



**“There’s Something Ennobling...About Struggling”:
State Policymakers’ Framing of Deservingness in the
New Mexico Opportunity Scholarship¹**

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Abstract: In 2022, New Mexico joined the list of states that adopted a statewide promise program, offering tuition and fee assistance for eligible students to pursue higher education. The New Mexico

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Opportunity Scholarship (NMOS) differs from existing programs by including part-time and summer enrollment, academic and workforce degrees, and older adult learners in addition to recent high school graduates. Drawing on approximately nine hours of legislative meetings and the theories of social construction and policy design and deservingness, this case study examines how state legislators framed their support or opposition to the design of the NMOS. We found that state legislators who supported the NMOS focused on individual benefits such as expanding access to higher education and improving employment outcomes, whereas state legislators who opposed the NMOS focused on state burdens such as insufficient funding and increased costs to the state due to the program's flexible design.

Keywords: promise programs; free college; state politics; state legislators; case study

“Hay algo ennobecedor... acerca de la lucha”: El marco de los formuladores de políticas estatales sobre el merecimiento en la Beca de Oportunidad de Nuevo México

Resumen: En 2022, Nuevo México se unió a la lista de estados que adoptaron un programa estatal de promesas, ofreciendo asistencia para matrícula y tarifas para estudiantes elegibles que deseen cursar estudios superiores. La Beca de Oportunidad de Nuevo México (NMOS) se diferencia de los programas existentes al incluir matrícula a tiempo parcial y en verano, grados académicos y laborales, y estudiantes adultos mayores, además de los graduados recientes de secundaria. Basado en aproximadamente nueve horas de reuniones legislativas y las teorías de la construcción social, diseño de políticas y merecimiento, este estudio de caso examina cómo los legisladores estatales enmarcaron su apoyo u oposición al diseño de la NMOS. Encontramos que los legisladores estatales que apoyaron la NMOS se centraron en beneficios individuales, como ampliar el acceso a la educación superior y mejorar los resultados laborales, mientras que los legisladores que se opusieron a la NMOS se enfocaron en las cargas para el estado, como la falta de financiamiento y el aumento de los costos estatales debido al diseño flexible del programa.

Palabras-clave: programas de promesas; universidad gratuita; política estatal; legisladores estatales; estudio de caso

“Há algo nobre... sobre lutar”: O enquadramento dos formuladores de políticas estaduais sobre a merecimento na Bolsa de Oportunidade do Novo México

Resumo: Em 2022, o Novo México se juntou à lista de estados que adotaram um programa estadual de promessas, oferecendo assistência para matrícula e taxas para estudantes elegíveis que desejam seguir o ensino superior. A Bolsa de Oportunidade do Novo México (NMOS) difere dos programas existentes ao incluir matrícula em meio período e no verão, graus acadêmicos e de força de trabalho, além de estudantes adultos mais velhos, além de graduados recentes do ensino médio. Com base em aproximadamente nove horas de reuniões legislativas e nas teorias de construção social, design de políticas e merecimento, este estudo de caso examina como os legisladores estaduais moldaram seu apoio ou oposição ao design do NMOS. Descobrimos que os legisladores estaduais que apoiaram o NMOS se concentraram em benefícios individuais, como expandir o acesso ao ensino superior e melhorar os resultados no emprego, enquanto os legisladores que se opuseram ao NMOS se concentraram nas cargas para o estado, como a falta de financiamiento e o aumento dos custos para o estado devido ao design flexível do programa.

Palavras-chave: programas de promessa; universidade gratuita; política estadual; legisladores estaduais; estudo de caso

“There’s Something Ennobling...About Struggling”: State Policymakers’ Framing of Deservingness in the New Mexico Opportunity Scholarship

In 2022, New Mexico joined the growing list of states that adopted a statewide promise program (Deye & Smalley, 2021; Dickler, 2022). At first glance, the newly created New Mexico Opportunity Scholarship (NMOS) maintains several characteristics common with similar programs (Perna & Leigh, 2017; Perna et al., 2021): 1) covering 100% of tuition and required fees to attend public postsecondary in-state institutions, 2) connecting eligibility to continued progress towards a postsecondary education, and 3) requiring recipients to be in-state residents for the previous 12 consecutive months. NMOS recipients are also able to utilize their scholarship funds at any of New Mexico’s 29 public four-year universities, community colleges, and tribal colleges. However, beyond its basic premise and these features, NMOS maintains numerous unique characteristics that distinguish it from other statewide promise programs.

While most promise programs require full-time enrollment, maintain age limits, or limit eligibility to students who enter college immediately following high school completion, NMOS offers greater flexibility regarding eligibility requirements. For example, NMOS requires recipients to enroll in only six credit hours per semester and allows recipients to use funds towards high-demand workforce certificates and during summer semesters. NMOS also does not maintain a time limit to degree completion, allowing part-time students to preserve eligibility through the completion of their degree or certificate. New Mexico residents are eligible for NMOS if they have accumulated less than 90 credit hours toward their first associate degree or less than 160 credits toward their first bachelor’s degree. These credit thresholds are higher than the requirements for many other programs. In addition, many formerly enrolled students who stopped out prior to degree attainment are eligible for NMOS.

NMOS also maintains some distinct financing and funding characteristics. While many statewide programs operate on a last-dollar disbursement structure, meaning the state program covers the remaining balance following the application of existing financial aid sources (Campaign for Free College Tuition, 2019), NMOS operates with a middle-dollar structure, whereby scholarship funds cover the remainder of tuition and fees following the application of other state funds but prior to the application of federal aid, such as Pell Grant funds, and other private or institutional scholarship aid. This means students can stack federal aid, private scholarships, and institutional aid over their NMOS, unlike most other statewide promise scholarships. In turn, students, especially Pell-eligible recipients, can use this stacked aid to cover non-tuition expenses such as housing, food, transportation, childcare, etc. which reduces the amount of money that they may need to pay out-of-pocket or borrow to attend college.

