created by an agency in pursuance of law or in connection with the transaction of public business shall have a retention period of permanent until such time the non-scheduled record has been scheduled and a retention period adhering to operational, legal, fiscal, historical or other purposes is established.

[1.18.950.9 NMAC - N, 01/05/2014]

1.18.950.10 - 1.18.950.25 [RESERVED]

1.18.950.26 PRIVATE POST-SECONDARY INSTITUTION LICENSURE FILES:

A. Program: private and proprietary schools
B. Maintenance system: chronological by date, then alphabetical by school name
C. Description: records documenting the application, issuance and licensure history of a private post-secondary educational institution residing and operating in the state. Files may include application, proof of institution ownership, proof of institution administration, proof of accreditation, proof of approval from other states, proof of financial stability, proof of liability insurance, fire department inspection report, proof of surety bond, proof of advisory council, enrollment agreement, plan for institution evaluation, institution catalog, faculty qualifications, list of educational programs to be offered, bachelor's and graduate's degree programs, statement of procedure assessing qualifications for student admission, renewal applications, correspondence, etc.

D. Retention:

- (1) **License issued:** 10 years from close of institution
- (2) **Withdrawn application:** two years from date application received

E. Confidentiality: Portions of this record may be confidential.

[1.18.950.26 NMAC - Rp, 1.18.950.101 NMAC, 01/05/2014]

1.18.950.27 REGISTERED INSTITUTION FILES:

A. Program: private and proprietary schools
B. Maintenance system: chronological by date, then alphabetical by registered school name
C. Description: records documenting the application, issuance and certification history of an out of state registered institution for the purposes of recruiting potential students. Files may include application, certification of current ownership, proof of surety bond, proof of liability insurance, proof of recognition by state of residence, proof of regional accreditation, current student catalog, demographic data report, agent authorization forms, renewal applications, correspondence, etc.

D. Retention:

- (1) **Approved application:** 10 years from date of registration expiration or revocation
- (2) **Withdrawn application:** two years from date application received

E. Confidentiality: Portions of this record may be confidential.

[1.18.950.27 NMAC - N, 01/05/2014]

1.18.950.28 TAX EXEMPTION INSTITUTION FILES:

- A. Program:** private and proprietary schools
- B. Maintenance system:** chronological by date, then alphabetical by exempt school name
- C. Description:** records documenting the application, issuance and history of institutions filing for tax exemption certificate. Files may include application, certification of current ownership, proof of surety bond, proof of liability insurance, proof of recognition by state of residence, current student catalog, demographic data report, agent authorization forms, correspondence, etc.
- D. Retention:**
 - (1) **Exemption issued:** 10 years from the date certificate issued
 - (2) **Withdrawn application:** two years from date application received
- E. Confidentiality:** Portions of this record may be confidential.

[1.18.950.28 NMAC - N, 01/05/2014]

1.18.950.29 PRIVATE INSTITUTION STUDENT FILES:

- A. Program:** private and proprietary schools
- B. Maintenance system:** chronological by date, then alphabetical by school name
- C. Description:** records documenting the academic history of a student previously enrolled in a closed licensed private institution. Files may include the admission application, enrollment agreement, official transcripts, test scores, up-dated transcripts, financial statements, attendance information, academic counseling records, financial aid records, correspondence, etc.
- D. Retention:**
 - (1) **Official transcripts:** 100 years from student's date of birth
 - (2) **Financial aid information:** seven years from date financial aid is paid in full
 - (3) **All other information:** 10 years from date of student's last activity
- E. Confidentiality:** Portions of this record may be confidential.

[1.18.950.29 NMAC - Rp, 1.18.950.113 NMAC, 01/05/2014]

1.18.950.30 STUDENT REQUEST FOR TRANSCRIPT FILES:

- A. Program:** private and proprietary schools
- B. Maintenance system:** chronological by date
- C. Description:** records documenting the request for student transcripts from closed licensed institutions. Files may include the request for transcript, copy of cover letter issued, copy of transcript, correspondence, etc.
- D. Retention:** one year from date of request
- E. Confidentiality:** Portions of this record may be confidential.

[1.18.950.30 NMAC - N, 01/05/2014]

1.18.950.31 - 1.18.950.39 [RESERVED]

1.18.950.40 SCHOLARSHIP AWARD FILES:

- A. Program:** financial aid
- B. Maintenance system:** chronological by date, then alphabetical by scholarship program and student surname
- C. Description:** records documenting the application, review and issuance of state and federally funded scholarships. Files may include application, eligibility form, acceptance letter, request for payment from institution, certification from institution, copy of award letter, letter of appeal, correspondence, etc.
- D. Retention:**
 - (1) **Scholarship awarded:** five years from close of federal fiscal year in which award was issued
 - (2) **Denied application:** two years from date application processed
- E. Confidentiality:** Portions of this record may be confidential.

