

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the New Mexico Higher Education Department (NMHED) will hold a public rulemaking hearing on September 26, 2017. The hearing will begin at 9:00 a.m. and will be held at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505. The purpose of the rulemaking hearing is to take public comment regarding the following proposed rulemaking actions:

Amendments:

- 5.7.20.7 NMAC, Definitions;
- 5.7.20.8 NMAC, Student eligibility;
- 5.7.20.9 NMAC, Duration of scholarship;
- 5.7.20.10 NMAC, Amount of scholarship;
- 5.7.20.11 NMAC, Administration of the Legislative lottery scholarship

Purpose:

The purpose of the proposed rule changes are to restructure the Legislative Lottery Scholarship Program eligibility criteria to accommodate for changes that were made to the program through the signing of Senate Bill 420 in the 2017 regular legislative session. The rule also removes reference in the rule to “legacy student” which was applicable to students enrolled prior to 2014.

Summary of proposed changes:

Amendments to Section 7 remove the definitions for “Immediately upon graduation” and “legacy student”. The proposed definition of “qualified student” reflects changes to student eligibility requirements which allows students to enroll within sixteen months of graduation or receipt of an eligible credential. The section also reflects eligibility statutory changes for students who within four months of graduation or receipt of a high school equivalency credential, began service in the United States armed forces, and within sixteen months of completion of honorable service or medical discharge, attend a public post-secondary institution.

Amendments to Section 8 adds that New Mexico residency eligibility requirements must be met upon the completion of high school, graduation, or receipt of a high school equivalency, and that the student has established and maintained New Mexico residency.

Amendments to Section 9 removes reference to “legacy students”.

Amendments to Section 10 removes reference to “legacy students”.

Amendments to Section 11 removes reference to “legacy students” and adds use of the term “qualified students”.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed rules are available at NMHED. The proposed rules are also posted on the NMHED website at <http://www.hed.state.nm.us/> under the “Recent Posting” section. To request that a copy of the proposed rules be sent to you by mail or e-mail, please contact fin.aid@state.nm.us OR 1-800-279-9777.

A public hearing will be held from 9:00 a.m. until 10:30 a.m. at NMHED on September 26, 2017. Any person who is or may be affected by these proposed rules may appear and testify. Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or fin.aid@state.nm.us. Written comments must be received no later than 5 p.m. on September 20, 2017. If submitting written comments by email, please indicate in the subject line the number 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 1-800-279-9777 ten (10) business days prior to the hearing.