

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 9 ADULT EDUCATION
PART 2 WORKFORCE TRAINING ECONOMIC SUPPORT PILOT PROGRAM

5.9.2.1 ISSUING AGENCY: New Mexico Higher Education Department.
[5.9.2.1 NMAC - N, 2/11/2025]

5.9.2.2 SCOPE: Provisions of 5.9.2 NMAC apply to all participants of the program described in this rule.
[5.9.2.2 NMAC - N, 2/11/2025]

5.9.2.3 STATUTORY AUTHORITY: Section 9-25-14 NMSA 1978.
[5.9.2.3 NMAC - N, 2/11/2025]

5.9.2.4 DURATION: Permanent.
[5.9.2.4 NMAC - N, 2/11/2025]

5.9.2.5 EFFECTIVE DATE: February 11, 2025, unless a later date is cited at the end of a section.
[5.9.2.5 NMAC - N, 2/11/2025]

5.9.2.6 OBJECTIVE: The objective of the pilot program is to provide fixed monthly stipends to students in adult education programs who are also participating in integrated education and training (IET) programs and other workforce training programs as approved by the department. The purpose of the stipends is to support completion of the workforce training programs by reducing financial barriers to completion and to assist in the transition to employment in the occupation or occupational cluster addressed by the workforce training program. The amount of the stipend is \$1,000 per month while the participant is enrolled in an adult education program and one of its workforce training programs, for a duration not to exceed 12 months.
[5.9.2.6 NMAC - N, 2/11/2025]

5.9.2.7 DEFINITIONS:

- A. "Adult education program"** means an adult education program approved and funded by the department.
 - B. "Contractor"** means an entity contracted with the department through a request for proposal process to deliver stipends to participants of the program.
 - C. "Department"** means the New Mexico higher education department.
 - D. "Integrated education and training program" or "IET program"** means a department-approved program that provides adult education activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.
 - E. "Participant"** means a New Mexico resident approved by the department to participate in the program.
 - F. "Pilot program" or "program"** means the workforce training economic support pilot program which is a three-year study by the department to evaluate the expansion of workforce training programs.
 - G. "Workforce training program"** means a department approved training or educational program or other work-based learning program that, upon successful completion, will lead the participant earning a certification, license or credential, or acquiring specialized qualifications or skills recognized within an industry or field as appropriate to obtain employment in that industry or field, and includes IET programs.
- [5.9.2.7 NMAC - N, 2/11/2025]

5.9.2.8 ADMINISTRATION: The department shall administer the program. The department may receive technical assistance from the health care authority department and may collaborate with other state agencies,

members of the business community, worker organizations, including trade unions, nonprofit organizations, and community organizations. The department shall provide for distribution of stipends which:

- A. facilitate persistence in and completion of workforce training programs among adult education program students; and
 - B. increase financial stability and reduce poverty by providing economic support to:
 - (1) cover the costs associated with basic living needs, including housing, food and transportation, and the costs associated with enrolling in and attending a workforce training program;
 - (2) prevent income, housing and food insecurity during the process of acquiring that training;
 - (3) enable and assist participants to simultaneously complete academic coursework; workforce and employability skills training, stackable credentials and industry certifications; and
 - (4) increase potential for ongoing career advancement and employment with living wages.
- [5.9.2.8 NMAC - N, 2/11/2025]

