

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 55 PUBLIC POST-SECONDARY EDUCATION GENERAL PROVISIONS
PART 8 STATEWIDE ADVANCED PLACEMENT POLICY

5.55.8.1 ISSUING AGENCY: New Mexico Higher Education Department (NMHED).
[5.55.8.1 NMAC - N, 10/25/2022]

5.55.8.2 STATUTORY AUTHORITY: Section 21-2-5 NMSA 1978 and Section 21-1-47 NMSA 1978.
[5.55.8.2 NMAC - N, 10/25/2022]

5.55.8.3 SCOPE: The provisions of 5.55.8 NMAC apply to all public higher education institutions operating within and receiving financial support from the state of New Mexico.
[5.55.8.3 NMAC - N, 10/25/2022]

5.55.8.4 DURATION: Permanent.
[5.55.8.4 NMAC - N, 10/25/2022]

5.55.8.5 EFFECTIVE DATE: October 25, 2022, unless a later date is cited at the end of a section.
[5.55.8.5 NMAC - N, 10/25/2022]

5.55.8.6 OBJECTIVE:

A. Establish and maintain a statewide advanced placement exam policy that includes a comprehensive list of lower-division college-level courses for which a student shall receive credit when the student earns a score of three or above on an advanced placement exam.

B. When the college-level course is also designated as a general education course, ensure that the student receives general education credit in the associated content area for that course.

C. Establish a process by which advanced placement exam equivalencies are reviewed and approved by the department to be included within the statewide advanced placement exam policy.

[5.55.8.6 NMAC - N, 10/25/2022]

5.55.8.7 DEFINITIONS:

A. “**Committee**” means the New Mexico curriculum and articulation committee as provided in 5.55.6.9 NMAC.

B. “**Department**” means the New Mexico higher education department.

C. “**Elective credit**” means course credit that does not meet general education, degree, or other university requirements.

D. “**General education**” means a program that imparts knowledge to students and develops essential skills necessary for success in education and the workforce.

E. “**General education course**” means a course that has been approved by the New Mexico curriculum and articulation committee as fulfilling the requirements of a content area that is part of the general education curriculum.

F. “**Institution**” means a New Mexico public post-secondary institution or accredited tribal college.
[5.55.8.7 NMAC - N, 10/25/2022]

5.55.8.8 GENERAL REQUIREMENTS:

A. The department, in consultation with faculty, shall develop the statewide advanced placement exam policy that includes a comprehensive list of lower-division college-level courses for which a student shall receive credit when the student earns a score of three or above on an advanced placement exam.

B. The department shall adopt a statewide advanced placement exam policy that includes a comprehensive list of lower-division college-level courses for which a student shall receive credit when the student earns a score of three or above on an advanced placement exam.

C. The department shall maintain and publish a list of the courses approved that are also general education courses and the content area associated with that course so that general education credit can be awarded by the institution.

D. Each institution shall publish and make available to students the statewide advanced placement exam policy, including the course credits that fulfill general education requirements. The institution may meet the requirement by providing a link to the published policy on the department's website.

E. Students should consult with advisors at their institution to ensure that their advanced placement credits are recognized as listed in the policy.

F. If an institution does not offer the course approved for a specific advanced placement exam score, the institution shall bring in the advanced placement course as if it was a transfer course, and ensure it meets general education credit if listed as general education in the policy.

G. A single advanced placement exam score may fulfill both general education and degree requirements.

H. Prior to participating in the statewide advanced placement exam policy, an accredited tribal college shall execute a memorandum of understanding with the department expressing its intent to implement the statewide advanced placement exam policy.

[5.55.8.8 NMAC - N, 10/25/2022]

5.55.8.9 MAINTENANCE OF STATEWIDE ADVANCED PLACEMENT EXAM POLICY:

A. The department shall create and make available a form to be used by institutions to request changes to the statewide advanced placement exam policy.

B. Completed forms shall be submitted to the department by the institution's chief academic officer or designee only after receiving approval by the chief academic officer.

C. If the form is submitted on or before the deadline published by the department, consideration of the form shall be placed on the next committee meeting agenda. If the institution submits the form after the published deadline, consideration of the form shall be postponed until the subsequent committee meeting.

D. The department shall conduct an initial review of the 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. If the department determines that the form has met the initial review criteria, the department shall submit the form and all supporting material to the committee and require that the form be considered by the committee. If the department determines that a form is not correctly and fully completed, the department shall return the form to the institution with recommendations as to how deficiencies may be remedied. A form shall not be presented to the committee until the department has completed initial review and determines that the form is correctly and fully completed.

E. In reviewing the form and supporting materials, the committee 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 form shall be postponed to the subsequent committee meeting.

F. The department shall have a representative present during the advisory committee meeting to present the form. The department shall not make any recommendation to committee regarding the advanced placement exam policy.

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

H. The committee shall consider the form, any supporting materials, and information presented during its meeting. The chair shall conduct a vote. Each institution shall cast a single vote. Based on the majority vote, the committee 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 committee decision to the institution.

I. An institution shall not publish and makes available to students the courses it offers that fulfill the statewide advanced placement exam policy prior the institution's receipt of notice of the committee decision from the department.

J. Institutions shall notify the department if any courses that are part of the statewide advanced placement exam policy will no longer be offered at least 90 days prior to the time the course will no longer be offered.

K. The department shall update the statewide advanced placement exam policy to reflect all changes to institution's curriculum.

[5.55.8.9 NMAC - N, 10/25/2022]

5.55.8.10 COMPLAINTS RELATED TO THE STATEWIDE ADVANCED PLACEMENT EXAM POLICY:

A. Institutions shall establish appropriate policies and practices for receiving and resolving complaints from students or other complainants regarding the transfer of general education curriculum. 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 shall investigate the complaint and respond to the complainant shall be specified.

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

(4) The institution shall assure that no adverse action shall 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 shall require that the complaint be submitted in writing. The complaint shall include a summary of the process followed by the complainant to resolve the complaint through the institution's internal procedures.

C. Following receipt of a written complaint, the department shall contact the relevant institution to ascertain whether the complaint is bona fide, that is, whether 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 shall 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 shall 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 shall be consistent with the general principles and other specifications of 5.55.8 NMAC.

G. The department shall 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.

[5.55.8.10 NMAC - N, 10/25/2022]

5.55.8.11 REPORTING:

A. Upon a request by the department, an institution shall report to the department on its advanced placement policy in a timely manner. The report shall be on a form provided by the department.

B. 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.

[5.55.8.11 NMAC - N, 10/25/2022]

HISTORY OF 5.55.8 NMAC: [RESERVED]