



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: December 2nd, 2024

TITLE: Eligibility for ASNMSU Employment Based on Full-Time Enrollment Status

Subject:

Does a student meet to be a full-time student to be employed at/by ASNMSU – specifically for the Chief Senate Clerk position?

Applicable Bylaw:

ASNMSU Bylaws:

3-8-5. **EXECUTIVE STUDENT LEADER QUALIFICATIONS** ACT

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C. Applicants shall meet the minimum qualifications set forth in the current NMSU Student Employee Handbook with regards to GPA, academic, and disciplinary probation; and

D. Waivers on academic progress or GPA shall be decided in accordance with the current NMSU Student Employee Handbook; and

E. Any other qualifications outlined in the NMSU Human Resource Services Position Classification Description.



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6-3. **LEGISLATIVE QUALIFICATIONS ACT**

C. ASNMSU Senate Officers shall have been ASNMSU fee-paying members for the fall or spring semester prior to their election or hiring; and

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

NMSU Policy:

New Mexico State University Student Employment Handbook

“III. GENERAL CONDITIONS OF EMPLOYMENT

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. To maintain employment eligibility from one semester to the next, an undergraduate student must have completed and passed 6 credits[,] and a graduate student must have completed and passed nine (9) graduate credits the previous semester. This expectation also applies to student employees going from the spring semester to summer session. Courses in which a student has earned a PR or RR grade count toward the credit-hour progression requirement. However, courses taken for AUDIT do not count toward the 6 or nine (9) credit minimum requirement for employment purposes.”



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New Mexico State University Terms and Conditions (Financial Aid Requirements)

“Enrollment Requirements

For the purpose of determining final financial aid eligibility, enrollment is defined as total hours enrolled as of midnight on the last day to drop classes without a “W” based on the academic calendar. Hours attempted for evaluating satisfactory academic progress are also set based on this date.

NMSU assumes all students will attend full-time, defined as 12 credit hours per semester for undergraduates. Students that are enrolled less than full-time and awarded University scholarships, grants, and/or waivers will not receive the full-time award. The University Scholarship, College Affordability Grant (CAG), LEAP Grant, Federal SEOG Grant or Waiver will be prorated based on the number of credit hours the student is enrolled in each semester. Students who attend less than half-time, defined as 1-5 credit hours[,] are not eligible for university scholarships, grants, or waivers.

Full Federal Pell Grants require 12 hours of enrollment; three-quarter-time grants require 9 to 11 credit hours; half-time grants require 6 to 8 credit hours, and less-than-half-time grants require 1 to 5 credit hours.”

Opinion Rendered:

After reviewing the relevant ASNMSU Bylaws and NMSU policies, the Attorney General’s Office offers the following interpretation:

i. Full-time Student Status for ASNMSU Employment:

NMSU defines full-time enrollment as 12 credit hours for undergraduate students and 9 credit hours for graduate students. However, for employment at ASNMSU, a student is considered eligible if they are enrolled in at least 6 credits (undergraduates) or 9 credits (graduates).

Therefore, a student who is enrolled at least half-time (6 credits for undergraduates or 9 credits for graduates) meets the eligibility requirements to be employed by ASNMSU, including the position of Chief Senate Clerk.

ii. Eligibility for Employment:

Students enrolled in fewer than 6 credits (undergraduate) or fewer than 9 credits (graduate) are not eligible for employment at ASNMSU. In other words, only students enrolled as "less-than-half-time" (fewer than 6 credits for undergraduates, fewer than 9 credits for graduates) are ineligible for ASNMSU employment.

Please do not hesitate to contact my office if you require further clarification on this matter.

Best regards,



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