

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the New Mexico Higher Education Department (NMHED) will hold a public rulemaking hearing on December 7, 2017. The hearing will begin at 9:00 a.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 a proposed rulemaking repealing 5.100.2 NMAC, PRIVATE POST-SECONDARY INSTITUTIONS OPERATING UNDER THE POST-SECONDARY EDUCATIONAL INSTITUTION ACT.

Repeal:

The New Mexico Higher Education Department proposes to repeal 5.100.2 NMAC.

Purpose:

Section 21-23-1 et seq. NMSA 1978 (The Postsecondary Educational Institution Act) was amended in 2013. Whereas by statute the Department is charged with oversight of all private post-secondary educational institutions operating within the state, the Department proposes to repeal 5.100.2 NMAC and has proposed new part numbers and names for the regulation of private postsecondary institutions operating within the state of New Mexico in proposed rules 5.100.5 NMAC, 5.100.6 NMAC, 5.100.7 NMAC and 5.100.8 NMAC.

Summary of proposed changes:

The Department proposes to repeal 5.100.2 NMAC in order to create new parts. The new proposed rules will distinguish the differences between registration, licensing, exemptions from the act, and closures of all postsecondary educational institutions in New Mexico. The rules shall provide for the registration of all regionally accredited colleges and universities and licensure of all career schools and all nonregionally accredited colleges and universities operating in the state pursuant to the Post-Secondary Educational Institution Act.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed rules or statement of repeal are available at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505-2100. The proposed rules or statement of repeal are 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 rules or statement of repeal be sent to you by mail or e-mail, please contact michelle.casias@state.nm.us or 505-476-8409.

A public hearing will be held from 9:00 a.m. until 10:00 a.m. at NMHED on December 7, 2017. Any person who is or may be affected by these proposed changes may appear and testify. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or michelle.casias@state.nm.us. Written comments must be received no later than 5:00 p.m. on December 1, 2017.** 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 Sections 21-23-1 et seq. NMSA 1978 and Section 9-25-8 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 505-476-8409 ten (10) business days prior to the hearing.