

NMHED - Research & Public Service Programs

Pertinent Rules & Regulations

RULES

NMAC 5.3.5.12 RESEARCH, PUBLIC SERVICE, AND OTHER SPECIAL PROJECTS:

A. Line item appropriations will be recommended where appropriate for research, public service and certain other activities. In general, calculations of these recommendations will be based on justified expenditures to maintain a desirable level of program activity, minus income other than appropriations. Proposed expansion of programs or initiation of new programs will be evaluated on the basis of specific written justification. New programs, if recommended by the commission, will be submitted as separate line item appropriations requests.

B. The Higher Education Department must determine when it is appropriate to recommend the expansion of existing research, public service and other special projects and the establishment of new ones. New projects should be established to meet identified statewide needs upon a finding that one of the state's higher education institutions can most effectively meet the need. Proposed expansion must also be intended to meet identified statewide needs effectively and efficiently. **All possible sources of funding should be explored before a request for state funding is made.**

C. Once established, research, public service and other special projects should be subject to periodic review to determine the ongoing need for the project and the effectiveness of the project in meeting the need. Likewise, the relationship of each project to the institutional and, when appropriate, statewide priority needs should be periodically established.

D. Existing Projects:

(1) The budget of each project shall be separately identified and reported on forms provided by the commission.

(2) **Each project shall be subject to a review by the Department at least once every four years.** This review shall include a hearing before the commission. The hearing shall include a presentation by an institutional representative on the activities of the project, and a presentation by the Department staff of the staff findings of the review of the project. On the basis of the hearing, the Department shall decide whether or not to recommend an ongoing state appropriation for the project.

(3) Projects that receive significant revenues from sources other than the state general fund shall be evaluated using the base contribution methodology. The state contribution is considered "seed" money to encourage the continuation of the project. However, specific projects may be evaluated using an alternative method where more

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appropriate.

E. **New projects or requests to expand existing projects:**

(1) All requests for new or expanded projects shall be submitted to the Department by September 15. **Each request shall include a description of the project or expansion, a statement of the need for the project or expansion, a description of alternative funding sources which were considered and a proposed budget. Each new project or expansion request should also state whether the project is to be ongoing or for a specified period of time.**

(2) All new project and expansion requests from an institution shall be reported in priority order by the institution.

(3) **All new projects and expansion requests will be reported to the Department for review.** Department staff will prepare a summary report of the requests for consideration by the Department's finance committee. The finance committee will prepare a list of recommended projects in priority order and will report its findings to the full commission.

(4) The Department will recommend individual projects to the legislature and the executive in priority order as a part of the commissions overall funding recommendations for higher education.

[9/21/84, 6/28/85, 12/31/98; Recompiled 10/31/01]

NMAC 5.3.5.13 PROCEDURES FOR THE DEVELOPMENT OF THE COMPLETE INSTITUTIONAL FUNDING RECOMMENDATIONS:

The following procedures and policies will be used by the Department in arriving at recommendations as to the amounts of appropriations to be made to support state-funded activities, including both I and G and other, at each institution.

A. Early in the fall, the Department will schedule a hearing on matters relating to legislative funding requests. The Department will instruct the staff regarding certain criteria and factors, such as salary increases, impact of inflation, etc., to be used in staff calculations.

B. After being approved by the governing boards, legislative funding requests will be submitted to the office of the commission. These requests may include proposed formula revisions as well as research, public service, or other special project requests. The Department's staff will review the requests with appropriate officials of the institutions.

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C. The Department's staff will analyze the institutional requests and will prepare preliminary staff calculations for each institution, incorporating the criteria and factors as instructed by the commission, and will distribute these calculations together with supporting information to the Department members and to each of the institutions.

D. The Department will hold hearings at which representatives of each institution will support their requests and present their reactions to the preliminary staff calculations. At the conclusion of the hearings, the Department will instruct the staff as to further calculations and adjustments to be made in preparation for subsequent meetings.

E. The Department will meet to adopt final funding recommendations.

F. The staff will transmit the Department's recommendations to the governor and consult with the governor regarding incorporation of the Department's recommendations in the executive budget.

G. The staff will transmit the Department's recommendations to the appropriate legislative committees to explain the recommended appropriations and assist the committees in their review of the recommendations.

REGULATION

NMSA 1978, [21-1-26.3. Verification function.](#)

The higher education department shall annually conduct special verifications of the institutions of higher education. The **verifications shall include** enrollments, **fund balances, compliance with legislation, comparison of expenditures to budgets and other areas to be determined by the department.** Reports on the verifications shall be made annually to the department of finance and administration and the legislative finance committee. The department shall consider the verification findings in making its annual recommendations to the executive and legislature for higher education funding.

NMSA 1978, [21-1-26.7. Annual accountability report.](#)

A. The higher education department shall submit an annual accountability report to the governor and to the legislature by December 31. Prior to publication, the department shall distribute a draft of the accountability report to all public post-secondary educational institutions and shall allow comment upon the draft report.

B. The department in consultation with each public post-secondary educational institution shall develop and adopt the content and a format for the report, including the following information:

(1) student progress and success;

(2) student access and diversity;

(3) affordability and cost of educational services;

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(4) public and community service by the institution; and
(5) faculty, compensation and benefits practices, including:
(a) number and percentage of part-time and full-time faculty;
(b) per-credit-hour pay rate for full-time instructors or lecturers and per-credit-hour pay rate for part-time faculty;
(c) percent salary increase for full-time faculty and percent salary increase for part-time faculty; and
(d) description of the institution's policy for offering benefits to full-time faculty and to part-time faculty.
C. The Department shall make no funding recommendation, capital outlay recommendation, distribution or certification on behalf of any public post-secondary educational institution that has not submitted the information required pursuant to this section.