

## 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 10:30 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 a proposed rulemaking repealing and replacing 5.7.12 NMAC.

### **Repeal:**

The following sections will be repealed: 5.7.12.1 NMAC, ISSUING AGENCY; 5.7.12.2 NMAC, SCOPE; 5.7.12.3 NMAC, STATUTORY AUTHORITY; 5.7.12.4 NMAC, DURATION; 5.7.12.5 NMAC, EFFECTIVE DATE; 5.7.12.6 NMAC, OBJECTIVE; 5.7.12.7 NMAC, DEFINITIONS; 5.7.12.8 NMAC, STUDENT ELIGIBILITY; 5.7.12.9 NMAC, SPONSORING INSTITUTION RESPONSIBILITIES; 5.7.12.10 NMAC, COMMISSION REVIEW AND SELECTION PROCESS; 5.7.12.11 NMAC, MINORITY DOCTORAL ASSISTANCE LOAN TERMS AND REPAYMENT; 5.7.12.12 NMAC, REPORTS.

### **Replace:**

The following sections will be replaced: 5.7.12.1 NMAC, ISSUING AGENCY; 5.7.12.2 NMAC, SCOPE; 5.7.12.3 NMAC, STATUTORY AUTHORITY; 5.7.12.4 NMAC, DURATION; 5.7.12.5 NMAC, EFFECTIVE DATE; 5.7.12.6 NMAC, OBJECTIVE; 5.7.12.7 NMAC, DEFINITIONS; 5.7.12.8 NMAC, CONDITIONS FOR ELIGIBILITY; 5.7.12.9 NMAC, LOAN REPAYMENT AWARD CRITERIA; CONTRACT TERMS; PAYMENT; 5.7.12.10 NMAC, REPORTS

### **Purpose:**

The purpose of the proposed rule changes are to restructure the Minority Doctoral Loan for Service Program to the Minority Doctoral Loan Repayment Assistance Program. The restructure will accommodate for changes that were made to the program through the signing of Senate Bill 197 in the 2017 regular legislative session.

### **Summary of proposed changes:**

Section 5.7.12.7 adds new definitions specific to the new structure of the program.

Section 5.7.12.8 creates new conditions for program eligibility, based on changes to the law, where student loan repayment assistance is provided after the candidate has been hired by the institution in a tenure-track faculty position at a public post-secondary institution in New Mexico for an eligible doctoral field of study.

Section 5.7.12.9 details the award criteria and the contractual terms for the recipient to participate in the program. This section details eligible loan types and how criteria for recipient selection will be set out by the department. Contract terms for the program include reimbursement to the department if the recipient does not comply with the terms of the contract.

**Details for Obtaining a Copy, Public Hearing and Comments:** The proposed rules are available at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505-2100. The

proposed rules are also posted on the NMHED website and may be accessed 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](mailto:fin.aid@state.nm.us) OR 1-800-279-9777.

A public hearing will be held from 10:30 a.m. until 12:00 p.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](mailto:fin.aid@state.nm.us). Written comments must be received no later than 5:00 p.m. on September 20, 2017.** 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 Sections 21-21I-1 et seq. NMSA 1978 and Section 9-25-8 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 1-800-279-9777 ten (10) business days prior to the hearing.