Considering the range of statewide promise programs currently enacted and the distinct characteristics of NMOS, the current study aims to examine the policy design process surrounding this program. Specifically, using a theory of social constructions and policy design (Schneider & Ingram, 2019), coupled with a theory of deservingness (van Oorschot, 2000; van Oorschot & Roosma, 2017), we seek to understand what led the New Mexico legislature to develop its promise program and the decision-making that resulted in it being uniquely flexible and student-centric. To this end, we employed content analysis methods (Merriam, 2009; Shih et al., 2008) to examine debates around NMOS in legislative meetings, engaging with the following three research questions:

- 1) How do state legislators frame their support or opposition to the design of the New Mexico Opportunity Scholarship (NMOS)?
- 2) How do state legislators frame target groups as deserving or undeserving of the NMOS?
- 3) How do these narratives vary by legislators’ political party?

Literature Review

While the focus of this study is on New Mexico and its policy process around NMOS, we also seek to contribute to the broader research on promise programs, financial aid, and research evidence. Accordingly, this study builds on two primary strands of literature. In the first strand, we synthesize research on free-college (promise) programs. Although promise programs are administered at various levels (local and statewide), we focus this review on studies examining statewide promise programs, since the subject of this inquiry is a promise program operating at the state level. In the second strand, we synthesize research on the politics surrounding the design and adoption of statewide promise programs. Given the novelty of statewide promise programs, we broaden our review to include the politics surrounding free college more broadly.

Statewide Promise Programs

The estimated number of current statewide promise programs varies depending on the definition used, ranging from approximately 16 (Deye & Smalley, 2021) to 32 (Dickler, 2022). Although various types of free-college programs have been in effect at the state level for several decades, the first state to implement a promise program (the most recent iteration of free-college programs) was Tennessee in 2015. The Tennessee Promise covers tuition and fees for Tennessee high school graduates attending the state's community and technical colleges. Additionally, it provides mentorship to support promise students in their journey through postsecondary education (Kramer, 2022).

Promise programs differ in their eligibility criteria. They all have residency requirements (living in and/or graduating from a high school in the state), but some programs have additional requirements, including family income limits and merit-based criteria, such as a minimum GPA (Billings et al., 2021; Salazar, 2023). The funding sources for these programs vary; most require the state to appropriate funds every year or every other year (Billings et al., 2023). Funding levels and sources can also fluctuate, as seen in Oregon, where the Oregon Promise has faced funding volatility, leading the state to impose stricter eligibility criteria and rescind scholarship offers to some students (Burkander, Kent, et al., 2019). A recent review indicates that five programs are partly funded by private sources (Billings et al., 2023).

Research on statewide promise programs has primarily examined their effects on student enrollment (Billings et al., 2021). Studies have found that promise programs substantially increase enrollment at eligible community colleges in Tennessee (Collom, 2023; Lee et al., 2022; Meehan et al., 2019; Nguyen, 2020; Zumeta & Huntington-Klein, 2020) and, to a lesser extent, in Oregon (Burkander, Kent, et al., 2019; Gurantz, 2020; Lee et al., 2022). However, such effects were not observed in New York where the Excelsior program, which allows students from families earning \$125,000 or less to attend a SUNY or CUNY institution tuition-free, did not result in statistically significant changes in enrollment (Nguyen, 2019).

Qualitative research on statewide promise programs and student access reveals that the influence of these programs on enrollment decisions varies based on program design, including eligibility criteria such as a minimum GPA or the requirement to enroll in college immediately after high school (Burkander, Ballerini, et al., 2019). The level of support students receive to overcome eligibility requirements and other enrollment barriers, whether from program administrators or third-party college-access guidance providers, also affects program influence (Burkander, Kent, et al., 2019; Meehan et al., 2019). Qualitative research also suggests that promise programs may affect college enrollment by altering students' perceptions of college affordability, thus removing a psychological barrier (Ballerini et al., 2019). Additionally, the effectiveness of these programs can

vary based on how they are communicated across different schools and students (Ballerini et al., 2019; Burkander, Ballerini, et al., 2019; Burkander, Kent, et al., 2019).

While research on the effects of promise programs on retention is more limited, there is suggestive evidence that retention has not improved due to promise programs in Tennessee (Lee et al., 2022; Zumeta & Huntington-Klein, 2020) or Oregon (Lee et al., 2022). In contrast, one study found that Native American students receiving the Oklahoma Promise were more likely to be retained (Mendez et al., 2011). In Delaware, a descriptive study found that students eligible for Delaware SEED had higher rates of retention, credit accumulation, and associate’s degree completion than those who were not eligible for the promise program (Burkander, Ballerini, et al., 2019).

In addition to enrollment and retention, research has also examined the financial impacts of a promise program on students. A study on the Tennessee Promise found that it reduced student reliance on student loans, with over 40% fewer borrowers and a nearly 32% drop in average loan amounts (Odle et al., 2021).

Qualitative research also highlights how statewide promise programs relate to student success. These programs have served as a catalyst for offering additional supports for student success, such as mentors or first-year experiences (Burkander, Ballerini, et al., 2019; Meehan, 2019). However, student experiences with such supports can be uneven (Ballerini et al., 2019; Burkander, Kent, et al., 2019; Meehan et al., 2019). Despite the additional supports offered, barriers to completion remain, such as transportation challenges and academic underpreparedness (Meehan et al., 2019). Qualitative research also sheds light on how program design aspects, such as full-time enrollment requirements, can pose challenges to student success (Burkander, Ballerini, et al., 2019; Ballerini et al., 2019; Meehan et al., 2019).

In addition to examining program effects on students, studies have analyzed how institutions respond to statewide promise programs. Researchers found that the implementation of promise programs in Tennessee and Oregon did not lead to changes in the student-faculty ratio in either state (Lee et al., 2022) or overall changes in staffing levels in Tennessee (Odle & Monday, 2021). Colleges in Tennessee *decreased* per-student spending on instruction, academic support, and student services due to sharp enrollment increases; however, colleges in Oregon increased per-student spending in these key budget categories (Lee et al., 2022). Odle and Monday (2021) reported similar decreases in per-student spending in instruction and academic support after the Tennessee Promise, but also found decreases in per-student spending in institutional support and increases in per-student spending in scholarships. Bell (2021) reported that the implementation of the Tennessee Promise was associated with tuition and enrollment increases at eligible institutions.

