

## Chapter 8: Federal Compliance

### Introduction: From the HLC Handbook

The 1992 and 1998 Amendments to the Higher Education Act, and subsequent changes to federal regulations by the US Department of Education (USDOE), put into law several requirements for accrediting agencies that seek federal recognition. The Commission has held, and will continue to hold, federal recognition as an approved accrediting agency. Through this recognition, the Commission's accredited organizations, and some organizations holding candidate status, qualify for a variety of federal financial aid programs. Congress will reauthorize the Higher Education Act in 2004 and the Commission may need to revise its Federal Compliance Program to include additional requirements.

Both the self-study report (either in the main body or in an addendum) and the Team Report need a special section entitled "Federal Compliance." In it, the organization and team are to address the following Commission policies:

- Credits, Program Length, and Tuition
- Institutional Compliance with the Higher Education Reauthorization Act (policy I.A.5)
- Federal Compliance Visits to Off-Campus Locations (policy I.C.2)
- Institution's Advertising and Recruitment Materials (policy IV.B.2)
- Professional Accreditation (policy III.A.1.)
- Requirements of Institutions Holding Dual Institutional Accreditation (policy III.A.3)
- Institutional Records of Student Complaints (policy IV.B.4)

*Source: The Handbook of Accreditation, The Higher Learning Commission, Chapter 8: Relations with External Stakeholders, 8.2 The Commission's Federal Compliance Program, 8.2-1.*

*NOTE: As of October 2007, Congress has only passed the Third Higher Education Act Extension of 2007.*

\* \* \*

New Mexico State University (NMSU) complies with the Federal Compliance Program of The Higher Learning Commission of the North Central Association. Specifics are cited below:

### Credits, Program Length, and Tuition

Course credit is awarded in semester hours as recorded on the academic record and reflected in transcripts of that record.

Program length for undergraduate and graduate programs is consistent with that of peer institutions and widely accepted good practice.

The charges for undergraduate resident and nonresident tuition and required fees are below similar charges at peer institutions as shown in Figure 8.1. (Source: *The Council of University Presidents Performance Effectiveness Reports [1998 – 2006]*). Over time NMSU resident undergraduate tuition and fees as a percentage of similar charges at its peer institutions has declined from 99% in FY2001 to 73.0% in FY2006. NMSU nonresident undergraduate tuition and fees also declined as a percentage of similar charges of its peer institutions over the same timeframe, from 97% in FY2001 to 91% in FY2006.

Figure 8.1: NMSU Undergraduate Tuition and Fees, Rates as a Percentage of Peers, Las Cruces Campus 1998-2006

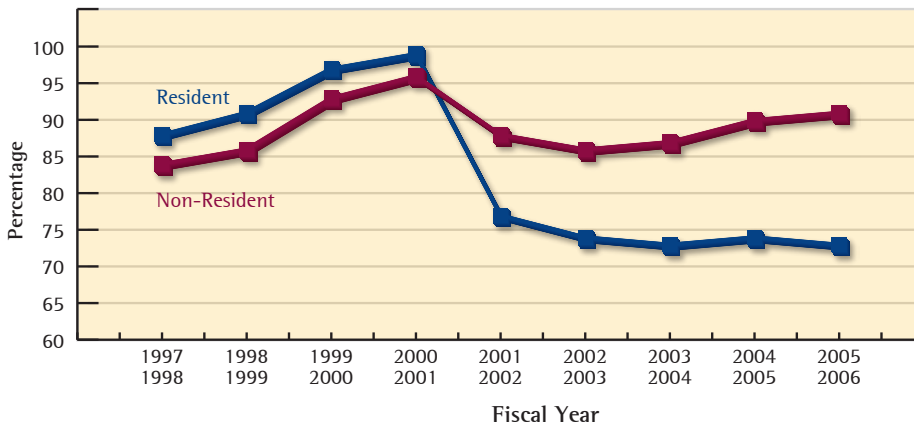


Figure 8.2: Overall Graduation Rates of Full-time, First-time, Degree-Seeking Freshman 1998-2006