[1.18.950.40 NMAC - Rp, 1.18.950.107 NMAC, 01/05/2014]

1.18.950.41 STUDENT LOAN FOR SERVICE PROGRAM FILES:

- A. Program:** financial aid
- B. Maintenance system:** chronological by date, then alphabetical by surname

C. Description: records documenting the application, review and issuance of state funds to students through the loan for service program. Files may include application, copy of transcripts, award letters, promissory note, record of payment, loan information (e.g., interest rates, loan balances and loan provider address, contact names, etc.), copy of driver's license, acceptance letter, employment verification, copy of tax report information, employment information, copy of professional license, renewal applications, correspondence, etc.

D. Retention:

(1) **Loan issued:** seven years from close of federal fiscal year in which contract or loan obligations fulfilled

(2) **Denied application:** two years from date application processed

E. Confidentiality: Portions of this record may be confidential.

[1.18.950.41 NMAC - Rp, 1.18.950.108 NMAC, 01/05/2014]

1.18.950.42 STUDENT LOAN FOR REPAYMENT PROGRAM FILES:

A. Program: financial aid

B. Maintenance system: chronological by date, then alphabetical by surname

C. Description: records documenting the application, and issuance of state and federal funds to students through the loan for repayment program. Files may include application, copy of transcripts, award letters, promissory note, record of payment, loan information (e.g., interest rates, loan balances and loan provider address/contact info, etc.), copy of driver's license, acceptance letter, employment verification, tax information, employment information, copy of professional license, renewal applications, correspondence, etc.

D. Retention:

(1) **Loan issued:** seven years from close of federal fiscal year in which loan obligations were fulfilled

(2) **Denied application:** two years from date application processed

E. Confidentiality: Portions of this record may be confidential.

[1.18.950.42 NMAC - Rp, 1.18.950.106 & 114 NMAC, 01/05/2014]

1.18.950.43 LOTTERY DATABASE:

A. Program: financial aid

B. Maintenance system: numerical by primary key

C. Description: system created to track student information submitted from higher education institutions (e.g., student transcript, student awards and honors, financial aid, scholarship awards, etc.). Data may include student academic data, student financial aid data, student scholarship data, etc.

D. Data retention:

(1) **Student transcript data:** 10 years from date of graduation or disenrollment

(2) **Student awards and honors file data:** five years from date student graduated

(3) **Financial aid file data:** 10 years from date student graduated or financial aid fulfillment has been completed

(4) **Scholarship awards file data:** one year from date student graduated

E. Confidentiality: Portions of this record may be confidential.

F. Input: records used as input to the lottery access database are filed in *student transcript*, 1.20.3.203 NMAC; *student awards and honors file*, 1.20.3.344 NMAC; *financial aid file*, 1.20.3.322 NMAC and *scholarship awards file*, 1.20.3.340 NMAC.

G. Output: Because the *lottery access database* is a data-based system, ad-hoc and regularly scheduled reports are produced. Some of these reports include graduation reports, academic grade point average reports, etc.

H. Confidentiality: Portions of this record may be confidential.

[1.18.950.43 NMAC - N, 01/05/2014]

1.18.950.44 - 1.18.950.54 [RESERVED]

1.18.950.55 TRANSFER AND ARTICULATION FILES:

A. Program: policy and programs

B. Maintenance system: chronological by date, then alphabetical by institution name

C. Description: records documenting the proposal and approval of core education higher institution courses. Files may include copy of proposal, acceptance or rejection letter, committee review notes, syllabus, announcement of response, correspondence, etc.

D. Retention:

- (1) **Proposal accepted:** five years from close of calendar year in which proposal was approved
- (2) **Proposal denied:** two year from date of denial

[1.18.950.55 NMAC - N, 01/05/2014]

1.18.950.56 TITLE II FEDERAL GRANT PROGRAM FILES:

A. Program: policy and programs

B. Maintenance system: chronological by date, then alphabetical by institution name

C. Description: records documenting the application and award of Title II federal grant funds for development of primary and secondary education instructors. Files may include request for application, application, copy of award letter, semi-annual reports, year-end report, correspondence, etc.

