Rule Overview

Date: November 18, 2026
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Rule Citation: NMAC 6.19.10, State Reporting and Data Submission

Overview of Proposed Rule

Agency: Public Education Department
Rulemaking Action: New
Date of Notice: November 3, 2026
Public Comment Period: November 3, 2026, through December 4, 2026
Rule's Purpose: The proposed rule would create uniform requirements and timelines for the submission, review, validation, and correction of data required from schools or school districts.

Summary of Proposed Rule NMAC 6.19.10: State Reporting and Data Submission

The Public Education Department (PED) gave notice of a new rule, New Mexico Administrative Code (NMAC) 6.19.4 that would create uniform requirements and timelines for the submission, review, validation, and correction of data required from schools or school districts. The new rule would also establish processes for resolving data discrepancies and it specifies the administrative actions the department may take when the provisions of the rule are not completed by school districts and charter schools.

Data Submission and Reporting Requirements

The proposed rule specifies each school district and charter school must review, submit, and certify all required documentation for student membership calculations during each reporting period. All school districts and charter schools would be required to retain supporting documentation and affirm their membership data is correct to the best of the school district's or charter school's knowledge.

Data Validation

The proposed rule states PED would have a validation period of 10 working days to review submitted membership data and request changes to that data. These changes may be due to errors, omissions, inconsistencies, or discrepancies in the submitted data; all required changes would be required to be completed by the end of the data validation period.

Noncompliance with Data Quality or Submission Requirements

The proposed rule states that a school district or charter school that does not submit or correct its data within the validation period may be considered late. If a school district or charter school is determined to be late, PED may issue a written notice identifying:

- The data or reports that remain outstanding;
- Any required corrective action; and
- Potential funding consequences.

PED may require a school district or charter school with repeated late, incomplete, or materially inaccurate submissions to complete additional data quality monitoring, training, technical assistance, or corrective action.

Funding Considerations

The proposed rule cites Section 22-8-13 NMSA 1978, which states PED may withhold all or a portion of an allotment of funds from a school district when the superintendent or head administrator does not comply with statutory reporting requirements.

Exemptions from the Rule

The proposed rule states PED may grant an extension of a reporting deadline when a school district or charter school has an exigent circumstance beyond its control, like a public health emergency or a cyberattack.

Severability

The proposed rule also adds a severability clause, which would preserve the validity, legality, and enforceability of the remaining provisions if any section of the rule is found to be invalid or unenforceable.

If adopted, the rule has the proposed effective date of December 22, 2026

Impact

The proposed rule provides clarity in several areas of department internal processes, particularly in the timeline of membership data submissions, provisions governing data validation requirements, and potential administrative impacts of non-compliance with these department processes. Reporting periods are governed in Section 22-8-13 NMSA 1978, which also grants PED the authority to determine how membership data is submitted, and allows the department to withhold operational funding for instances of non-compliance. There are no provisions in the rule that expand department oversight beyond those granted to the department in statute.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 19 PUBLIC SCHOOL ACCOUNTABILITY
PART 10 STATE REPORTING AND DATA SUBMISSION

6.19.10.1 ISSUING AGENCY: Public Education Department, hereinafter the department.
[6.19.10.1 NMAC - N, 12/22/2026]

6.19.10.2 SCOPE: School districts, charter schools, state institutions, and bureau of Indian education (BIE) schools, including virtual programs.
[6.19.10.2 NMAC - N, 12/22/2026]

6.19.10.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-1-2, 22-2-1, 22-2-2, 22-8-13, 22-8-13.3, 22-8-17, and 22-8-23 NMSA 1978.
[6.19.10.3 NMAC - N, 12/22/2026]

6.19.10.4 DURATION: Permanent.
[6.19.10.4 NMAC - N, 12/22/2026]

6.19.10.5 EFFECTIVE DATE: December 22, 2026, unless a later date is cited in the history note at the end of a section.
[6.19.10.5 NMAC - N, 12/22/2026]

6.19.10.6 OBJECTIVE: The objective of this rule is to establish uniform requirements and timelines for the submission, review, validation, and correction of data required from schools or school districts; to establish procedures for resolving data discrepancies; and to establish consequences for failure to timely submit, review, or correct required data.
[6.19.10.6 NMAC - N, 12/22/2026]

6.19.10.7 DEFINITIONS:

A. "**End-of-year reporting date**" means the last day of school in each school district.

B. **"First reporting date**" means the second Wednesday in October of each year.

C. "**MEM**" means membership as defined as the total enrollment of qualified students on the current roll of a class or school on a specified day. The current roll is established by the addition of original entries and reentries minus withdrawals. Withdrawals of students, in addition to students formally withdrawn from the public school, include students absent from the public school for as many as ten consecutive school days; provided that withdrawals do not include students who are in need of intervention or who are chronically or excessively absent.

D. "**Reporting period**" means the first reporting date, second reporting date, third reporting date, end-of-year reporting date, and any other reporting period requested by the department.