In summary, existing research on statewide free-college programs has predominantly focused on their impact on students. Given the relative recency of these programs, it is not surprising that research has centered on the earliest adopters of promise programs and emphasized enrollment and institutional responses, rather than longer-term outcomes. Overall, the research suggests that statewide promise programs lead to higher enrollments at eligible colleges, but there is little evidence that they improve retention. Moreover, these programs result in changes at the institutional level, including increases in tuition prices and changes in spending on budget areas that are associated with student success.

Politics Surrounding Statewide Promise Programs and Free College

To anchor our question regarding how policymakers frame their support or opposition to the NMOS, we also draw on literature that examines the politics surrounding the consideration, design, and adoption of promise programs. National survey data suggest that most people in the United States support some version of free college (Campaign for Free College Tuition, 2019),

although support varies based on racial identity, politico-ideology, age, and geographic region (Bell, 2020). A study by Bell (2020) that uses experimental survey data also suggests that public support for free college differs based on program design. Survey respondents were more supportive of “free college” when it targeted “high achieving” students (i.e., those who met a minimum GPA requirement) and less supportive when it targeted lower income students (i.e., those whose income fell below a threshold). The results also indicated that “liberals” were generally more supportive of free college than “conservatives” (Bell, 2020).

A recent dissertation study examines how statewide free-college programs diffuse and how policymakers make decisions about specific program features, including who should be eligible (Dziesinski, 2022). The multiple-case study sought to understand the determinants of free-college policy design in five states—Tennessee, Kentucky, Arkansas, Maryland, and West Virginia—with a focus on influences from other states. The findings of this dissertation study allow us to compare how New Mexican state policymakers framed their support and opposition for the NMOS and whether it aligned with the framing from state policymakers in the five targeted states.

In most states, the main reasons for supporting statewide free college were related to the workforce and the state’s economy (Dziesinski, 2022; Miller-Adams, 2015). This preference was reflected in the design of the promise programs included in the dissertation study. For example, Kentucky’s program only funded sub-associate certificates or diplomas (excluding associate degrees). Kentucky also limited eligibility to students enrolling in programs associated with one of the state’s high-demand workforce sectors. Similar to Kentucky, the Arkansas Promise program limited eligibility to students pursuing credentials in high-demand fields and STEM. This program also required beneficiaries to work in the state after degree attainment. Connecting the free-college program to high-demand fields was a way to garner greater support for the policy, particularly among Republicans.

In contrast, in Maryland, the main motivation for pursuing free college was to increase college access (although policymakers also discussed the benefits for middle-class voters and for the economy; Dziesinski, 2022). For that reason, Maryland does not limit eligibility to students in high-demand fields. However, the promise program includes merit-based and need-based criteria, primarily to reduce the price of the program. Similar to Arkansas, Maryland required students to work in the state. This element was included to appease Republicans, who otherwise viewed free college as a handout or entitlement.

The primary argument against promise programs across the states was that adopting such a program would decrease enrollments at four-year universities (Dziesinski, 2022). In Arkansas, members of the Black Caucus opposed limiting the program to two-year colleges, as they worried it might reduce the likelihood of four-year degree completion by diverting students from four-year universities to two-year colleges. There were also concerns about how diversion might negatively affect Historically Black Colleges and Universities (HBCUs).

Another reason for opposing free college that this study unearthed was the belief that nothing should be “free” (Dziesinski, 2022). To address opposition among some legislators in Tennessee on the grounds that college should not be free, policymakers added community service requirements to demonstrate that the program was not a “handout.” Likewise, in Arkansas, Republican legislators supported the policy because it included provisions requiring community service and working in the state after graduation.

Finally, a study of Latinx legislators involved in the development of the Nevada Promise highlights how three state policymakers’ “ways of knowing” (i.e., how they “make sense of reality”) influenced how they approached policymaking (Martinez, 2023, p. 96). Findings from the study demonstrate how the Latinx legislators in this context considered structural inequities, approached

public policymaking to challenge those inequities, and exhibited humility (acknowledging the limits of their knowledge). Although not specifically about the design of the promise program, this study sheds light on the role of policymakers’ personal views, which were shaped by their backgrounds, on their policy decisions (Martinez, 2023).

Conceptual Framework

The theory of social construction and policy design seeks to explain how benefits and burdens are distributed to certain groups through policy design (Schneider & Ingram, 1993, 1997, 2005). Two central elements of the framework include the social constructions of target populations, or how groups are framed in public and policy discourse, and the levels of political power that those same groups have (e.g., to lobby in favor of benefits and against burdens). Groups that have positive social constructions are thought of as honest, smart, hardworking, disciplined, loyal, or worthy and are viewed as “deserving” of the benefits of public policies. On the other hand, groups that have negative social constructions are thought of as deceptive, unintelligent, lazy, disloyal, selfish, or immoral and are viewed as “undeserving” of these benefits. According to the theory, groups with negative social constructions tend to receive burdens through public policies, such as costs or punishment, especially if they have lower levels of political power (Schneider & Ingram, 1993, 1997, 2005). In higher education, this framework has been used to examine higher education funding decisions (Gándara, 2016; Gándara et al., 2024), congressional discourse related to the reauthorization of the Higher Education Act (Gándara & Jones, 2020), institutional considerations during governance reform efforts (Rubin et al., 2024), decision-making by legislators regarding the distribution of funding benefits to student populations (Gándara, 2020), and public support for affirmative action (Bell, 2019) and free college (Bell, 2020).