D. Retention:

- (1) **Grant funds issued:** seven years from date of last expenditure report
- (2) **Grant funds denied:** two years from date denied

[1.18.950.56 NMAC - Rp, 1.18.950.104 NMAC, 01/05/2014]

1.18.950.57 - 1.18.950.69 [RESERVED]

1.18.950.70 SUB-GRANTEE APPLICATION AND EXTENSION FILES:

A. Program: adult basic education

B. Maintenance system: chronological by date, then alphabetical by sub-grantee name

C. Description: records documenting the proposal and award of Workforce Investment Act Title II federal grant funds to sub-grantees. Sub-grantees are educational institutions awarded federal funding for adult basic education programs. Files may include application; self-study goal; professional development plan; proposed budget; budget explanation; addendum for federal funds; New Mexico higher education department adult basic education division federal programs general assurances; signature page for federal programs general assurances; certification regarding debarment, suspension, ineligibility and voluntary exclusion; equipment guidelines; agreement for the operation of an approved adult basic education program; performance measurement worksheet; extension requests; correspondence; etc.

D. Retention:

- (1) **Grant funds issued:** seven years from the close of the federal fiscal year in which grant closed
- (2) **Grant funds denied:** two years from close of federal fiscal year in which grant denied

[1.18.950.70 NMAC - N, 01/05/2014]

1.18.950.71 SUB-GRANTEE SITE OVERSIGHT FILES:

A. Program: adult basic education

B. Maintenance system: chronological by date, then alphabetical by sub-grantee name

C. Description: records documenting the site visits of education institutions awarded funds through Workforce Investment Act Title II grant for adult basic education programs. Files may include notes from program director, checklist of federal goals, agenda, audit questions, business procedures, statewide training receipts, miscellaneous lesson plans, proof of effort, maintenance of effort, summary of site visits, requests for reimbursement, correspondence, etc.

D. Retention: seven years from close of federal fiscal year in which grant closed

[1.18.950.71 NMAC - N, 01/05/2014]

1.18.950.72 INTEGRATED BASIC EDUCATION AND SKILLS TRAINING PROGRAM FILES:

A. Program: adult basic education

B. Maintenance system: chronological by date, then alphabetical by sub-grantee name

C. Description: records documenting education activities of educational institutions awarded the Title II Workforce Investment Act grant funds. Files may include invoices and supporting documentation, requests for reimbursement, contracts, copy of receipts, correspondence, etc.

D. Retention: seven years from the close of the federal fiscal year in which grant closed

[1.18.950.72 NMAC - N, 01/05/2014]

1.18.950.73 FEDERAL CARRYOVER FILES:

A. Program: adult basic education

- B. Maintenance system:** chronological by date, then alphabetical by sub-grantee name
- C. Description:** records documenting the amount of carryover federal funds awarded by the Workforce Investment Act Title II federal grant not utilized by sub-grantees. Files may include carryover letter, budget adjustment, statement of adjustment, funding formula worksheet, correspondence, etc.
- D. Retention:** seven years from the close of the federal fiscal year in which grant closed
[1.18.950.73 NMAC - N, 01/05/2014]

1.18.950.74 FUNDING WORKSHEET FILES:

- A. Program:** adult basic education
- B. Maintenance system:** chronological by date, then alphabetical by sub-grantee name
- C. Description:** records documenting the process as to the distribution of the Workforce Investment Act Title II federal grant funds. Files may include funding formula spreadsheet, correspondence, etc.
- D. Retention:** seven years from the close of the federal fiscal year in which distribution was granted
[1.18.950.74 NMAC - N, 01/05/2014]

1.18.950.75 ADULT BASIC EDUCATION DATABASE SYSTEM:

- A. Program:** adult basic education
- B. Maintenance system:** numerical by primary key
- C. Description:** database tracks information submitted by secondary educational institutions for the purpose of tracking student performance and measuring goal attainment. Data may include student cumulative education data, pupil personnel cumulative (guidance folder) data, student employment certificate data, school census data, curriculum data, teachers lesson plan data, teachers class rolls and grade sheets data, federal grant data, etc.

