

This is an amendment to 5.7.37 NMAC Section 7 effective 2/27/2024.

5.7.37.7 DEFINITIONS:

- A.** “Community college” means a branch community college of a four-year state educational institution, a two-year state educational institution or a community college or technical and vocational institute established pursuant to Chapter 21, Article 13 or 16 NMSA 1978.
- B.** “Comprehensive institution” means eastern New Mexico university, New Mexico Highlands university, northern New Mexico college or western New Mexico university.
- C.** “Cumulative grade point average” includes grades received during fall, spring and summer semesters.
- D.** “Department” means the higher education department.
- E.** “Eligible institution” means a public post-secondary educational institution or a tribal college that has a current and valid memorandum of understanding as described in Subsection B of 5.7.37.11 NMAC.
- F.** “Fee” or “Fees” means:
- (1) mandatory non-tuition charges levied to all students as a condition of enrollment;
 - (2) course-specific fees levied in an amount not to exceed fifty dollars (\$50) per credit hour or as otherwise approved by the department on a course-by-course basis; and
 - (3) shall not include charges levied for funding of capital projects or charges pledged for repayment of institutional bonds, loans or institutional debt of any type.
- G.** “Full time” means 15 or more credit hours each program semester of the regular academic year at four-year institutions or tribal colleges and 12 or more credit hours each program semester of the regular academic year in two-year institutions for recent graduate learners.
- H.** “Independent student” means a student with established financial need and no means of familial support as evidenced by their filing status on the free application for federal student aid or other means of income verification as determined by the institution.
- I.** “Opportunity scholarship” means an award to recent graduate learners and returning student learners.
- J.** “Public post-secondary educational institution” means a state educational institution or a community college.
- K.** “Qualified student” means a recent graduate learner or a returning student learner.
- L.** “Recent graduate learner” means a full-time student who does not have a bachelor's, master's or doctoral degree and who graduated from a public or accredited private New Mexico high school or who before reaching 21 years of age received a high school equivalency credential while maintaining residency in New Mexico and who either:
- (1) within 16 months of graduation or receipt of a high school equivalency credential, was accepted for entrance to and attended an eligible institution; or
 - (2) within four months of graduation or receipt of a high school equivalency credential, began service in the United States armed forces and, within 16 months of completion of honorable service or medical discharge from the service, attended an eligible institution; and
 - (3) successfully completed the first semester at an eligible institution with a grade point average of 2.5 or higher on a 4.0 scale during the first semester of full-time enrollment and maintains a cumulative grade point average of 2.5 or higher on a 4.0 scale at an eligible institution.
- M.** “Research institution” means New Mexico institute of mining and technology, New Mexico state university and the university of New Mexico.
- N.** “Returning student learner” means a student 18 years of age or older who does not otherwise meet the definition of a recent graduate learner, has a high school diploma or who has received a high school equivalency credential and who does not have a bachelor's, master's or doctoral degree, who has been a resident of New Mexico for the preceding 12 consecutive months and who maintains a cumulative grade point average of 2.5 or higher on a 4.0 scale at an eligible institution.
- O.** “State educational institution” means an institution of higher education enumerated in Article 12, Section 11 of the constitution of New Mexico.
- P.** “Tribal college” means a tribally, federally or congressionally chartered eligible institution located in New Mexico that is accredited by the higher learning commission.

Q. “**Tuition**” means mandatory instructional costs paid by or for a qualified student to an eligible institution for coursework.

R. “**Workforce certificate**” means a department-approved, credit-bearing certificate of two years’ duration or less where data indicates the certificate is in high demand as determined in consultation with the New Mexico department of workforce solutions.

[5.7.37.7 NMAC - N, 7/12/2022; A, 9/12/2023; A, 2/27/2024]