We pair the theory of social construction and policy design with the theory of deservingness to unearth how policymakers construct different populations as deserving or underserving of the benefits considered as part of the NMOS bill. Broadly, deservingness theory seeks to explain why people view certain target groups as more or less deserving of support (van Oorschot, 2000; van Oorschot & Roosma, 2017). In a recent paper that proposes and validates an instrument to measure deservingness, Meuleman et al. (2020) describe the main contention of deservingness theory, which is “that people’s opinions about the deservingness of target groups are based on a limited number of basic deservingness principles that answer the question who should get what and why” (van Oorschot, 2000, p. 2). Specifically, van Oorschot (2000), who initially developed deservingness theory, advanced five criteria of deservingness: Control, Attitude, Reciprocity, Identity, and Need. According to the theory, people generally view those with greater *need* as more deserving of support. Those who have less *control* over their conditions, such as those with disabilities or those whose situation is caused by something outside their control, are viewed as more deserving (van Oorschot, 2000). The deservingness criterion of control is rooted in beliefs that individuals have a duty to provide for themselves (and if they are unable to, they are more deserving of help). Next, those with favorable *attitudes*, such as appreciation for the help they receive, are seen as more deserving. Related to attitudes, the deservingness criterion of *reciprocity* captures beliefs that those who receive benefits should do something in return. Finally, deservingness theory posits that people will view those with *identities* most similar to their own as more deserving (van Oorschot, 2000).

A handful of studies offer empirical evidence on perceptions of deservingness in the higher education domain. For example, Kreitzer and Smith (2018) crowdsourced perceptions of deservingness for 73 target groups by asking them to rate each group from least deserving (“i.e., greedy, disrespectful, disloyal, immoral, or disgusting” p. 770) to most deserving (“i.e., good, smart, hardworking, loyal, disciplined, or generous” p. 770). Their results show that some of the groups

viewed as most deserving are veterans, children, mothers, those who have disabilities, those who are poor, and, to a lesser extent, but still generally deserving, college students (Kreitzer & Smith, 2018). Other research finds differences in college students' perceptions of deservingness depending on whether they are viewed as high achieving. In a study of affirmative action, Bell (2019) found more support for the policy among "conservatives" when students were framed as "high achieving," but not among "liberals." Most relevant for the present study, in another paper, Bell (2020) found more support for free college when the policy included a GPA requirement. That study found less support for policies that target low-income individuals (who have higher levels of need) than for policies with universal designs because universal designs were considered fairer and had less stigma than means-tested designs (Bell, 2020). Those findings would appear to depart from expectations of deservingness theory (van Oorschot, 2000).

There is some evidence that perceptions of deservingness vary across the states (Kreitzer et al., 2022). Kreitzer et al. (2022) measured deservingness by crowdsourcing participants' perceptions of politically relevant target populations. The target populations that they examined were groups such as teachers, DREAMers (undocumented immigrants who arrived in the US as children and have lived most of their lives in the country), criminals, police, illegal aliens, welfare recipients, unemployed, Medicare recipients, and labor unions. They found that each state has its own level of deservingness for each target population, with some regional clustering in the deservingness of similar types of groups. For example, people in the Midwest, Southeast, and Northeast considered welfare and Medicare recipients more deserving of support than those in other regions.

The theory of social construction and policy design, coupled with the theory of deservingness, allows us to examine: (1) which groups are targeted through the process of designing the NMOS (e.g., adult learners, part-time students, student parents, students with various levels of academic achievement, wealthy students); (2) how various groups are framed as deserving or undeserving of policy benefits and why; and (3) how policymakers decide on which benefits to distribute through policy (e.g., which expenses to cover, for how long, and at which institutions). The framework also focuses our attention on assumptions that are made in policy discourse about various target groups and their motives (e.g., discourse related to abuse or perverse incentives).

Finally, like Bell (2019), we employ this framework to examine differences in policy design based on political ideology. Building on Bell's work, we examine how elected officials' stated perceptions of deservingness align with their preferences for distributing benefits through the NMOS. Although Bell focused on perceptions of deservingness by the general public, we utilize the same framework to focus on elected officials given their more direct role to influence NMOS policy development. Prior research also suggests that legislative political party influences the adoption of higher education financing policies (Dougherty et al., 2010; McLendon et al., 2005, 2006), tuition prices (McLendon et al., 2013), and state appropriations for higher education (McLendon et al., 2009; Tandberg, 2009; Taylor et al., 2023). States with Republican control or larger proportions of Republicans in the state legislature are more likely to adopt performance-based funding policies (McLendon, 2005, 2006), have higher tuition prices (McLendon et al., 2013), spend less on higher education (McLendon et al., 2009; Taylor et al., 2023), and make larger cuts to state appropriations (Taylor et al., 2023). Conversely, states with larger proportions of Democrats in the state legislature are associated with more spending on higher education (Tandberg, 2009). In addition, prior research using public opinion polls suggest political partisanship influences how higher education is perceived (Fingerhut, 2017; Fishman et al., 2019). Given the influence of legislative political party on higher education policy and finance decisions, we examine how elected officials' perceptions and preferences vary with their political party affiliation.

New Mexico Political Context

Before discussing the policy-making process that led to the development of the NMOS, this section provides an overview of the politics of the state of New Mexico at the time of passage to help contextualize the decisions made by state legislators. New Mexico maintained a government with unified control by the Democratic Party, meaning the state’s Governor and Lieutenant Governor are members of the Democratic Party and both chambers of the New Mexico State Legislature have Democratic majorities (New Mexico Senate (42 Total Members): 26 Democratic Party, 15 Republican Party, 1 Declined-to-State²; New Mexico House of Representatives (70 Total Members): 46 Democratic Party, 24 Republican Party). Despite this political landscape, New Mexico is often characterized as being moderate, bipartisan, and a swing state for most state and federal elections (Caldwell, 2022; Holbrook & La Raja, 2018). A news article noted “the political ideology [of a political candidate] is less important than the candidates’ efforts to reach out to the community” (Caldwell, 2022), suggesting partisan politics may not be as central to the voting decisions or support of the citizenry as much as the voting and responsiveness of the legislator to their community. The current study aims to consider the unique political culture of New Mexico to understand whether partisan politics is truly secondary to underlying messaging and goals, which is increasingly rare in higher education policy discussions in the United States (Fingerhut, 2017; Fishman et al., 2019).