E. "**Required data**" means data, reports, records, documentation, or other information required by law, rule, department procedure, or department-issued reporting requirements to be submitted by a school or school district to the department.

F **"School district**" means a public school district, charter school or state supported school.

G. "**Second reporting date**" means December 1 or the first working day in December of each year

H. "**State reporting system**" means a department-prescribed electronic system or systems through which a school or school district is required to submit data or information to the department.

I. "**Submission**" means the electronic transmission of required data by a school or school district through the state reporting system in the manner prescribed by the department.

J. "**Third reporting date**" means the second Wednesday in February of each year.

K. "**Timely submission**" means a complete submission of required data received by the department through the state reporting system no later than the applicable deadline established pursuant to this rule.

L. "**Validation**" means the process by which the department review submitted data for completeness, accuracy, consistency, and compliance with applicable requirements and identify any discrepancies requiring correction.

M. "**Working day**" means every calendar day excluding Saturdays, Sundays, and legal holidays, consistent with Section 22-8-13 NMSA 1978.
[6.19.10.7 NMAC - N, 12/22/2026]

6.19.10.8 REPORTING PERIODS AND SCHOOL OR SCHOOL DISTRICT SUBMISSION REQUIREMENTS:

A. Prior to the close of each reporting period each school district shall review all required data for accuracy and completeness and shall submit the required data to the department through the state reporting system.

B. The superintendent or head administrator, or the superintendent's or head administrator's designee shall certify the membership report for the first, second, and third reporting period. Certification of the membership report shall constitute certification of all data submitted by the school district for that reporting period, whether or not such data are reflected in the membership report, and shall affirm that the school district has reviewed the data and that, to the best of the school district's knowledge, the submitted data are complete and accurate.

C. A school district shall retain documentation sufficient to substantiate data submitted through the state reporting system in accordance with applicable state records retention requirements and shall make such documentation available to the department upon request.

[6.19.10.8 NMAC - N, 12/22/2026]

6.19.10.9 DEPARTMENT AND SCHOOL OR SCHOOL DISTRICT VALIDATION PERIOD:

A. Following the school district's timely submission pursuant to Subsection A of 6.19.10.8 NMAC, the department shall have a validation period of 10 working days to review submitted data and request changes to the data.

B. During the validation period:

(1) the department may identify errors, omissions, inconsistencies, or discrepancies in submitted data; and

(2) the school district shall review and respond to department inquiries and shall provide corrections or supporting documentation within the validation period.

C. The department's failure to complete validation or approve a timely submission within the validation period shall not cause the school district to be considered noncompliant with the submission deadline.

[6.19.10.9 NMAC - N, 12/22/2026]

6.19.10.10 LATE, INCOMPLETE, OR INACCURATE SUBMISSIONS:

A. A school district that does not submit all information requested by the department by the end of the reporting period or that fails to provide required data elements, required documentation, or required certifications shall be considered late.

B. When a school district fails to submit required data by the applicable deadline, or submits incomplete data, the department may issue a written notice identifying:

(1) the data or reports that remain outstanding;

(2) any required corrective action; and

(3) potential funding consequences under 6.19.10.11 NMAC.

C. The department may require a school or school district with repeated late, incomplete, or materially inaccurate submissions to participate in additional data quality monitoring, training, technical assistance, or corrective action.

[6.19.10.10 NMAC - N, 12/22/2026]

6.19.10.11 FUNDING CONSEQUENCES FOR FAILURE TO TIMELY REPORT:

A. In accordance with Section 22-8-13 NMSA 1978, the department may withhold all or a portion of an allotment of funds from a school district when the superintendent or head administrator has failed to comply with applicable reporting requirements.

B. A funding adjustment made pursuant to this section shall be in accordance with Subsection C of 6.21.2.11 NMAC and shall not prevent the department from subsequently adjusting a school district's allocation when required data are submitted, validated, and accepted, unless otherwise provided by law.

C. Nothing in this section shall limit the department's authority under Section 22-8-13 NMSA 1978 to withhold up to one hundred percent of allotments for failure to comply with applicable reporting requirements.

[6.19.10.11 NMAC - N, 12/22/2026]

6.19.10.12 EXIGENT CIRCUMSTANCES:

A. The department may grant an extension of a reporting deadline when a school or school district demonstrates circumstances beyond the school or school district's reasonable control that materially prevent timely submission of required data.

B. Circumstances that may warrant an extension include:

(1) a documented statewide or department system outage;

(2) a documented cyberattack or other significant information technology disruption;

(3) a natural disaster or other emergency declared by an appropriate governmental authority;

(4) circumstances that substantially prevent the school or school district from accessing or transmitting required data; or

(5) other extraordinary circumstances determined by the department to warrant an extension.

C. A school or school district requesting an extension shall notify the department as soon as practicable and, when possible, before the applicable reporting deadline using the department-approved form.
[6.19.10.12 NMAC - N, 12/22/2026]

6.19.10.13 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.
[6.19.10.13 NMAC - N, 12/22/2026]

History of 6.19.10 NMAC: [**RESERVED**]