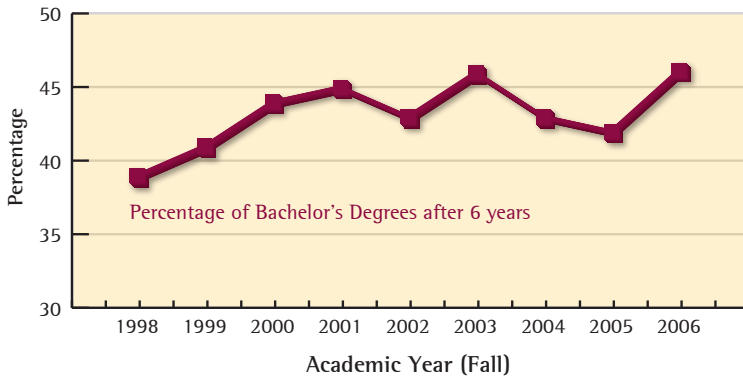
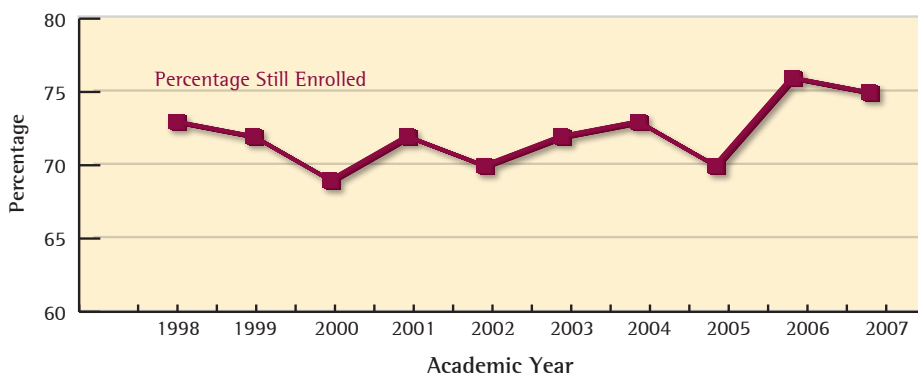


Figure 8.3: Freshman Retention Rates, Fall to Fall Terms 1998-2007



### Institutional Compliance with the Higher Education Reauthorization Act (policy I.A.5)

As required, NMSU complies with the Title IV requirements of the Higher Education Reauthorization Act as amended in 1998. In the last six years the NMSU default rate has decreased from 6.4% in 2000 to 5.1% in 2005, the most recent year for which data are available. NMSU's loan default rate is slightly above the national average (4.6%) and 1.1% below the average default rate for its neighboring states (Arizona, Colorado, Nevada, Oklahoma, Texas and Utah). NMSU has never been the subject of an investigation by USDOED for its default rate.

The University official student loan default rates for 2000–2005 are as follows:

2000	6.4%
2001	7.6%
2002	5.4%
2003	4.7%
2004	3.9%
2005	5.1%

Source: US Department of Education - National Student Loan Data System (NSLDS) 11/07/2007.

NMSU's Police Department offers crime prevention and public education programs to promote a safe learning environment. These programs are taught each year as described in the *NMSU Annual Campus Safety and Security Report*, (August 31, 2007). Some of these

safety programs are taught as blocks of instruction in academic classes, while others are taught for on-campus and off-campus groups and organizations by request. The *Report* also contains information about policies and procedures on the campuses of NMSU Las Cruces and NMSU Doña Ana. The *Report* complies with the requirements established by 20 USC 1092, also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Reports of crime statistics required by this Act are included in the *Report* and other reports online.

As shown in Figures 8.2-8.3, at NMSU the 6-year graduation rate was 39.2% in 1998 and 45.8% in 2006. The freshman retention rate was 73% (Fall 1997 to Fall 1998) and 75% (Fall 2006 to Fall 2007). (See Resource Room for *The Council of University Presidents Effectiveness Reports 1998 – 2006* and *Chapter 7: Special Emphasis, Table 7.1*).

NMSU is fiscally stable, as documented in financial statements and audits. (See the Resource Room for Financial Reports for the past five years.)

### Federal Compliance Visits to Off-Campus Locations (policy I.C.2)

The 2007-2008 HLC Site Team will visit the campuses of NMSU Las Cruces, NMSU Doña Ana and NMSU Grants, April 28-30. During the same visit, the application of NMSU Doña Ana Community College for independent accreditation will be reviewed by an additional HLC Team. NMSU's community colleges at Alamogordo and Carlsbad are independently accredited by HLC and do not require a visit at this time.

### Institution's Advertising and Recruitment Materials (policy IV.B.2)

It is the current policy of NMSU to include the mailing address and/or URL of the Higher Learning Commission along with the local telephone number wherever it makes reference to its affiliation with the Commission.