Data and Method

To gauge the views of legislators regarding the design of the NMOS, we reviewed the formal legislative proceedings that preceded the passage of the NMOS bill: three meetings across three legislative committees (Senate Education; Senate Finance; House Education) and two floor votes (Senate and House). These proceedings took place in January and February 2022. We specifically focus on these events, and intentionally chose to not include popular media or social media accounts, because official legislative meetings serve as the formal opportunity for legislators and state officials to comment on policy, instead of appealing to specific populations and their constituents. In total, the legislative proceedings totaled 8 hours and 41 minutes, with individual sessions ranging from 55 minutes to 3 hours and 47 minutes. Table 1 provides an overview of the dataset for the study.

Table 1

Dataset of New Mexico Legislature Proceedings

Proceeding	Date	Length
Senate Education Committee	January 31, 2022	55 minutes
Senate Finance Committee	February 13, 2022	1 hour, 40 minutes
Senate Floor Debate and Vote	February 13, 2022	1 hour, 22 minutes
House Education Committee	February 16, 2022	57 minutes
House Floor Debate and Vote	February 16, 2022	3 hours, 47 minutes
Total		8 hours, 41 minutes

² Declined-to-State is a political affiliation in New Mexico that suggests no alignment with either major political party.

After audio recording the legislative meetings and floor votes, the research team transcribed and analyzed the meetings using qualitative content analysis (Merriam, 2009; Shih et al., 2008). The qualitative data analysis software Dedoose supported data analysis. The three-member research team developed an *a priori* coding structure drawing from the literature review and components of the conceptual framework, including social construction and deservingness of target populations (Schneider & Ingram, 2019). Given this study's focus on the specific case around NMOS, the research team supplemented the established coding structure by using inductive approaches to identify common findings regarding opposition and support for the design of the policy (Saldaña, 2016). All members of the research team were involved in the coding and analysis of the transcribed data. After an initial round of coding by a primary and secondary researcher of a couple transcripts, the research team met to discuss questions regarding the application of codes. For example, the team established more explicit definitions and examples of deservingness versus undeservingness that arose from meeting transcripts and established a plan for emergent questions that required future deliberation. This process repeated through multiple rounds, with each team member serving as a primary reviewer and secondary reviewer for only one or two transcripts, until the entire team were well aligned regarding coding application.

To answer the third research question regarding legislator's political party, the research team also created a secondary database of all individuals who were members of either committee and/or spoke during the floor debates. Using publicly available websites and reports, we documented each legislator's political party, whether they were members of the Senate Finance, Senate Education, or House Education committees, and how they voted during the committee (if applicable) and floor votes. Table A1 in the Appendix displays this information for the senators and representatives in this study. We also added political party affiliation as a code in Dedoose and applied the code to each excerpt (indicating the political party of the person speaking).

Given the multiple research questions and rounds of data analysis, the research team took several steps to maximize validity and reliability. At least two research team members reviewed the same transcribed legislative meeting during early stages of analysis to improve inter-coder reliability (Yin, 2017). Further, as the coding structure was expanded and finalized, research members recoded previously analyzed transcripts to ensure all codes were properly considered across all transcribed meetings. Finally, the research team held regular meetings to facilitate investigator triangulation as well as discuss any emergent questions that arose during analysis to enhance internal validity.

Positionality

Prior to discussing the findings of this study and given the focus on interpretation of narratives by legislators, we want to be mindful of our own positionalities that may influence our analysis and subsequent takeaways. Specifically, all members of the research team are higher education policy scholars and have previously conducted empirical studies focused on policy design, the policy process, and free-college programs with a particular focus on improving postsecondary access and success. We specifically make mention of our research foci given the positive framing around the unique nature of NMOS, as the research team views this specific promise program as uniquely positioned to support students in their education journey. While this was one of the first studies conducted by this team focused on New Mexico, previous research done together helped inform our data analysis process.

Findings

Senate Bill 140 (NMOS Act) was co-sponsored by Senator Stefanics (D) and Representative Garratt (D). The bill was introduced in the Senate, where it was discussed by the Senate Education Committee on January 31, 2022, and then by the Senate Finance Committee on February 13, 2022. The bill received a favorable vote in each committee with some bipartisan support (from two Republicans) on the Senate Finance Committee. When SB 140 was voted on in the Senate floor on February 13, 2022, 30 legislators voted yes, six voted no, two were absent, and four were excused (New Mexico State Senate, 2022). Then SB 140 was sent to the House of Representatives and was heard by the House Education Committee on February 16, 2022, and received a favorable vote of 7-3 with two Republicans and one Democrat voting no and three were excused. Later that evening, SB 140 was voted on in the House floor with 51 legislators voting yes, 17 voting no; two legislators were excused (New Mexico House of Representatives, 2022). Figure 1 provides a visual of the voting outcome for the NMOS.

Support for the Opportunity Scholarship

Most proponents focused on individual benefits compared to state benefits when framing their support for NMOS. These state legislators praised the purpose of NMOS by labeling it as “transformational,” “innovative,” and “important.” When discussing individual benefits, we found two themes that the state legislators focused on: (1) *expanding access to higher education and improving employment opportunities*, and (2) *flexibility in enrollment criteria*.