5.9.2.9 STUDENT ELIGIBILITY:

- A. To be considered for the program, a student shall meet the following criteria:
 - (1) is 16 years of age or older by workforce training program start date;
 - (2) resides in the state of New Mexico at the program start date and for the duration of the workforce training program;
 - (3) is an active, enrolled participant of an adult education program;
 - (4) qualifies as indigent, which can be shown by the student experiencing at least one barrier to employment which may include:
 - (a) low literacy;
 - (b) low level of English language proficiency;
 - (c) lack of a high school diploma or equivalent;
 - (d) ex-offender status;
 - (e) migrant/seasonal farmworker status;
 - (f) displaced homemaker status;
 - (g) being unhoused;
 - (h) long-term unemployment;
 - (i) disability;
 - (j) cultural or linguistic barriers; or
 - (k) individual income level below 400% of the federal poverty level for the current year;
 - (5) is simultaneously an active, enrolled participant of a department-funded workforce training program;
 - (6) has completed a department-created application;
 - (7) voluntarily chooses to participate in the program, as evidenced by the participant's signature on a program agreement; and
 - (8) has not participated in the program for more than 12 months in the participant's lifetime.
 - B. The participant shall execute an agreement before a stipend is provided.
 - C. Once qualified and participating, no income, including state government public assistance, other state government funding, federal government funding, financial aid, educational and academic scholarships, pay for employment, etc. shall be counted as program funding nor disqualify the participant from receipt of the stipend.
 - D. Eligibility for the program shall not be contingent upon immigration status.
- [5.9.2.9 NMAC - N, 2/11/2025]

5.9.2.10 SELECTION OF PROGRAMS: The department shall select workforce training programs to participate as pilot sites. Priority shall be given to workforce training programs in the following workforce training programs or fields:

- A. health care, including behavioral health;
- B. early childhood education or care;
- C. natural resources management;
- D. renewable energy;
- E. broadband expansion;
- F. first responder;
- G. construction industries;

- H. aerospace;
- I. biosciences;
- J. cybersecurity;
- K. film and television;
- L. outdoor recreation;
- M. sustainable agriculture;
- N. intelligent manufacturing; and
- O. global trade.

[5.9.2.10 NMAC - N, 2/11/2025]

5.9.2.11 AGREEMENT: An agreement shall be drawn between each participant and the department. The agreement shall provide for:

- A. a monthly stipend of \$1,000 for up to 12 months while a participant is actively enrolled in the workforce training program and completing all stated program requirements to the satisfaction of the adult education program director overseeing the workforce training program;
- B. notification that the agreement may be terminated by the department in the event the participant no longer meets eligibility; and
- C. notification of a potential reduction of monthly stipends by the department.

[5.9.2.11 NMAC - N, 2/11/2025]

5.9.2.12 CONTINUED ELIGIBILITY AND PROGRAM LIMITS:

- A. A month in which a participant has received the full program stipend shall be considered a month of receipt and counted towards the 12-month lifetime limit. This applies even if a participant stops attending the program and ceases to receive the stipend, and then later returns and again becomes a participant in good standing in the same workforce training program or a different workforce training program.
- B. Previous participants may participate in this program subject to availability of funding, not to exceed the 12-month lifetime limit.
- C. Notwithstanding provisions of Subsection A and B of this section, the stipend shall be extended for one additional month past the conclusion of the student's participation in the pilot program whether by completion, voluntary exit, or participant removal for failure to meet program requirements not to exceed 12 months in a participant's lifetime.

D. An agreement may be terminated at the participant's request or upon death of the participant.

[5.9.2.12 NMAC - N, 2/11/2025]

5.9.2.13 NOTICE: A participant shall be issued notice by the adult education program director or the director's designee in the following cases:

- A. upon determination of eligibility;
- B. at the time the stipend is increased or decreased;
- C. upon loss of eligibility for the program; or
- D. if the program has been suspended pursuant to 5.9.2.14 NMAC.

[5.9.2.13 NMAC - N, 2/11/2025]

5.9.2.14 SUSPENSION OF PROGRAM: The stipend payment for participants may be denied for a designated time based on limited funds or a disruptive event, such as fire, flood, or pandemic. There shall be no stipend payments to a participant during the designated suspension period and any right to payment is lost. During a designated suspension period, all new applications for the program shall be denied without consideration of eligibility.

[5.9.2.14 NMAC - N, 2/11/2025]

5.9.2.15 REPORTS: On or before December 1, 2025, and on or before December 1 of each subsequent calendar year of the program, in consultation with the health care authority department and any other appropriate state agency, the department shall provide a report to the legislative finance committee assessing the impact and outcomes of the program and providing department recommendations.

[5.9.2.15 NMAC - N, 2/11/2025]

History of 5.9.2 NMAC: [RESERVED]