- D. Data retention:**
 - (1) **Student cumulative education record data:** five years after date of student's last attendance
 - (2) **Pupil personnel cumulative record (guidance folder) data:** two years after date of student's last attendance
 - (3) **Student employment certificate record data:** two years after date of student's last attendance
 - (4) **School census record data:** five years from date of system no longer in use
 - (5) **Student attendance record data:** two years from date of student's last attendance
 - (6) **Student's absence record data:** two years from date of student's last attendance
 - (7) **Curriculum records data:** 10 years from date of system no longer in use
 - (8) **Teachers lesson plan data:** two years from date of close of school year
 - (9) **Teachers class rolls and grade sheets data:** two years from end of term in which created
 - (10) **Federal grant data:** six years from close of fiscal year of termination of grant
- E. Confidentiality:** Portions of this record may be confidential.
- F. Input:** records used as input to the *adult basic education database system*, are filed in *student cumulative education record file*, 1.20.2.101 NMAC; *pupil personnel cumulative record (guidance folder)*, 1.20.2.104 NMAC; *student employment certificate record*, 1.20.2.106 NMAC; *school census records*, 1.20.2.108 NMAC; *students attendance record*, 1.20.2.109 NMAC; *students absence record*, 1.20.2.111 NMAC; *curriculum records*, 1.20.2.201 NMAC; *teachers lesson plan*, 1.20.2.202 NMAC; *teachers class rolls and grade sheets file*, 1.20.2.203 NMAC and *federal grant files* 1.20.2.706 NMAC.

- G. Output:** Because the *adult basic education database system* is a data-based system, ad-hoc and regularly scheduled reports are produced. Some of these reports include *participants by educational functioning level, ethnicity, and sex; participants by age, ethnicity, and sex; participants by program type and age; participants for total attendance hours and calculate percentage of participants completing each level*; etc.
[1.18.950.75 NMAC - N, 01/05/2014]

1.18.950.76 - 1.18.950.84 [RESERVED]

1.18.950.85 SCHOOL DISTRICT ACTIVITY REPORTS:

- A. Program:** GEAR UP
- B. Maintenance system:** chronological by date, then alphabetical by school district
- C. Description:** reports submitted by secondary educational institutions documenting activities accomplished through utilizing federal grant funds. Report may show hours spent on activity, number of attendants

for student, staff and parent activities, active category (e.g., support services, comprehensive monitoring, financial aid counseling, advising, etc.), etc.

D. Retention: two years from date of report
[1.18.950.85 NMAC - N, 01/05/2014]

1.18.950.86 GAINING EARLY AWARENESS AND READINESS FOR UNDERGRADUATE PROGRAMS (GEAR UP) GRANT FILES:

A. Program: GEAR UP
B. Maintenance system: chronological by date
C. Description: records documenting the application for funds to secondary educational institutions provided by the gaining early awareness and readiness for undergraduate programs grant. Files may include proposal, request for application, copy of award letter, scoring sheets, correspondence, etc.

D. Retention: seven years from close of federal fiscal year in which grant closed
[1.18.950.86 NMAC - N, 01/05/2014]

1.18.950.87 SCIENCE, TECHNOLOGY, ENGINEERING AND MATH (STEM) GRANT FILES:

A. Program: GEAR UP
B. Maintenance system: chronological by date, then alphabetical by school district
C. Description: records documenting the application for additional funds to secondary educational institutions for specific disciplines through GEAR UP. Files may include proposal, request for application, copy of award letter, scoring sheets, correspondence, etc.

D. Retention: seven years from close of federal fiscal year in which grant closed
[1.18.950.87 NMAC - N, 01/05/2014]

1.18.950.88 GRANT MAINTENANCE FILES:

A. Program: GEAR UP
B. Maintenance system: chronological by date, then alphabetical by school district
C. Description: records documenting all aspects of activities funded by the GEAR UP grant. Files may include copy of award letters, copy of draw requests, correspondence, etc.

D. Retention: seven years from close of federal fiscal year in which grant closed
[1.18.950.88 NMAC - N, 01/05/2014]

1.18.950.89 - 1.18.950.114 [RESERVED]

1.18.950.115 INSTITUTION DISCIPLINARY FILES:

A. Program: institution compliance
B. Maintenance system: chronological by date, then alphabetical by institution name
C. Description: records documenting disciplinary action taken against a higher education institution for lack of compliance with specified rules and statute requirements. Files may include notes of discussion regarding disciplinary actions, supporting documentation, letter of opinion or acknowledgement from director or cabinet secretary, correspondence, etc.

D. Retention:
(1) **Action taken:** 25 years from date of closing action
(2) **No action taken:** two years from date of closing action
[1.18.950.115 NMAC - N, 01/05/2014]

1.18.950.116 - 1.18.950.124 [RESERVED]

1.18.950.125 DATA REQUEST FORM FILES:

A. Program: research and development
B. Maintenance system: chronological by date
C. Description: records documenting the requests by internal and external entities for data reports created by the research and development division. Files may include original request, document created for request, correspondence, etc.

