

## Armijo, Alicia, HED

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**From:** Teague Gonzalez <tgonzalez@nmilc.org>  
**Sent:** Tuesday, January 9, 2024 1:50 PM  
**To:** Info, HigherEd, HED  
**Subject:** [EXTERNAL] Public Comment - Written Comments, Proposed Rule Changes, 5.7.18, 5.7.34, and 5.7.37 NMAC  
**Attachments:** Public Comment Rule Changes NMAC-2024-01-24.pdf  
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Hello,

Please find attached written public comment for NMHED proposed rule changes at 5.7.18, 5.7.34, and 5.7.37 NMAC. I will appear at the hearing virtually to provide oral comment.

Thank you,

Teague



### **Teague González**

Director of Programs and Advocacy  
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*Pronouns (She/ella/they/them)*

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 [Book time to meet with me](#)



January 9, 2024

Secretary Stephanie Rodriguez and Deputy Secretary Dr. Patricia Trujillo  
New Mexico Higher Education Department  
2044 Galisteo Street, Suite 4  
Santa Fe, NM 87505  
*Sent Via Email:* [HigherEd.Info@hed.nm.gov](mailto:HigherEd.Info@hed.nm.gov)

Re: NMHED Rule Changes, 5.7.18, 5.7.34, and 5.7.37 NMAC

Secretary Rodriguez and Deputy Secretary Trujillo,

Please accept the following comments on the New Mexico Higher Education Department's proposed rule changes to 5.7.18 NMAC, 5.7.34 NMAC, and 5.7.37 NMAC.

The New Mexico Immigrant Law Center (NMILC) has extensive experience working with youth who are immigrants in New Mexico to ensure they have access to opportunities that improve their lives. We have first-hand experience assisting youth who will directly benefit from these rule changes. We have seen the benefits to youth who are able to attend college or university and who have or will have employment authorization to work after graduation. Thank you for removing an administrative barrier to in-state tuition that prevented some youth from pursuing and receiving a high-quality, free education.

### **5.7.18 NMAC**

Thank you for the clarity this word choice change gives to 5.7.18.10 NMAC, Waivers. Also, thank you for the way this section and other sections interact with 5.7.18.10(K), Nondiscrimination principle.

### **5.7.34 NMAC**

Thank you for the important change made at 5.7.34.8(A)(4)(b) NMAC, Student Eligibility. This change means that students who receive an immigration status that makes them eligible for employment authorization to work in the public education department system will be eligible to receive scholarships even after they have graduated from a secondary school or are awarded a high school equivalency credential. This will increase access for these youth and will also increase the hiring pool size for eligible educational workers in New Mexico.



### **5.7.37 NMAC**

Finally, thank you for the vital change made at 5.7.37.7(L), Definitions of “recent graduate learner.” Special Immigrant Juvenile Status (SIJS) is a legal form of humanitarian protection for children who have been abused, neglected, or abandoned by a parent. It provides youth with a work permit, a path to lawful permanent residency, and eventual citizenship. New Mexico’s legislature passed 2023’s “Special Immigrant Juvenile Classification Act” which increased the age eligibility for this immigration status from 18 to 21 years old. Up to 4,000 New Mexican youth may be eligible for this immigration status which leads to a work permit. Youth who graduate from high school or who receive a high school equivalency credential *and* who are granted this immigration status before age 21 will now be eligible to receive vital financial support to attend post-secondary education in New Mexico. This will benefit the impacted youth described above, but it will also increase the number of college-educated workers in New Mexico who have employment authorization and who can work in the mainstream economy in fields such as education, healthcare, and early childhood care.

### **Conclusion**

We applaud NMHED for making these important changes to maximize opportunities for all youth who seek to acquire a post-secondary education and to join the workforce.

Sincerely,

/s/Teague González/s/

Teague González, Director of Programs and Advocacy  
New Mexico Immigrant Law Center