

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 55 PUBLIC POST-SECONDARY EDUCATION GENERAL PROVISIONS
PART 2 TRIBAL COLLEGE DUAL CREDIT PROGRAM

5.55.2.1 ISSUING AGENCY: New Mexico Higher Education Department
[5.55.2.1 NMAC - N, 11/13/2014]

5.55.2.2 SCOPE: This rule applies to dual credit programs at Diné College, the Institute of American Indian Art, Navajo Technical University and Southwest Indian Polytechnic Institute.
[5.55.2.2 NMAC - N, 11/13/2014]

5.55.2.3 STATUTORY AUTHORITY: Section 9-25-8; 21-1-1.2 NMSA 1978.
[5.55.2.3 NMAC - N, 11/13/2014]

5.55.2.4 DURATION: Permanent.
[5.55.2.4 NMAC - N, 11/13/2014]

5.55.2.5 EFFECTIVE DATE: November 13, 2014, unless a later date is cited at the end of a section.
[5.55.2.5 NMAC - N, 11/13/2014]

5.55.2.6 OBJECTIVE: The purposes of the tribal college dual credit program are:
A. to provide high school students the opportunity to enroll in college-level academic or career-technical courses offered by the four tribal post-secondary institutions;
B. to permit those enrolled students to simultaneously earn credit toward high school graduation and a post-secondary degree or certificate; and
C. to provide for reimbursement of dual credit tuition and fees for the four tribal colleges.
[5.55.2.6 NMAC - N, 11/13/2014]

5.55.2.7 DEFINITIONS:
A. **“Appropriation”** means the legislative financial allocation granted to reimburse the tribal colleges for dual credit tuition and fees.
B. **“Classification of instructional program (CIP)”** is a coding system that contains titles and descriptions of instructional programs.
C. **“Dual Credit Council”** is an advisory group consisting of staff of the higher education department and the public education department that issues recommendations to the cabinet secretaries of the public education and higher education departments regarding dual credit issues.
D. **“Dual Credit Program”** means a program offered by the tribal colleges and secondary schools that permits high school students to enroll in college-level courses offered by the tribal colleges that may be academic or career-technical, but not remedial or developmental. Dual credit students will simultaneously earn credit toward high school graduation and a postsecondary degree or certificate.
E. **“Department”** means the New Mexico higher education department.
F. **“Inadequate Appropriation”** means a legislative financial allocation that does not fully compensate all of the tribal colleges for the dual credit tuition and fees.
G. **“Local Educational Agency (LEA)”** is a public school district, a state-chartered school or a bureau of Indian education-funded high school.
H. **“Tribal College”** means diné college, the institute of American Indian arts, the Navajo technical university, southwest Indian polytechnic institute and any other post-secondary educational institutions that are tribally, federally or congressionally chartered in the state of New Mexico and accredited by the north central association of colleges and schools.
[5.55.2.7 NMAC - N, 11/13/2014]

5.55.2.8 REIMBURSEMENT OF TUITION AND FEES:
A. If sufficient appropriations are received, the tribal colleges will be fully reimbursed for all dual credit tuition and fees. The date of reimbursements is dependent upon receiving accurate and timely data from each tribal college in order to accurately calculate the amount due to each college. If final and accurate data is received in a timely manner, the reimbursements for fall semester will be distributed on or about March 31 of each year. If final

and accurate data is received in a timely manner, the reimbursements for the spring semester will be made on or about August 31 of each year.

B. If the legislative appropriation is inadequate to fully reimburse each of the tribal colleges for the full amount of the tuition and fees expended to provide dual credit, the department will offer the presidents of the tribal colleges or their designees the opportunity to select another method of reimbursement.

C. In the event of an inadequate appropriation, the department will honor a fair and equitable alternative method of distribution of the reimbursement only if the method is agreed upon by all the tribal colleges pursuant to a memorandum of agreement.

D. If the tribal colleges cannot agree unanimously upon a fair and equitable distribution of an inadequate appropriation for dual credit tuition and fees, the department will develop a formula that fairly distributes the appropriation. The department's formula will be distributed to the colleges for review and comment before any distribution is made. However, in the event of disagreement, the department's determination of a distribution method is the final determination.

[5.55.2.8 NMAC - N, 11/13/2014]

5.55.2 9 ELIGIBLE COURSES:

A. Types of courses:

(1) College courses that are academic or career-technical may simultaneously earn credit toward high school graduation and a postsecondary degree or certificate and shall be eligible for dual credit. Remedial, developmental and physical education activity courses are not eligible for dual credit.

(2) Courses taken for audit are not eligible for dual credit.

(3) Dual credit courses may be taken as electives or core courses (except physical education activity course) high school credits.

(4) Dual credit courses must meet the public education department standards and benchmarks.

(5) College courses eligible for dual credit shall meet the rigor for postsecondary institution credit and be congruent with the postsecondary institution's academic standards.

(6) Dual credit courses offered in high school settings shall conform to college academic standards.

(7) Course requirements for high school students enrolled in dual credit courses shall be equal to those of regular college students.

(8) Dual credit courses that are part of the general education common core for postsecondary institutions are eligible for transfer among New Mexico postsecondary institutions pursuant to Subsection D of 21-1B-3 NMSA 1978.

B. Identifying courses:

(1) The LEA in collaboration with the postsecondary institution shall determine a list of academic and career technical courses eligible for dual credit.

(2) The department shall inform and assist the tribal colleges in identifying the dual credit courses and the data needed to adequately assist the LEAs, the tribal colleges and the department in correctly assessing appropriate dual credit courses and credits.

C. Course delivery:

(1) Dual credit courses may be offered at LEAs, postsecondary institutions, and off-campus centers as determined by the LEA in collaboration with the postsecondary institution offering the courses.

(2) Dual credit courses may be delivered during or outside of regular LEA hours.

(3) Postsecondary institutions may offer dual credit courses via distance learning (ITV, online, hybrid, correspondence) as this option becomes available and cost-effective. All dual credit course rules apply.

D. Semesters dual credit may be taken; caps for dual credit; nature of high school credit earned:

(1) Eligible students may enroll in dual credit courses year-round.

(2) There is no state limit to the number of credits a student may earn through dual credit in an academic term; however, the student must meet eligibility requirements.

(3) Unless otherwise approved by the cabinet secretaries of the higher education and public education departments, successful completion of three credit hours of postsecondary instruction shall result in the awarding of one high school unit for said completed postsecondary course. If the LEA and postsecondary institution determine that a different ratio is warranted for a particular dual credit course comparable to LEA core courses in

order to meet public education department standards and benchmarks, they may appeal to the council, which may recommend a different ratio to the cabinet secretaries of the public education and higher education departments. The joint decision of the public education and higher education department cabinet secretaries shall be final.
[5.55.2.9 NMAC - N, 11/13/2014]

HISTORY OF 5.55.2 NMAC: [RESERVED]