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AN ACT

RELATING TO HIGHER EDUCATION; DEFINING "FULL TIME" FOR STUDENTS WITH DISABILITIES FOR PURPOSES OF THE LEGISLATIVE LOTTERY 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. LEGISLATIVE LOTTERY 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 college shall award legislative lottery scholarships for qualified resident students attending their respective institutions and branches of those institutions.

B. Except as otherwise authorized in this section, the legislative lottery scholarships authorized in this section shall apply only to full-time resident students who, immediately upon completion of a high school curriculum at a public or accredited private New Mexico high school or upon receiving a graduate equivalent diploma, are accepted for

1 entrance to and attend one of the state educational
2 institutions set forth in this section or one of the branches
3 of those institutions. Each legislative lottery scholarship
4 shall be awarded for up to four consecutive years beginning
5 the second semester of the recipient's first year of
6 enrollment if the recipient has maintained residency in New
7 Mexico and maintained a grade point average of 2.5 or higher
8 on a 4.0 scale during the first semester of full-time
9 enrollment.

10 C. The legislative lottery scholarships authorized
11 in this section shall also apply to full-time resident
12 students who, immediately upon completion of a high school
13 curriculum at a public or accredited private New Mexico high
14 school or upon receiving a graduate equivalent diploma,
15 attend a two-year public post-secondary educational
16 institution in New Mexico and who, upon the completion of
17 that curriculum or at the end of two years, whichever is
18 sooner, transfer to one of the post-secondary state
19 educational institutions set forth in this section. Those
20 students shall be eligible for a legislative lottery
21 scholarship for two consecutive years if they maintain
22 residency in New Mexico, maintain a grade point average of
23 2.5 or higher on a 4.0 scale and attend the institution full
24 time during the regular academic year.

25 D. The legislative lottery scholarships authorized SB 689
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1 in this section shall also apply to full-time resident
2 students who:

3 (1) within one hundred twenty days of
4 completion of a high school curriculum at a public or
5 accredited private New Mexico high school, or of receiving a
6 graduate equivalent diploma, begin service in the United
7 States armed forces; and

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

12 E. The higher education department shall prepare
13 guidelines setting forth explicit student continuing
14 eligibility criteria and guidelines for administration of the
15 legislative lottery scholarship program. Guidelines shall be
16 distributed to the board of regents of each institution to
17 enable a uniform availability of the resident student
18 legislative lottery scholarships.

19 F. For purposes of the legislative lottery
20 scholarship program as it applies to students with
21 disabilities who may require special accommodations, the
22 higher education department, in consultation with the student
23 and the office at the institution that serves students with
24 disabilities, shall review both the definition of "full time"
25 and the maximum number of consecutive semesters of

1 eligibility and adjust either or both as deemed reasonable
2 and appropriate, based on the student's disability needs. In
3 no case, however, shall "full time" mean fewer than six
4 credit hours per semester and in no case shall eligibility
5 extend beyond fourteen consecutive semesters."

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

8 "21-13-10. BOARD DUTIES.--

9 A. It is the duty of the community college board
10 to determine financial and educational policies of the
11 community college. The community college board shall provide
12 for the management of the community college and execution of
13 these policies by selecting a competent president for the
14 community college, and, upon the president's recommendation,
15 the board shall employ other administrative personnel,
16 instructional staff or other personnel as may be needed for
17 the operation, maintenance and administration of the
18 community college.

19 B. The community college board shall have the
20 power to fix tuition and fee rates for resident and
21 nonresident students of the community college district, to
22 accept gifts, to accept federal aid, to purchase, hold, sell
23 and rent property and equipment and to promote the general
24 welfare of the institution for the best interest of
25 educational service to the people of the community college

1 district.

2 C. To the extent that funds are made available by
3 the legislature from the lottery tuition fund, the community
4 college board shall award legislative lottery scholarships
5 for qualified resident students attending their respective
6 institutions.

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

19 E. The higher education department shall prepare
20 guidelines setting forth explicit student continuing
21 eligibility criteria and guidelines for administration of the
22 legislative lottery scholarship program. Guidelines shall be
23 distributed to community college boards to enable a uniform
24 availability of the resident student lottery tuition
25 scholarships.

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

13 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws
14 1996, Chapter 71, Section 6, as amended) is amended to read:

15 "21-16-10.1. LEGISLATIVE LOTTERY SCHOLARSHIPS
16 AUTHORIZED.--

17 A. To the extent that funds are made available by
18 the legislature from the lottery tuition fund, the board of a
19 technical and vocational institute shall award legislative
20 lottery scholarships for qualified resident students
21 attending a technical and vocational institute.

22 B. The legislative lottery scholarships authorized
23 in this section shall apply only to full-time resident
24 students who, immediately upon completion of a high school
25 curriculum at a public or accredited private New Mexico high

1 school or upon receiving a graduate equivalent diploma, are
2 accepted for entrance to and attend a technical and
3 vocational institute. Each legislative lottery scholarship
4 shall be awarded for up to two consecutive years beginning
5 the second semester of the recipient's first year of
6 enrollment, provided that the recipient has maintained
7 residency in New Mexico and maintained a grade point average
8 of 2.5 or higher on a 4.0 scale during the first semester of
9 full-time enrollment with renewal of an additional two years
10 upon transfer.

11 C. The higher education department shall prepare
12 guidelines setting forth explicit student continuing
13 eligibility criteria and guidelines for administration of the
14 legislative lottery scholarship program. Guidelines shall be
15 distributed to the boards of technical and vocational
16 institutes to enable a uniform availability of the resident
17 student legislative lottery scholarships.

18 D. For purposes of the legislative lottery
19 scholarship program as it applies to students with
20 disabilities who may require special accommodations, the
21 higher education department, in consultation with the student
22 and the office at the technical and vocational institute that
23 serves students with disabilities, shall review both the
24 definition of "full time" and the maximum number of
25 consecutive semesters of eligibility and adjust either or

1 both as deemed reasonable and appropriate, based on the
2 student's disability needs. In no case, however, shall "full
3 time" mean fewer than six credit hours per semester and in no
4 case shall eligibility extend beyond fourteen consecutive
5 semesters."

6 Section 4. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2007. _____

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