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HOUSE BILL 571

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY
Jimmie C. Hall

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; DEFINING "FULL TIME" FOR STUDENTS
WITH DISABILITIES FOR PURPOSES OF THE LOTTERY TUITION
SCHOLARSHIP PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 21-1-4.3 NMSA 1978 (being Laws 1996,
Chapter 71, Section 3, as amended) is amended to read:

"21-1-4.3. LOTTERY TUITION SCHOLARSHIPS AUTHORIZED--
CERTAIN EDUCATIONAL INSTITUTIONS.--

A. To the extent that funds are made available by
the legislature from the lottery tuition fund, the boards of
regents of New Mexico state university, New Mexico institute of
mining and technology, eastern New Mexico university, western
New Mexico university, the university of New Mexico, New Mexico
highlands university and northern New Mexico [~~state school~~]

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1 college shall award lottery tuition scholarships for qualified
2 resident students attending their respective institutions and
3 branches of those institutions.

4 B. Except as otherwise authorized in [~~Subsection C~~
5 ~~of~~] this section, the lottery tuition scholarships authorized
6 in this section shall apply only to full-time resident students
7 who, immediately upon completion of a high school curriculum at
8 a public or accredited private New Mexico high school or upon
9 receiving a graduate equivalent diploma, are accepted for
10 entrance to and attend one of the state educational
11 institutions set forth in this section or one of the branches
12 of those institutions. Each lottery tuition scholarship shall
13 be awarded for up to four consecutive years beginning the
14 second semester of the recipient's first year of enrollment
15 [~~provided that~~] if the recipient has maintained residency in
16 New Mexico and maintained a grade point average of 2.5 or
17 higher on a 4.0 scale during [~~his~~] the first semester of full-
18 time enrollment.

19 C. The lottery tuition scholarships authorized in
20 this section shall also apply to full-time resident students
21 who, immediately upon completion of a high school curriculum at
22 a public or accredited private New Mexico high school or upon
23 receiving a graduate equivalent diploma, attend a two-year
24 public post-secondary educational institution in New Mexico and
25 who, upon the completion of that curriculum or at the end of

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1 two years, whichever is sooner, transfer to one of the post-
2 secondary state educational institutions set forth in this
3 section. Those students shall be eligible for a tuition
4 scholarship for two consecutive years [~~provided that those~~
5 ~~students~~] if they maintain residency in New Mexico, maintain a
6 grade point average of 2.5 or higher on a 4.0 scale and attend
7 the institution full time during the regular academic year.

8 D. The lottery tuition scholarships authorized in
9 this section shall also apply to full-time resident students
10 who:

11 (1) within one hundred twenty days of
12 completion of a high school curriculum at a public or
13 accredited private New Mexico high school, or of receiving a
14 graduate equivalent diploma, begin service in the United States
15 armed forces; and

16 (2) within one hundred twenty days of
17 completion of honorable service or medical discharge from the
18 service are accepted for entrance to and attend one of the
19 state educational institutions set forth in this section.

20 E. The [~~commission on~~] higher education department
21 shall prepare guidelines setting forth explicit student
22 continuing eligibility criteria and guidelines for
23 administration of the lottery tuition scholarship program.
24 Guidelines shall be distributed to the board of regents of each
25 institution to enable a uniform availability of the resident

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1 student lottery tuition scholarships.

2 F. For purposes of the lottery tuition scholarship
3 program as it applies to students with disabilities who may
4 require special accommodations, the higher education
5 department, in consultation with the student and the office at
6 the institution that serves students with disabilities, shall
7 review both the definition of "full time" and the maximum
8 number of consecutive semesters of eligibility and adjust
9 either or both as deemed reasonable and appropriate, based on
10 the student's disability needs. In no case, however, shall
11 "full time" mean fewer than six credit hours per semester and
12 in no case shall eligibility extend beyond fourteen consecutive
13 semesters."

14 Section 2. Section 21-13-10 NMSA 1978 (being Laws 1963,
15 Chapter 17, Section 9, as amended) is amended to read:

16 "21-13-10. BOARD DUTIES.--

17 A. It is the duty of the community college board to
18 determine financial and educational policies of the community
19 college. The community college board shall provide for the
20 management of the community college and execution of these
21 policies by selecting a competent president for the community
22 college, and, upon the president's recommendation, the board
23 shall employ other administrative personnel, instructional
24 staff or other personnel as may be needed for the operation,
25 maintenance and administration of the community college.

