

This is an amendment to 5.100.6 NMAC Section 16 effective 10/24/2023.

5.100.6.16 RECORD MAINTENANCE AND RETENTION POLICY:

A. Each regionally accredited college or university registered by the department shall provide a records maintenance and retention plan. The plan shall consist of a records maintenance and disposal schedule that is in compliance with the functional records retention and disposition schedule in 1.21.2 NMAC, the records retention schedule set by the department, regulations of any other authorizing agency, or laws, regulations, and rules of any other authorizing jurisdiction or territory, whichever is longest in time. If another authorizing agency of the institution requires a longer period of retention than that of 1.21.2 NMAC, the longest retention period shall prevail. ~~[The plan must include a description of how records will be maintained in the event of closure, which includes, but is not limited to, designation of a custodian of records, digitization, and a process for obtaining transcripts from the custodian of record.]~~

B. Each institution ~~[must]~~ shall submit a certification of compliance with all applicable laws, rules and regulations that govern records management for closed ~~[institution]~~ institutions.

C. Each institution shall report the percentage of all student transcripts since inception of the institution that are not digitalized at the time of application. If there are non-digitalized transcripts, the institution shall submit a plan to the department which describes how the institution will digitalize all student transcripts within a twelve-month period.

D. Each institution shall provide information regarding the custodian of records and the process for obtaining transcript records through the custodian at the time of application.

E. If the department determines the plan for processing transcripts is not satisfactory, the institution shall:

- (1) hire a professional digital credential firm to manage its student transcripts; or
- (2) submit all of the student transcripts within a twelve-month period to the department in a specified format and agree the department shall become custodian of record upon receipt of the transcripts.

F. If the department becomes the custodian of record for an institution, it will be at no cost to the institution.

G. If the department becomes the custodian of record for an institution that is in operation, the institution shall periodically submit updated transcripts to the department in a specified format. The submission schedule shall be based on end dates of programs offered by the institution.

H. The department may contract with a professional digital credential firm to service the transcripts.

[5.100.6.16 NMAC - N, 12/26/2017; A, 12/11/2018; A, 10/24/2023]