“Changing Their Lives”: Expanding Access to Higher Education and Improving Employment Opportunities

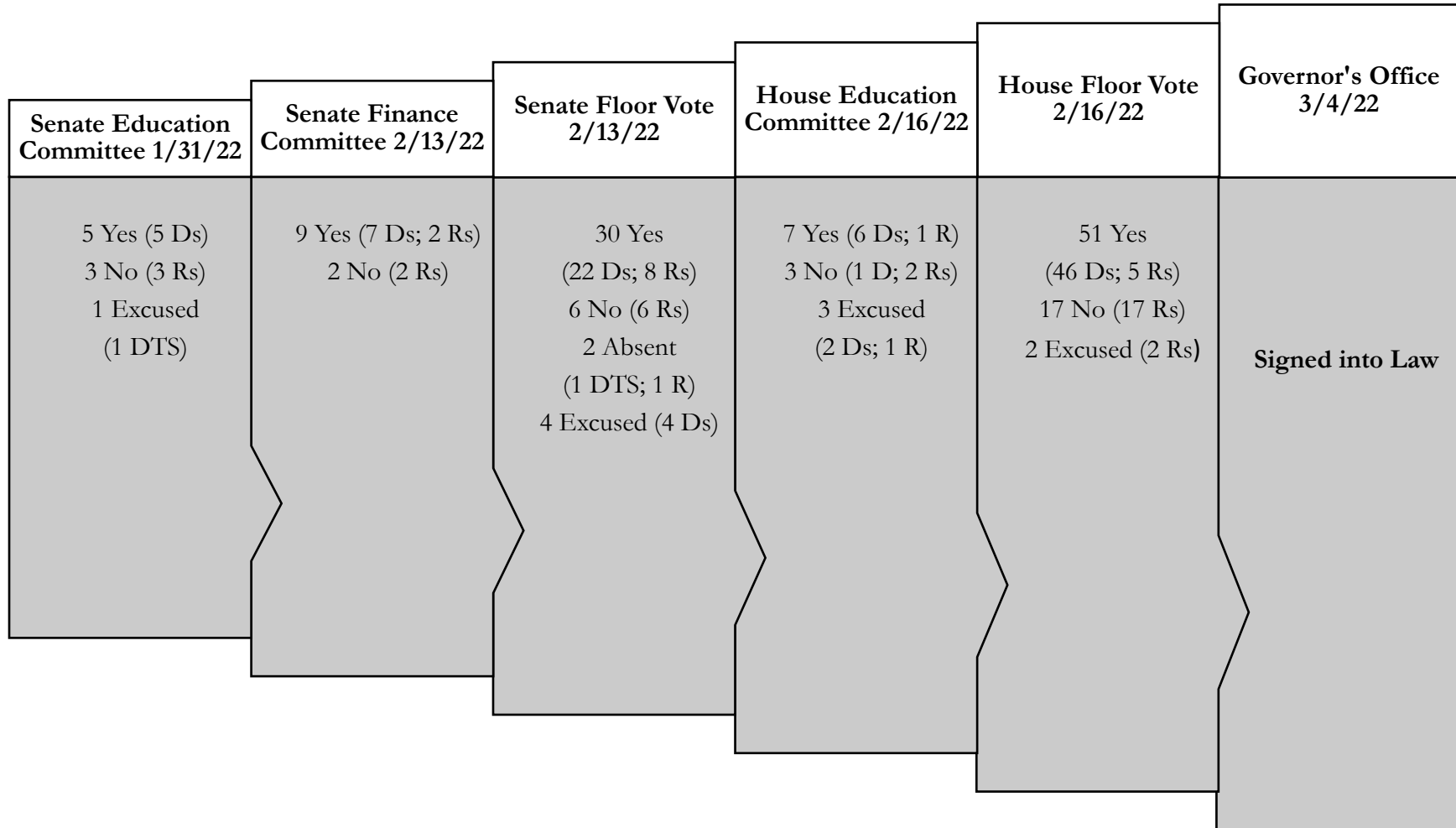
In their opening statement to the Senate Education Committee, Senator Stefanics, one of the bill’s sponsors, framed how the NMOS would “improv[e] outcomes for all New Mexicans from cradle to career,” “expand eligibility [of college] to a multitude of New Mexicans,” and provide a “chance to change their lives.” She further described the different types of students who would benefit, including a “returning adult learner, a working parent, a recent high school graduate or someone who started college, but did not finish.” These sentiments were echoed by the other bill sponsor, Representative Garrett, who discussed how the bill “expand[ed] the opportunity [of higher education] for our adult learners, people who are juggling jobs and family, working parents, people who started college and did not finish.” Both bill sponsors framed the recipients of the NMOS as deserving because they were busy adults who just needed some financial support to continue their education and eventually earn their degrees.

One of the motivating factors for Representative Sweetser (D), who eventually changed her vote to yes, was the “transformational” nature of the NMOS. During the House floor debate, she discussed how she voted no during the House Education Committee meeting that morning and was considering changing her vote to yes. Representative Sweetser explained:

I had two challenges in my small brain. One was to make sure that we did not use non-recurring funds for recurring expenses, but the second was to make sure that we were able to use our one-time funds for truly transitional opportunities for New Mexico. And after our discussion this morning in [the House] Education [Committee meeting] and thinking about it and getting a lot of input from people, I realized that this does have the opportunity to be transformational for the state.

Figure 1

Flowchart of New Mexico Voting Outcomes for NMOS



Note. For political party, legislators are categorized as Democrat (D), Republican (R), or Declined-to-State (DTS).

She went on to explain that NMOS was “changing lives” and “giving these students that level of support could truly be transformational.” She also recognized the challenges of NMOS because of how the scholarship is funded but were “up for the challenge” to figure out how to continue the commitment to future students.

Other legislators supported the bill because expanding access to higher education directly translated into improving employment opportunities for New Mexicans. Senator Pirtle (R) stated that he supported the bill because it will lead to the social mobility of multiple generations of New Mexicans who can “make a leap from poverty, to medium income, to where their kids go to college” by “allowing people to get good paying jobs, so that then they’re the next generation [that] can go to college and that’s what’s most important is helping people get a job.” This sentiment by Senator Pirtle showed how some legislators saw the NMOS as a way to disrupt “the cycle of poverty” because it allowed students to get an education and have a better quality of life for themselves and their children by securing more high-paying jobs as a result of this education.

Representative Montoya (D) had a similar framing of his support for NMOS and urged his fellow legislators to think about how the NMOS can help recipients find their career pathways:

I do believe it will help our young people, all of our people to find career pathways. Not only in the traditional degree programs, but certificates in career pathways that we don't even know exist yet perhaps because we have to be innovative in how we approach where kids and young people are headed.

