

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 7 TUITION AND FINANCIAL AID
PART 9 NEW MEXICO SCHOLARS PROGRAM

5.7.9.1 ISSUING AGENCY: State of New Mexico Higher Education Department.
[7/15/98; 5.7.9.1 NMAC - Rn & A, 5 NMAC 7.9.1, 8/30/2007]

5.7.9.2 SCOPE: Provisions of 5.7.9 NMAC apply to the higher education department and any public or private non-profit post-secondary institution in New Mexico.
[7/15/98; 5.7.9.2 NMAC - Rn & A, 5 NMAC 7.9.2, 8/30/2007]

5.7.9.3 STATUTORY AUTHORITY: Section 21-21-H-1, NMSA 1978.
[7/15/98; 5.7.9.3 NMAC - Rn & A, 5 NMAC 7.9.3, 8/30/2007]

5.7.9.4 DURATION: Permanent.
[7/15/98; 5.7.9.4 NMAC - Rn, 5 NMAC 7.9.4, 8/30/2007]

5.7.9.5 EFFECTIVE DATE: July 15, 1998.
[7/15/98; 5.7.9.5 NMAC - Rn, 5 NMAC 7.9.5, 8/30/2007]

5.7.9.6 OBJECTIVE: The objective and purpose of 5.7.9 NMAC is to encourage New Mexico students to attend college in New Mexico, thereby making it possible for them to pursue their studies and develop their talents at both public school and higher education levels to the greater benefit of the state.
[7/15/98; 5.7.9.6 NMAC - Rn, 5 NMAC 7.9.6, 8/30/2007]

5.7.9.7 DEFINITIONS:

- A. "Academic year" means any consecutive period of two semesters, three quarters or other comparable units commencing with the fall term each year.
- B. "Award recipient" means a student awarded a New Mexico Scholars Act scholarship.
- C. "Combined family income" means the adjusted gross income for the student's family as taken from the federal income tax form(s) filed in compliance with internal revenue service (IRS) regulations and guidelines.
- D. "Department" means the higher education department.
- E. "Eligible institution" means any public or private non-profit post-secondary institution in New Mexico.
- F. "Satisfactory academic progress" means completion of at least twenty-four semester credit hours per year (or the equivalent in quarter hours) and maintenance of a cumulative grade point average of a minimum of 3.0 or higher on a scale of 4.0.
- G. "Scholarship" means a scholarship awarded pursuant to the New Mexico Scholars Act.
- H. "Top five percent" means total headcount of the student's New Mexico high school graduating class times .05 rounded upward to the next whole number regardless of the fraction.
- I. "Tuition" means the amount of money charged to students for instructional services, which may be charged per term, per course or per credit.
- J. "Required fees" means a fixed sum charged to students for items not covered by tuition and required of such a proportion of all students that the student who does not pay the charge is an exception. General fees include fees for matriculation, library services, student activities, student union services, student health services, debt service and athletics. Excluded are specific services or fines (transcript copy fees, graduation fees, library fines, etc.).
- K. "Books" is the amount used by the financial aid office for books in the calculation of cost of attendance for campus based programs.

[7/15/98; 5.7.9.7 NMAC - Rn & A, 5 NMAC 7.9.7, 8/30/2007]

5.7.9.8 STUDENT ELIGIBILITY:

- A. First year eligibility. A scholarship may be awarded to a New Mexico high school graduate who:

(1) is a citizen of the United States or an eligible non-citizen and resident of New Mexico as defined in 5.7.18.9 NMAC;

(2) will graduate or has graduated from a New Mexico high school and who enrolls in an eligible institution by the end of his twenty-first year provided that the graduate meets the resident requirements defined in 5.7.18.9 NMAC;

(3) has met the admission requirements and is accepted for enrollment as a full-time undergraduate student at an eligible institution;

(4) has maintained a level of performance in high school reflected by a junior or senior score or placement level of:

(a) a composite score of at least twenty-five on the American college test (ACT) or a total of at least one thousand one hundred and forty on the scholastic aptitude test (SAT); or

(b) top five percent of the student's high school graduating class in either the student's junior or senior year;

(5) has a total combined family income of no more than sixty thousand dollars (\$60,000) per year in either of the calendar years ending within the student's junior or senior years in high school; in the case of a student whose immediate family has more than one family member enrolled full-time in an eligible institution of post-secondary education, the total combined family income shall be an amount as determined by the department as of August 19, 1991; and

(6) has complied with all the rules and regulations adopted by the department for award of the scholarship and the provisions regarding the administration of scholarships adopted pursuant to the New Mexico Scholars Act.