D. Retention: one year from date last request processed
E. Confidentiality: Portions of this record may be confidential.

[1.18.950.125 NMAC - N, 01/05/2014]

1.18.950.126 CLASSIFICATION OF INSTRUCTIONAL PROGRAM FILES:

- A. Program:** research and development
- B. Maintenance system:** chronological by date, then alphabetical by institutional name
- C. Description:** records documenting the analysis of course completion and graduation rates to determine funding to higher education institutions. Files may include course syllabus, educational program description, copy of minutes of meetings from board of regents, research and development approval signature page, classification of instructional program request form, approval letter, correspondence, etc.
- D. Retention:** 10 years from date superseded

[1.18.950.126 NMAC - N, 01/05/2014]

1.18.950.127 - 1.18.950.139 [RESERVED]

1.18.950.140 DATA EDITING AND REPORTING SYSTEM (e-DEAR):

- A. Program:** information systems
- B. Maintenance system:** numerical by primary key
- C. Description:** database tracks information electronically submitted from New Mexico higher education institutions for funding purposes. Data may include course data, course transfer data, degree data, student course data, student financial aid data, student services data, etc.

D. Data retention:

- (1) **Master course data:** five years from file superseded or obsolete
- (2) **Transfer admissions data:** five years from last semester attended by student
- (3) **Transfer equivalent data:** five years from last semester attended by student
- (4) **Historical publication or statistical data records data:** permanent
- (5) **Student academic data:** five years from date of graduation or disenrollment
- (6) **Academic records data:** five years from last semester attended by student
- (7) **Grade listings (grade sheets) data:** two years from end of term in which created
- (8) **Pass or fail forms data:** two years from end of term in which created
- (9) **Student awards and honors data:** seven years from date financial aid fulfillment has been

completed

- (10) **Student reference data:** five years from date of student's last enrollment
- (11) **Financial aid data:** seven years from date financial aid fulfillment has been completed
- (12) **Scholarship awards data:** five years from date file created
- (13) **Student grant data:** six years from date of grant termination

E. Confidentiality: Portions of this record may be confidential.

F. Input: records used as input to the *e-DEAR system* are filed in *master course files*, 1.20.3.331 NMAC; *transfer admissions file*, 1.20.3.354 NMAC; *transfer equivalents files*, 1.20.3.355 NMAC; *historical publication or statistical data records*, 1.20.3.209 NMAC; *student academic file*, 1.20.3.202 NMAC; *academic records file*, 1.20.3.301 NMAC; *grade listings file (grade sheets)*, 1.20.3.325 NMAC; *pass or fail forms file*, 1.20.3.333 NMAC; *student awards and honors file*, 1.20.3.344 NMAC; *student reference file*, 1.20.3.349 NMAC; *financial aid file*, 1.20.3.322 NMAC; *scholarship awards file*, 1.20.3.340 NMAC and *student grant files*, 1.20.3.655 NMAC.

G. Output: Because the *e-DEAR system* is a data-based system, ad-hoc and regularly scheduled reports are produced. Some of these reports include *verification of funding report*, *annual accountability report*, *educational needs and guidelines report*, *system of accounting and reporting manual*, *first year of college outcomes of NM public high school graduate reports*, *American Indian post-secondary education status report*, *Hispanic Education Act*, *alliance for minority participation*, *lottery scholarship*, *New Mexico higher education department*, *financial aid division yearly report*, etc.

[1.18.950.140 NMAC - Rp, 1.18.950.200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210 NMAC, 01/05/2014]

1.18.950.141 REPORT QUERY LISTINGS FILES:

- A. Program:** information systems
- B. Maintenance system:** chronological by date, then alphabetical by title
- C. Description:** records documenting source code and queries listing used for query with e-DEAR. Files may include type of query, date of query, code used for query, etc.

D. Retention: five years from date system no longer in use
[1.18.950.141 NMAC - N, 01/05/2014]

HISTORY OF 1.18.950 NMAC:

Pre-NMAC Filing History: Material in this part was derived from that previously filed with the Commission of Public Records - State Records Center and Archives under:

SRC Rule 74-18, Records Retention and Disposal Schedule for Board of Educational Finance, 07/16/74;
SRC Rule 79-5, Records Retention and Disposal Schedule for Board of Educational Finance, 1/22/79; and,
SRC Rule No. 83-05, Board of Educational Finance, Records Retention and Disposition Schedule, 4/29/83.

History of Repealed Material:

1 NMAC 3.2.93.950, Executive Records Retention and Disposition Schedule, Commission on Higher Education - Repealed, effective 7/8/2000.

1.18.950 NMAC, ERRDS, Commission of Higher Education, filed 06/08/2000 - Repealed, effective 01/05/2014.