### Professional Accreditation (policy III.A.1.)

A listing of the professional accrediting bodies that have accredited NMSU programs is available for review in the Resource Room. The most recent reports from these bodies are available among the confidential hard copy documents available in the Resource Room for the visiting team. All programs are currently in good standing with the professional accreditation bodies with which they hold affiliation. (See Table 8.1.)

### Requirements of Institutions Holding Dual Institutional Accreditation (policy III.A.3)

NMSU does not hold dual institutional accreditation.

### Institutional Records of Student Complaints (policy IV.B.4)

The NMSU policies for maintaining institutional records of formal, written student complaints and their disposition is consistent with the Department of Education and Higher Learning Commission expectations and is followed consistently by the institution.

NMSU has instituted a University Ombuds Office reporting to the University President. The

Office is under the direct supervision of the Assistant to the President, and is supported by the Regents Chief of Staff and a faculty member on a part-time basis. The University Ombuds Office adheres to the International Ombudsman Association Code of Ethics and Standards of Practice. The Office serves as a neutral, informal, independent and confidential party. It facilitates communication and problem resolution for faculty and students. The Office does not handle formal grievances.

Policy and procedures for filing disability discrimination complaints related to the Americans with Disabilities Act (1990) through the Office of Institutional Equity are in effect. In the most recent two years (2005-06 and 2006-07), two disability discrimination complaints were filed through the Office of Institutional Equity. (See Resource Room for ADA documents.)

The responsibility of administering the student discipline system is delegated by the President of the University to the Vice President for Student Success for nonacademic discipline and to the Executive Vice President and Provost for academic discipline. The procedures to be followed in matters of academic and nonacademic misconduct are clearly stated in the printed and web-based *Student Code of Conduct*. All discipline sanctions imposed campus-wide are reported to the Coordinator of Student Judicial Services for record-keeping purposes. Twelve (12) formal, written appeals of sanctions imposed through the *Student Code of Conduct* were pursued to completion during the two most recent years. All were upheld on appeal with one group sanction modified on appeal. (See Resource Room for the *Student Code of Conduct*.)

The policy on student academic appeals and complaints for undergraduate students is available in the current *NMSU Undergraduate Catalog*, p. 20-22. Every attempt is made to resolve student appeals and complaints at the lowest administrative level. Final academic appeals are heard by an academic appeals board of three faculty members and two students in each of the NMSU colleges. During the past two years, only one undergraduate student appeal was heard at the level of the college appeals board.

Policies on grievance procedures for graduate students and graduate assistants are available in the online *NMSU Graduate School Catalog* in the Regulations and Procedures for Students. Nine (9) formal, written complaints were pursued during the two most recent years. Only one (1) complaint required resolution through the process of appeal during the two most recent years.

The President and the Executive Vice President and Provost may delegate authority to other groups or individuals for handling violations of the *Student Code of Conduct*. Disciplinary regulations at NMSU are set forth in writing in order to give students general notice of prohibited conduct. All disciplinary sanctions imposed campus-wide are reported to the Coordinator of Student Judicial Services for record-keeping purposes. During the two most recent years, twelve (12) formal, written appeals of sanctions imposed through the *Student Code of Conduct* were pursued to completion. All were upheld on appeal, with one group sanction modified on appeal. (See Resource Room for the *Student Code of Conduct*.)

