

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 7 TUITION AND FINANCIAL AID
PART 16 VIETNAM VETERANS' SCHOLARSHIPS

5.7.16.1 ISSUING AGENCY: State of New Mexico Commission on Higher Education, 1068 Cerrillos Road, Santa Fe, New Mexico 87501-4295, (505) 827-7383
[7/15/98; 5.7.16.1 NMAC - Rn, 5 NMAC 7.16.1, 7/15/02]

5.7.16.2 SCOPE: Provisions of 5.7.16 NMAC apply to the commission on higher education, public and selected private non-profit post-secondary institutions in New Mexico.
[7/15/98; 5.7.16.2 NMAC - Rn, 5 NMAC 7.16.2, 7/15/02]

5.7.16.3 STATUTORY AUTHORITY: Section 21-21E (Laws of 1985, Chapter 171; Laws 1989, Chapter 167 and Laws of 1991, Chapter 262), NMSA 1978
[7/15/98; 5.7.16.3 NMAC - Rn, 5 NMAC 7.16.3, 7/15/02]

5.7.16.4 DURATION: Permanent.
[7/15/98; 5.7.16.4 NMAC - Rn, 5 NMAC 7.16.4, 7/15/02]

5.7.16.5 EFFECTIVE DATE: July 15, 1998.
[7/15/98; 5.7.16.5 NMAC - Rn, 5 NMAC 7.16.5, 7/15/02]

5.7.16.6 OBJECTIVE: The objective and purpose of the Vietnam veterans' scholarship fund to set aside all money appropriated to the fund and any grants, gifts and bequests made to the fund to provide higher education to veterans who served in the Vietnam war. Any money in the fund that was the result of grants, gifts or bequests shall not revert to the general fund at the end of any fiscal year.
[7/15/98; 5.7.16.6 NMAC - Rn, 5 NMAC 7.16.6, 7/15/02]

5.7.16.7 DEFINITIONS:

A. "Award letter" means official notification to a Vietnam veteran of eligibility to attend an educational institution and participate in the Vietnam veterans' scholarship program.

B. "Books" is the actual expenditure for course required books for classes in which the student is enrolled, not to exceed the amount used by the financial aid office for books in the calculation of cost of attendance for campus-based programs.

C. "Commission" means the New Mexico commission on higher education.

D. "Educational institution" for undergraduate instruction means any New Mexico state-supported post-secondary institution; for graduate instruction means the university of New Mexico, New Mexico state university, western New Mexico university, eastern New Mexico university, New Mexico institute of mining and technology and New Mexico highlands university.

E. "Eligible class for reimbursement" means a course for credit included in a student's official transcript and creditable toward a certificate or degree-granting program.

F. "Master's degree course" means a class for students who hold a bachelor's degree who have been admitted to a graduate school for the purpose of pursuing a master's degree and has not yet completed a master's degree.

G. "Non-state college" means a financially independent nonprofit nonsectarian four-year college or university located in New Mexico and accredited by the north central association of colleges and secondary schools.

H. "Required fees" are the special fee charges students are required to pay for additional services as a condition of admission to the institution. Excluded are "specific service fees" charged only to students who enroll in certain programs or courses (i.e., course specific fees), or receive specific services (transcript copy fees, graduation fees, etc.).

I. "Recipient" means a New Mexico resident for tuition purposes and Vietnam veteran as reviewed and certified by the New Mexico veterans' service commission. Any person who has been honorably discharged from the armed forces of the United States, who was a resident of New Mexico at original time of entry into the armed forces or who has lived in New Mexico for ten years or more and who has been awarded a Vietnam campaign medal for services in the armed forces of this country in Vietnam during the period of August 5, 1964 to

the official termination of the Vietnam conflict as designated by executive order of the president of the United States is eligible for certification.

J. "Scholarship fund" means the Vietnam veterans' scholarship fund created in the state treasury to receive any appropriated money, grants, gifts or bequests.

K. "Tuition" is the basic educational charge that all students are required to pay as a condition of admission and attendance for academic services or the course fee charged for certificate programs. The actual rate per semester or year is set by each institution.

L. "Undergraduate post-secondary student" means a matriculated student who has been admitted to the college and has not yet completed a bachelor's degree.

[7/15/98; 5.7.16.7 NMAC - Rn & A, 5 NMAC 7.16.7, 7/15/02; A, 6/30/03]

5.7.16.8 STUDENT ELIGIBILITY: A New Mexico resident for tuition purposes and Vietnam veteran as reviewed and certified by the New Mexico veterans' service commission. Any person who has been honorably discharged from the armed forces of the United States, who was a resident of New Mexico at original time of entry into the armed forces or who has lived in New Mexico for ten years or more and who has been awarded a Vietnam campaign medal for services in the armed forces of this country in Vietnam during the period of August 5, 1964 to the official termination of the Vietnam conflict as designated by executive order of the president of the United States, is eligible for certification.

[7/15/98; 5.7.16.8 NMAC - Rn, 5 NMAC 7.16.8, 7/15/02; A, 6/30/03]

5.7.16.9 ADMINISTRATION OF VIETNAM VETERANS' SCHOLARSHIPS:

A. The commission shall authorize payments to public educational institutions and non-state colleges upon request once per semester, for recipients, upon receipt of documentation required by the commission or its administrative agent.

B. Awards shall be limited for reimbursements to:

(1) educational institutions of tuition, required fees and books, actually incurred. No cash shall be released by an educational institution to a recipient except to reimburse actual payments;

(2) non-state institutions for actual tuition, not to exceed an amount equal to the highest resident tuition charged by a state institution, plus required fees and actual cost of books not to exceed financial aid guidelines.

[7/15/98; 5.7.16.9 NMAC - Rn, 5 NMAC 7.16.9, 7/15/02]

5.7.16.10 TERMINATION OF SCHOLARSHIP: A scholarship is terminated upon the occurrence of one or more of the following:

A. withdrawal by the recipient from the institution;

B. failure to remain enrolled in a satisfactory academic activity;

C. failure to achieve satisfactory academic progress by the recipient as determined by the institution;

and

D. substantial noncompliance by the scholarship recipient with the Vietnam Veterans' Scholarship Fund Act or the rules, regulations or procedures promulgated by the commission on higher education or New Mexico veterans' service commission;

E. Money in the fund shall be allocated in the order that payment requests are received and approved.

F. Reimbursement payments may also be authorized by administrative rulings under specific conditions.

[7/15/98; 5.7.16.10 NMAC - Rn, 5 NMAC 7.16.10, 7/15/02]

HISTORY of 5.7.16 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 895, Vietnam Veterans' Scholarship, 11/27/91.

History of Repealed Material: [RESERVED]