

**This is an amendment to 5.7.19 NMAC, Sections 3, 6, 7, 8 and 9 effective 7/30/2019.**

**5.7.19.3 STATUTORY AUTHORITY:** ~~[Chapter 96, Laws of 1994]~~ Sections 21-21D-1 through 21-21D-5, NMSA 1978.

[7/15/1998; 5.7.19.3 NMAC - Rn, 5 NMAC 7.19.3, 7/31/2005; A, 7/30/2019]

**5.7.19.6 OBJECTIVE:** The objective and purpose of 5.7.19 NMAC is to provide a guideline for implementing the Senior Citizens Reduced Tuition Act ~~[of 1984]~~. The purpose of the act is to provide educational opportunities for senior citizens in New Mexico. Each public post-secondary degree-granting institution in New Mexico must grant a reduction in tuition to senior citizens upon request by the student. The charge will be \$5 per credit hour for up to 10 hours per semester.

[7/15/1998; 5.7.19.6 NMAC - Rn, 5 NMAC 7.19.6, 7/31/2005; A, 7/30/2019]

**5.7.19.7 DEFINITIONS:**

A. "Act" means the Senior ~~[Citizen]~~ Citizens Reduced Tuition Act ~~[of 1984]~~.

~~[B. "Department" means the New Mexico higher education department.]~~

~~[C.]~~ B. "Credit course" means a course that can be applied toward the completion of a degree.

C. "Department" means the New Mexico higher education department.

D. "Eligible institution" means any public post-secondary degree-granting educational institution in New Mexico.

E. "Full-time equivalent credit" means credit in courses which are included in the department's formula for funding purposes.

F. "Non-credit courses" means courses which cannot be applied toward completion of a degree.

G. "Senior citizen" means a person who has reached the sixty-fifth birthday by the third Friday of classes (by the census date).

H. "Space available" means that the maximum number of students in a class has not been reached by the end of the first day of registration, therefore providing room for enrollees.

[7/15/1998; 5.7.19.7 NMAC - Rn & A, 5 NMAC 7.19.7, 7/31/2005; A, 7/30/2019]

**5.7.19.8 ELIGIBILITY REQUIREMENTS:** In order to be eligible for the reduction in tuition which is stipulated in the act, students shall:

A. request the reduction in tuition;

B. demonstrate evidence that they have met the age required;

C. ~~[be resident in]~~ be a resident of New Mexico according to existing criteria for residency for tuition purposes set by the department in 5.7.18 NMAC;

D. ~~[enroll]~~ be enrolled ~~[for six credit hours or less]~~ at an eligible institution for credit or noncredit courses offered either on or off campus ~~[during the semester of enrollment];~~

E. meet all course ~~[requisites]~~ prerequisites;

F. pay for any course specific fees, including extraordinary course fees in continuing education programs; and

~~[G. enroll at an eligible institution for credit or noncredit courses offered either on or off campus; and,]~~

~~[H.]~~ G. enroll ~~[if]~~ in a course in which there is space available.

[7/15/1998; 5.7.19.8 NMAC - Rn & A, 5 NMAC 7.19.8, 7/31/2005; A, 7/30/2019]

**5.7.19.9 ADMINISTRATION OF PROGRAM:**

A. Institutions must allow students to register under provisions of this act if there is space available.

B. If a minimum number of students is required by the institution to offer a class, students registered under this act may not be counted toward the minimum. ~~[For noncredit courses, a maximum of two students will be allowed to register for each class under provisions of the act.]~~

C. Students enrolling under provisions of this act are eligible for all grading options for the same courses, including audit, as permitted by the institution.

D. Students are required to comply with all rules and regulations of the institution related to registration, withdrawal from courses, transaction deadlines, academic performance and decorum.

**E.** Students enrolled under this act are entitled to all rights and privileges afforded all students including receipt of an I.D. card, use of library, and access to other campus facilities in accordance with institutional regulations affecting all students.

**F.** No full-time equivalent credit may be given to the institutions by the department for any courses taken by students under the provision of this act.

**G.** Institutions must exclude student credit hours registered under this act from enrollment reports to the department.

[7/15/1998; 5.7.19.9 NMAC - Rn & A, 5 NMAC 7.19.9, 7/31/2005; A, 7/30/2019]