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1 B. The community college board shall have the power
2 to fix tuition and fee rates for resident and nonresident
3 students of the community college district, to accept gifts, to
4 accept federal aid, to purchase, hold, sell and rent property
5 and equipment and to promote the general welfare of the
6 institution for the best interest of educational service to the
7 people of the community college district.

8 C. To the extent that funds are made available by
9 the legislature from the lottery tuition fund, the community
10 college board shall award lottery tuition scholarships for
11 qualified resident students attending their respective
12 institutions.

13 D. The lottery tuition scholarships authorized in
14 this section shall apply only to full-time resident students
15 who, immediately upon completion of a high school curriculum at
16 a public or accredited private New Mexico high school or upon
17 receiving a graduate equivalent diploma, are accepted for
18 entrance to and attend a community college. Each lottery
19 tuition scholarship shall be awarded for up to two consecutive
20 years beginning the second semester of the recipient's first
21 year of enrollment, provided that the recipient has maintained
22 residency in New Mexico and maintained a grade point average of
23 2.5 or higher on a 4.0 scale during [~~his~~] the first semester of
24 full-time enrollment.

25 E. The [~~commission on~~] higher education department

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1 shall prepare guidelines setting forth explicit student
2 continuing eligibility criteria and guidelines for
3 administration of the lottery tuition scholarship program.
4 Guidelines shall be distributed to community college boards to
5 enable a uniform availability of the resident student lottery
6 tuition scholarships.

7 F. For purposes of the lottery tuition scholarship
8 program as it applies to students with disabilities who may
9 require special accommodations, the higher education
10 department, in consultation with the student and the office at
11 the community college that serves students with disabilities,
12 shall review both the definition of "full time" and the maximum
13 number of consecutive semesters of eligibility and adjust
14 either or both as deemed reasonable and appropriate, based on
15 the student's disability needs. In no case, however, shall
16 "full time" mean fewer than six credit hours per semester and
17 in no case shall eligibility extend beyond fourteen consecutive
18 semesters."

19 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws 1996,
20 Chapter 71, Section 6, as amended) is amended to read:

21 "21-16-10.1. LOTTERY TUITION SCHOLARSHIPS AUTHORIZED.--

22 A. To the extent that funds are made available by
23 the legislature from the lottery tuition fund, the board of a
24 technical and vocational institute shall award lottery tuition
25 scholarships for qualified resident students attending a

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1 technical and vocational institute.

2 B. The lottery tuition scholarships authorized in
3 this section shall apply only to full-time resident students
4 who, immediately upon completion of a high school curriculum at
5 a public or accredited private New Mexico high school or upon
6 receiving a graduate equivalent diploma, are accepted for
7 entrance to and attend a technical and vocational institute.
8 Each lottery tuition scholarship shall be awarded for up to two
9 consecutive years beginning the second semester of the
10 recipient's first year of enrollment, provided that the
11 recipient has maintained residency in New Mexico and maintained
12 a grade point average of 2.5 or higher on a 4.0 scale during
13 [~~his~~] the first semester of full-time enrollment with renewal
14 of an additional two years upon transfer.

15 C. The [~~commission on~~] higher education department
16 shall prepare guidelines setting forth explicit student
17 continuing eligibility criteria and guidelines for
18 administration of the lottery tuition scholarship program.
19 Guidelines shall be distributed to the boards of technical and
20 vocational institutes to enable a uniform availability of the
21 resident student lottery tuition scholarships.

22 D. For purposes of the lottery tuition scholarship
23 program as it applies to students with disabilities who may
24 require special accommodations, the higher education
25 department, in consultation with the student and the office at

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1 the technical and vocational institute that serves students
2 with disabilities, shall review both the definition of "full
3 time" and the maximum number of consecutive semesters of
4 eligibility and adjust either or both as deemed reasonable and
5 appropriate, based on the student's disability needs. In no
6 case, however, shall "full time" mean fewer than six credit
7 hours per semester and in no case shall eligibility extend
8 beyond fourteen consecutive semesters."

9 Section 4. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2007.

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