

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 January 10, 2024. The hearing will begin at 9:00 a.m. and will be held via Microsoft Teams and in person at the New Mexico Higher Education Department. The purpose of the hearing is to take public comment regarding proposed amendments to **5.7.18 NMAC, RESIDENCY FOR TUITION PURPOSES**.

Join via Microsoft Teams:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzkwN2FlZmMtOGY2OC00NGMwLWEyNDUtYjdiMzEyOTE4N2Mw%40thread.v2/0?content=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%22c327f958-5970-4536-8f6b-03d48b60d29e%22%7d

Or call in (audio only)

+1 (505) 312-4308

Phone Conference ID: 454 401 153#

Purpose:

The purpose of the proposed amendment is to align 5.7.18 NMAC with Statute. The current rule contradicts statute in terms of the availability of state-funded financial aid regardless of an individual's immigration status. This amendment would put the rule in compliance with the statute.

Summary of proposed rule:

The amendment to Section 10 of 5.7.18 NMAC clarifies that students receiving the non-discrimination waiver may receive state funded financial aid.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed rule is posted on the NMHED website and may be accessed at <http://www.hed.nm.gov> 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@hed.nm.gov or (505)476-8411.

A public hearing will be held on January 10, 2024 from 9:00 a.m. until 9:30 a.m. via Microsoft Teams and in person at the NMHED Office located at **2044 Galisteo Street, Suite 4, Santa Fe, NM 87505**. Any person who is or may be affected by this proposed rule may participate. Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or HigherEd.Info@hed.nm.gov. **Written comments must be received no later than 4:00 p.m. on January 5, 2023.** Please note that any written or verbal 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 Section 9-25-1 et seq. NMSA 1978, Section 21-1-3 NMSA 1978, and Section 21-1-4.6 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@hed.nm.gov ten (10) business days prior to the hearing.