Senator Jaramillo (D) agreed with Senator Pirtle and Representative Montoya’s focus on the individual economic benefits to higher education because of the NMOS. He also reminded the legislators how essential it is to the state to have educated New Mexicans to fill these jobs:

In the past 10 years, New Mexico has added over 10,000 new jobs with an average salary of over \$90,000. Most of these jobs, Mr. President, require some level of education beyond high school and that's why the Opportunity Scholarship is so important. We need New Mexicans to fill our economic and workforce needs, and we need our students to stay in New Mexico for college, their careers, and to do that we need to invest in our students.

Most legislators mentioned that they supported NMOS because it expanded access to higher education, which will lead to higher paying jobs and improved employment outcomes for recipients. As a result, the state will benefit. Senator Stefanics summed up this argument by explaining, “investing in students today will benefit our state, as New Mexicans can earn better wages, rely less on public assistance programs, and enter careers that benefit their families.”

“Life Happen[ed]”: Flexibility in Enrollment Criteria

A notable design feature of the NMOS is the flexibility in the enrollment criteria. As mentioned previously, NMOS recipients can enroll part-time for a minimum of six credits per semester, enroll during the summer, and pursue certificates in high-need workforce areas, associate degrees, or bachelor’s degrees. The scholarship covers 30 credits beyond the typical associate degree and 40 credits beyond the typical bachelor’s degree. This is a unique design compared to most other statewide promise programs, which require full-time enrollment, exclude summer enrollment, cover only enough credits to earn the degree, and focus on either academic or workforce degrees.

Representative Garratt framed summer enrollment as a benefit for students as it would help them to “speed up graduation” because students will be more “focused” and summer enrollment would also “help retention.” Other legislators, such as Representative Armstrong (a Republican who voted yes), were not as convinced. She was also concerned that NMOS recipients would “skew”

retention and graduation rates for colleges and universities, which would ultimately hurt their accountability measures because NMOS recipients were only enrolling part-time and would take longer to graduate.

In addition to enrollment flexibility, the NMOS had a clause regarding mitigating circumstances. If a student became ineligible for the scholarship while they were enrolled in college, such as dropping below the minimum 2.5 GPA, not enrolling in the minimum six credits each semester, or taking a break from college for a semester, the student could appeal and explain how their mitigating circumstances affected their ability to meet the minimum eligibility standards. Then their higher education institution and the New Mexico Higher Education Department would work together to review the student's appeal and determine whether they would still qualify for the NMOS.

Many legislators had questions about the mitigating circumstances clause and asked whether certain circumstances would be covered under the clause because "life happen[ed]" and the student either made "bad choices" (as negatively framed by Representative Lane (R), who voted no) or had life circumstances such as "childbirth," "adoption of a child," or other changes in family composition (as more positively framed by Representative Baca (R), who voted yes). Senator Padilla (D; who also voted yes) had additional questions about the mitigating circumstances clause and asked questions to Stephanie Rodriguez, Secretary of New Mexico Higher Education Department, on how the appeal process would work and if it would be consistently applied across all higher education institutions. In their questioning, Senator Padilla was concerned about creating practices or policies that "disincentivize" students to reenroll and if the legislature did that, how they would be "harm[ing] them later because we really want them to come back [to college]." Secretary Rodriguez agreed with Senator Padilla that the mitigating circumstances clause is necessary and explained:

We want them [students] to come back and this is why this scholarship is so forgiving for students so that when they have hardships or things happen in life, they can continue to be successful when they make the decision to come back to school and reenroll where they can be successful.

In general, legislators who supported NMOS tended to frame the flexibility in enrollment criteria as positive and essential because it allowed students more leeway when their complicated personal and professional lives affected their schooling. These legislators reasoned that the type of students that the NMOS was targeting (e.g., adult learners, part-time students, and student parents) needed more flexible enrollment criteria to stay in college and eventually earn their degrees.

Opposition to the Opportunity Scholarship

In contrast to the legislators who supported NMOS, legislators who were opposed to NMOS tended to focus on funding structures, design features, or devaluation of free degrees that created burdens for either the state or the individual. When discussing these burdens, we found three themes that the legislators focused on: (1) *lack of sufficient and stable funding*, which would burden students who may not have their scholarship renewed, (2) *design features increase costs to the state*, which would burden taxpayers who are footing the bill, and (3) *free postsecondary degrees are not valuable*, which would burden New Mexicans who already have degrees and went to college without the NMOS.

“Putting Non-Recurring Revenue into a Recurring Program”: Lack of Sufficient and Stable Funding

Several Republican and Democrat legislators brought up concerns that the majority of funding for NMOS was non-recurring and the amount of money needed to fully fund NMOS would

exceed the current revenue within the next two years. Representative Sweetser (D) called it “concerning” that “we’re looking at putting non-recurring revenue into a recurring program.” Several Republican legislators (Representative Armstrong, Senator Brandt, Senator Neville, Representative Scott, and Representative Terrazas) brought up the lack of sufficient and stable funding and questioned what would happen if the state could not fund NMOS in future years. Representative Terrazas explained:

It is one of the big things that... I've been listening to, and it is a big concern of mine is the funding the following year. If it's not there, we have certain students, maybe you know, whatever that number is, then we cut them back, that are dropped ... [the lack of funding] takes away their opportunity and we got them started, but we didn't get them finished. Do you have any, I mean, I know that you're hoping that we'll have this continuing funding, but what happens if we don't? How many students would be hurting,... potentially, because you'll be helping so many, how many students could potentially be hurt by this?

These legislators were concerned that students would be worse off because they started their postsecondary degree but could not finish it because NMOS ran out of funds. Two out of the five Republicans (Senator Brandt and Representative Scott) voted no on NMOS. Senator Neville voted no during the Senate Education Committee but switched his vote to yes during the Senate floor vote.

While several Democrats mentioned that they were apprehensive about using non-recurring funds for a recurring initiative, they felt that the benefits of NMOS exceeded their concerns about the lack of sufficient funding. Representative Sweetser, who changed her no vote to yes because she considered NMOS “transformational,” stated that she was “commit[ed] to help work on future funding [for NMOS].” She echoed similar concerns as expressed by their Republican colleagues but explained that figuring out how to fund the NMOS was worth it.