B. Continuing eligibility. A New Mexico scholars award may be re-awarded to a student who:

(1) maintains satisfactory academic progress as defined in these rules and regulations;

(2) stays enrolled for consecutive academic years.

[7/15/98; 5.7.9.8 NMAC - Rn & A, 5 NMAC 7.9.8, 8/30/2007; A, 10/31/2013]

5.7.9.9 DURATION OF SCHOLARSHIP: Each scholarship is for a period of one academic year. The scholarship may be renewed annually until the award recipient has received four annual scholarship awards or until the student graduates from a four-year institution, whichever is earlier. An award recipient may use the award at a two-year institution until he or she receives two annual scholarship awards. In no case shall a student receive more than four annual awards.

[7/15/98; 5.7.9.9 NMAC - Rn, 5 NMAC 7.9.9, 8/30/2007]

5.7.9.10 AMOUNT OF SCHOLARSHIP:

A. State institutions shall make awards in amounts sufficient to pay for tuition, required student fees and books for an academic year.

B. Non-state institutions shall make awards in amounts equal to the highest state institution tuition plus required fees and books for an academic year.

[7/15/98; 5.7.9.10 NMAC - Rn, 5 NMAC 7.9.10, 8/30/2007]

5.7.9.11 ADMINISTRATION OF SCHOLARS PROGRAM:

A. Institution of higher education shall designate an officer responsible for the scholars program. The officer designated by the institution shall be responsible for determining initial and continuing student eligibility for the scholars program under the terms of these rules and regulations and shall:

(1) maintain a listing of each participating student to include but not be limited to:

(a) social security number;

(b) ACT composite or SAT total;

(c) high school graduating class ranking (e.g., 2 of 140);

(d) total family adjusted gross income;

(e) cumulative GPA (for continuing students);

(f) proof of initial or continuing enrollment;

(2) send to the department or its authorized agent a request for payment of tuition, required fees and book stipend for each consecutive period of enrollment; the request for payment shall include a listing of participants by name, social security number, tuition, required fees and book stipend; and

(3) adjust the cost of attendance, expected family contribution or other factors to make the program responsive to a student's special financial circumstances, within the parameters authorized for this program when a financial aid officer may exercise professional judgment in accordance with the institution's and applicable federal financial aid standards to determine that circumstances, for which documentation exists in the student's file, warrant and adjustment.

B. Higher education department shall:

(1) develop a standard request for payment; this request for payment shall be used by all participating institutions;

(2) convene an annual meeting with the responsible officers; the responsible officers shall meet at least annually to review the scholars program; and

(3) conduct audits to ascertain compliance with rules and regulations; at least a random audit of each participating institution's records shall take place on an annual basis by members of the department staff.

[7/15/98; 5.7.9.11 NMAC - Rn & A, 5 NMAC 7.9.11, 8/30/2007]

5.7.9.12 TERMINATION OF SCHOLARSHIPS: A scholarship is terminated upon substantial noncompliance by the award recipient with the New Mexico Scholars Act or the rules, regulations or procedures promulgated by the department pursuant to that act.

[7/15/98; 5.7.9.12 NMAC - Rn & A, 5 NMAC 7.9.12, 8/30/2007]

HISTORY OF 5.7.9 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

CHE Rule 845, New Mexico Scholars Program - Administrative Regulations, 3/8/90.

CHE Rule 845, New Mexico Scholars Program - Administrative Regulations, 8/15/91.

History of Repealed Material: [RESERVED]