

## NOTICE OF PROPOSED RULEMAKING

**NOTICE IS HEREBY GIVEN** that the New Mexico Higher Education Department (NMHED or Department) will hold a public rulemaking hearing on July 8, 2019. The hearing will begin at 11:30 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 proposed amendments to **5.7.23 NMAC, COLLEGE AFFORDABILITY GRANT**.

### Amendments:

5.7.23.7 NMAC, DEFINITIONS

5.7.23.8 NMAC, STUDENT ELIGIBILITY

5.7.23.9 NMAC, AMOUNT OF GRANT

5.7.23.10 NMAC, ADMINISTRATION OF THE COLLEGE AFFORDABILITY GRANT

### Purpose:

The purpose of the proposed rule change is to increase the program's maximum allowable grant award amount. Pursuant to H.B. 127, 54th Leg., 1st Sess. (N.M. 2019), the maximum allowable award amount for the grant has been increased from \$1,000 per semester to \$1,500 per semester. In addition, the distribution amount has been increased from \$2,000,000 to \$3,000,000.

### Summary of proposed changes:

The amendment to Section 5.7.23.7 NMAC updates the definition of "Returning adult" to reference a high-school equivalency credential recognized by the State of New Mexico rather than a General Educational Development (GED) certificate.

The amendment to Section 5.7.23.8 NMAC removes the reference to the General Educational Development (GED) and replaces it with "high-school equivalency credential recognized by the State of New Mexico."

The amendment to Section 5.7.23.9 NMAC increases the maximum allowable award amount for the grant from \$1,000 per semester to \$1,500 per semester. Maximum amounts for summer grants, part-time awards and awards for students enrolled three quarters time are also modified based on the new maximum award amount.

The amendment to Section 5.7.23.10 increases the funds available for distribution from \$2,000,000 to \$3,000,000.

**Details for Obtaining a Copy, Public Hearing and Comments:** The proposed rule is available at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505-2100. The proposed rule is also posted on the NMHED website and may be accessed at <http://www.hed.state.nm.us/> under the "Events" section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact HigherEd.Info@state.nm.us or (505)476-8411.

A public hearing will be held from 11:30 a.m. until 12:00 p.m. at NMHED on July 8, 2019. Any person who is or may be affected by this proposed rule may appear and testify. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or HigherEd.Info@state.nm.us. Written comments must be received no later than 4:00 p.m. on June 28, 2019.** Please note that any written comments received will become part of the rulemaking record, be posted to the New Mexico Sunshine Portal, and be accessible to the public. If submitting written comments by email, please indicate in the subject line the number and section 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 21-21L-1 through 21-21L-8, 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 (505) 476-8411 or email [HigherEd.Info@state.nm.us](mailto:HigherEd.Info@state.nm.us) ten (10) business days prior to the hearing.