

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the New Mexico Higher Education Department (NMHED or Department) will hold a public video/telephonic rulemaking hearing on July 13, 2021. The hearing will begin at 10:00 a.m. and will be held via Microsoft Teams. The purpose of the rulemaking hearing is to take public comment regarding proposed amendments to **5.7.20 NMAC, LEGISLATIVE LOTTERY SCHOLARSHIP PROGRAM.**

Join via Microsoft Teams:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YWZjYmU4YmYtODU5OS00MDhkLTg0NDQtMmQzMMDM3YWI5MWY4%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%22c327f958-5970-4536-8f6b-03d48b60d29e%22%7d

Or call in (audio only)

+1 (505) 312-4308

Phone Conference ID: 111 595 871#

Amendments:

5.7.20.7 NMAC, DEFINITIONS

5.7.20.8 NMAC, STUDENT ELIGIBILITY

Purpose:

The proposed amendments are based upon changes that were made to the program through the enactment of S.B. 234, 55th Leg., 1st Sess. (N.M. 2021). Pursuant to S.B. 234, the definition of a qualified student for the New Mexico Legislative Lottery Scholarship is expanded to include students that completed the requirements of a home-based or non-public-school primary educational program in the state.

Summary of proposed changes:

The amendment to Section 5.7.20.7 NMAC updates the definition of qualified student for the New Mexico Legislative Lottery Scholarship to include students that completed the requirements of a home-based or non-public-school primary educational program in the state. Additional language is added to clarify that the home-schooled student must have been registered with the New Mexico Public Education Department as established in current statutes governing homeschooling. The amendment to Section 5.7.20.8 NMAC updates the provisions regarding establishing initial eligibility to include references to home-schooled students.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed rule is also posted on the NMHED website and may be accessed at <http://www.hed.state.nm.us/> under the “Events” section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact HigherEd.Info@state.nm.us or (505)476-8411.

A public hearing will be held on July 13, 2021 from 10:00 a.m. until 10:30 a.m. via Microsoft Teams. Any person who is or may be affected by this proposed rule may participate. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or HigherEd.Info@state.nm.us. Written comments must be received no later than 4:00 p.m. on July 9, 2021.** Please note that any written or verbal comments received will become part of the rulemaking record, be posted to the New Mexico Sunshine Portal, and be accessible to the public. 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 in Sections 6-24-1 et seq. NMSA 1978 and Sections 21-21N-1 et seq. 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) 476-8411 or email HigherEd.Info@state.nm.us ten (10) business days prior to the hearing.