

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 June 29, 2018. The hearing will begin at 1:00 p.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 of **5.6.3 NMAC - VARIABLE SCHEDULING**.

Purpose:

The department has proposed the repeal of 5.6.3 NMAC to consolidate and update regulations related to data reporting procedures in the proposed repeal and replace of 5.6.2 NMAC, Data Reporting (formerly titled Enrollment Reporting). Any data reporting procedures and verification procedures previously addressed in 5.6.3 NMAC have been consolidated with other data reporting procedures in 5.6.2 NMAC. The purpose of the proposed rule change is to update data reporting procedures. The department collects data as part of its duty to conduct statewide planning and to prepare reports required by law. The department utilizes the Electronic Data Editing and Reporting System (eDEAR) to collect data from institutions. The department maintains the eDEAR User Manual to aid institutions in addressing data reporting requirements and to provide user assistance. The proposed replacement to 5.6.2 NMAC includes the general requirements of data reporting through the eDEAR system, establishes the requirement that the department set a data reporting schedule, and sets out procedures for the department to conduct verification of data submissions.

Summary of proposed changes:

The proposed repeal of 5.6.3 NMAC is to consolidate and update all regulations related to data reporting. The regulations previously addressed in 5.6.2 NMAC, 5.6.3 NMAC, 5.6.4 NMAC have been consolidated and updated within proposed 5.6.2 NMAC, Data Reporting.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed statement of repeal is available at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505-2100. The proposed statement of repeal 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 statement of repeal be sent to you by mail or e-mail, please contact fin.aid@state.nm.us or 1-800-279-9777.

A public hearing will be held from 1:00 p.m. until 1:30 p.m. at NMHED on June 29, 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 fin.aid@state.nm.us. Written comments must be received no later than 5:00 p.m. on June 28, 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 NMSA 1978, Sections 21-2-5 NMSA 1978 and 21-2-7 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 1-800-279-9777 or email fin.aid@state.nm.us ten (10) business days prior to the hearing.