Table 8.1: The New Mexico State University Accreditation Listings

INSTITUTION/UNIT	ACCREDITATION TYPE	ACCREDITING ORGANIZATION
New Mexico State University	Institutional	(HLC) The Higher Learning Commission
	Institutional	North Central Association of Colleges & Secondary Schools
The Counseling Center	Student Service	(IACS) International Association of Counseling Services
Student Health Center	Student Service	(AAAHC) Accreditation Association for Ambulatory Health Care
NMSU Athletics	Student Service	(NCAA) The National Collegiate Athletic Association – Division 1 Certification Program
College of Agriculture and Home Economics		
Department of Agricultural & Extension Education		
Option: Agricultural Education Teaching	UG	(NCATE) National Council for the Accreditation of Teacher Education
Option: Advanced Technology Education	UG	(NCATE) National Council for the Accreditation of Teacher Education
Department of Animal & Range Sciences	UG & MA	(SRM) Society for Range Management
Department of Family & Consumer Sciences		
Option: Family and Consumer Sciences Education	MA	(NCATE) National Council for the Accreditation of Teacher Education
Option: Human Nutrition & Food Science	UG	(CADE) Commission on Accreditation for Dietetics Education; a subsidiary of the (ADA) American Dietetics Association
College of Arts & Sciences		
Department of Chemistry & Biochemistry	UG	(ACS) American Chemical Society
Department of Government		
Option: Public Administration	MA	(NASPAA) National Association of Schools of Public Affairs & Administration
Department of Journalism & Mass Communications	UG	(ACEJMC) Accrediting Council on Education in Journalism & Mass Communications
Department of Music	UG	(NASM) National Association of Schools of Music
Department of Physics		
Option: Engineering Physics <sup>1</sup>	UG	(ABET-EAC) Accreditation Board for Engineering & Technology Engineering Accreditation Commission
Department of Psychology		
Option: Engineering Psychology	MA & PhD	Human Factors and Ergonomics Society
College of Business Administration & Economics	College	(AACSB)-International - The Association to Advance Collegiate Schools of Business
College of Education	College	(NCATE) National Council for the Accreditation of Teacher Education
	College	(NMPED) New Mexico Public Education Department
Department of Counseling & Educational Psychology		
Option: Counseling	MA	(CACREP) Council for Accreditation of Counseling & Related Educational Programs
Option: Counseling & Guidance (School Counseling Track)		(APA) American Psychological Association
		(CACREP) Council for Accreditation of Counseling & Related Educational Programs
Option: Counseling Psychology	PhD	(APA) American Psychological Association
Department of Physical Education, Recreation, & Dance		
Option: Athletic Training Program	UG	(CAAHEP) Commission on Accreditation of Allied Health Education Programs
	UG	(CAATE) Commission on Accreditation of Athletic Training Education

INSTITUTION/UNIT	ACCREDITATION TYPE	ACCREDITING ORGANIZATION
<b>College of Education (continued)</b>		
Option: Physical Education	UG & MA	(NASPE) National Association for Sport and Physical Education
Department of Special Education/Communication Disorders		
Option: Speech-Language Pathology	MA	(ASHA) American Speech-Language-Hearing Association
Option: Ed.S. School Psychology <sup>2</sup>	Ed.S.	(NASP) National Association of School Psychologists
Option: Visually Impaired Program	MA & Ed.S.	(AER) Association for Education and Rehabilitation of the Blind and Visually Impaired
Option: Orientation and Mobility Program	MA & Ed.S.	(AER) Association for Education and Rehabilitation of the Blind and Visually Impaired
<b>College of Engineering</b>		
	college	(ABET) Accreditation Board of Engineering and Technology
	college	(ASEE) American Society for Engineering Education
Department of Chemical Engineering	UG	(ABET) - (EAC) Engineering Accreditation Commission
Department of Civil Engineering	UG	ABET-EAC
Department of Electrical & Computer Engineering	UG	ABET-EAC
Department of Industrial Engineering	UG	ABET-EAC
Department of Mechanical & Aerospace Engineering	UG	ABET-EAC
Department of Engineering Technology & Surveying	UG	ABET-EAC and (TAC) Technology Accreditation Commission
Option: Civil Engineering Technology	UG & AS	ABET-TAC
Option: Electronics & Computer Engineering Technology	UG & AS	ABET-TAC
Option: Mechanical Engineering Technology	UG & AS	ACET-TAC
<b>College of Health &amp; Social Sciences</b>		
Department of Health Science		
Option: Community Health	UG	(AAHE) American Association for Health Education
	UG	(SABPAC) Society for Public Health Education (SOPHE)/ (AAHE) American Association of Health Education Baccalaureate Program Approval Committee
Option: Community Health Education	MA	(CEPH) Council on Education for Public Health
Option: Environmental Health	UG	(EHAC) National Environmental Health Science and Protection Accreditation Council
Department of Nursing		
	UG & MA	(NLN) National League for Nursing
	UG & MA	(AACN-CCNE) American Association of Colleges of Nursing Commission on Collegiate Nursing Education
Department of Social Work	UG & MA	(CSWE) Council on Social Work Education

<sup>1</sup> Bachelor of Science offered jointly from the College of Arts & Sciences and the College of Engineering.

<sup>2</sup> Offered jointly with the Department of Counseling and Educational Psychology.

Source: NMSU HLC SS Team, November 2007.