



The Associated Students of New Mexico State University

MSC 7110, P.O. Box 30001 | Las Cruces, NM 88003

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asnmsu.nmsu.edu

Office of the Attorney General

Official Opinion

TO: Elida Miller, *ASNMSU Vice President*

FROM: Devon Harrison, *ASNMSU Attorney General*

DATE: August 22nd, 2024

Subject:

Clarification on the class credit qualification for Graduate Senators.

Applicable Bylaw:

ASNMSU Bylaws:

6-3. LEGISLATIVE QUALIFICATIONS ACT

- A. The ASNMSU Legislative Qualifications Act shall be in order for all salaried officers of the ASNMSU Senate; and
- B. ASNMSU Senate Officers shall be ASNMSU fee-paying members and continue to be so throughout the term of their employment; and
- C. ASNMSU Senate Officers shall have been ASNMSU fee-paying members for the fall or spring semester prior to their election or hiring; and
- D. ASNMSU Senate Officers shall meet the minimum qualifications set forth in the current NMSU Student Employee Handbook with regards to GPA and academic and disciplinary probation:
 1. Waivers on academic progress or GPA shall be decided in accordance with the current NMSU Student Employee Handbook.



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- E. ASNMSU Senate Officers shall meet any other qualifications outlined by the NMSU Human Resource Services Position Classification Description.

NMSU Student Employee Handbook:

III. GENERAL CONDITIONS OF EMPLOYMENT

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Enrollment/Credit Hour Progression Requirement (Regular Semester) – An undergraduate student must be enrolled for at least 6 credits throughout the semester. A graduate student must be enrolled for at least nine (9) graduate credits throughout the semester.

Opinion Rendered:

It has come to our attention that two Graduate Senators are currently enrolled in only six (6) graduate credit hours this semester. In light of this, there are three potential courses of action:

2. **Increase Enrollment:** The Graduate Senators may choose to enroll in additional graduate credits to meet the nine (9) credit hour requirement.
3. **Scholarship Impact:** If the Senators do not meet the credit requirement, their Senate Scholarship may be affected. They will not be asked to resign; however, their eligibility for the Senate Scholarship will be reviewed in accordance with the ASNMSU and NMSU policies.
4. **Waiver Request:** If the Senators require only six (6) credits to graduate, they may apply for a waiver. To do so, they should submit a request for an exception to policy and approval to continue university student employment. The waiver request must be routed through the Senior Administrator/Dean for approval before submission to Employment and Compensation Services (teamhrs@nmsu.edu). The request should include the student's name, Aggie ID, contact information, any unique or extenuating circumstances, the steps to assist in meeting eligibility requirements, and the anticipated time frame to achieve eligibility.

Thank you for your attention to this matter. Please tell me if you have any further questions or need more information.



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