We can't make a commitment to these returning parent students and say, we're giving you a four-year scholarship, we're giving you 160 hours scholarship when we don't have the money to do it. So we're making some commitments that are going to be challenging—I think—for the state of New Mexico. I think maybe we're up for the challenge.

Representative Sweetser acknowledged that the lack of sufficient and stable funding was problematic, but she did not feel it should act as a reason to vote no on the bill. This sentiment was echoed by her colleague, Representative Figueroa (D), who explained:

I, too, have some concerns that have been expressed tonight about funding. The fact that we are using non-recurring funding to start a program, but there are three reasons why I'm going to vote in favor anyway - over that concern and beyond my belief in education... right now, when we have these funds and when we have this need, I ask every member of this House to together make this investment in New Mexicans and their future. And I commend along with a gentlelady who spoke earlier [Representative Sweetser] to continue working during the interim to find the long-term solution to sustainable funding.

In addition to this framing of the potential benefits exceeding the concerns on how to fund the program, Representative Garratt put the total cost of the NMOS into perspective by explaining to her fellow legislators that the program costs less than 1% of the state budget and the New Mexico Department of Education would be closely monitoring the costs of the program during this initial

year. Representative Garratt also felt that she didn't "think that whole \$75 million is going to be used in year one, so some of that may go over and be added to the \$36.5 that we already know we have for year two."

Other Republican legislators expressed their concern that the state revenue used to pay for the program may be reduced or disappear in the future. Representatives Ezzell (R) and Lord (R) called the reliance on oil and gas revenue for the NMOS "troublesome" or "troubling" because New Mexico is moving towards the Clean Energy Act and the Green New Deal, which is 100% renewable energy, and away from "our golden goose" of oil and gas. Representative Lord also mentioned that this reduced revenue will most likely be made up by tax dollars. During the House floor vote, both representatives voted no on NMOS.

In the Senate Education Committee, Senator Kernan (R) also warned their fellow legislators about the consequences of moving away from oil and gas and the revenues that these industries generate:

Those dollars [from oil and gas] are not going to be replaced by another industry for the foreseeable future. And yet we are acting like these dollars are going to be there. And I will tell you in four years, three to four or five years, we're going to be coming back and we're going to have to cut and until I see some sort of acknowledgement that the revenue in this state comes from a particular industry, I can't support anything that's going to create a recurring expense at this level. I just can't and I'm not representing my constituents when I do that... And I want kids in school. I want them there. I want to do everything I can. I don't think this is the right way to do it. I think there are ways we could expand the current opportunity, put more money there while we have it, but to make this kind of huge step forward, in my view, is not the right thing to do at this point.

Senator Kernan's comments reflected her mixed view for her support of NMOS. While she believed that education is important and valuable since she wanted more "kids in school," she was conflicted because the funding was not sufficient, and the funding source was likely to decrease in future years. Although she voted no on NMOS during the Senate Education Committee, she changed her vote to yes about two weeks later during the Senate floor vote.

"Too Flexible": Design Features Increase Cost to the State

While most Democrats celebrated the design of the NMOS because these features were more realistic for the type of students that the scholarship was trying to serve, some Republicans argued that these design features increased costs to the state. Senator Kernan claimed that the design of the NMOS was "too flexible" and worried students "could be taking courses for the next 10 years and [still] be funded." Similarly, Representative Ezzell was concerned about the lack of time limits for the scholarship as students "will take a long time [to get their degree]." She felt that time limits were essential to "make sure that this fund is sustaining."

Other Republican legislators discussed poor outcomes for part-time students, excessive number of credits covered, and supporting wealthy students as reasons that they were opposed to NMOS. Senator Brandt (R) highlighted "how part-time students' completion rate is much lower than full-time students' completion rate" and reported that the part-time students' degree completion rate after eight years at Central New Mexico University was 19% and at University of New Mexico was 38%. He asked, "how do we make sure that students are actually getting their degree and we're not just wasting \$100 million a year?" Senator Griggs (R) argued that the maximum number of credits covered was "substantially more credit hours than would be required to get those two degrees [bachelor's and associates]." In his viewpoint, it was wasteful to cover an extra year of

classes for all students. Despite these misgivings, Senator Griggs voted yes on NMOS. Representative Lane, who voted no, explained why he did not support NMOS:

My concerns with the way the bill is drafted is - I don't think it's good policy to use taxpayer dollars to subsidize the higher education of wealthy people. So the way the bill's written for example, I can make half a million a year and still be eligible for the scholarship. I don't think that's right. I think if you can afford college, you should pay for it.

Similarly, other Republican legislators discussed how the design features of NMOS may lead to either increasing the cost or wasting taxpayers' dollars. Senator Gallegos (R) argued that students without direction, like himself, may enroll in bachelor's degrees after earning their associates degrees and “stay in school for longer at the taxpayers' expense.” He also explained that his “biggest problem” with NMOS is there is no requirement for students to stay in the state after graduation, which is a waste of “taxpayers' investment.” Senator Brandt felt NMOS was too focused on supporting “superfluous degrees” and not on “degrees that we actually need in the state.” He also stated that another college scholarship program was unnecessary because “we have many, many scholarships for people going to college.” He further explained:

My daughter graduated from college with zero debt, and \$10,000 in the savings account. She went to a New Mexico college using [New Mexico] Water Scholarship. My son graduated from UNM [University of New Mexico] with zero debt. You do not have to go into debt if you graduate from high school in New Mexico and go straight to college. But we have very little of - any programs for our students that don't want to go to college. Understand only like 23% of our students go to college. So we need to do more for the students that don't want to go straight to college or don't want to go to college at all. And I don't think this bill does enough for that. I think if we truly want to have opportunities, we wouldn't be left limiting this to one certificate and honestly, we wouldn't be limiting to college credit bearing certificates.

Although the senators amended the NMOS and added multiple certificates to the bill, Senator Brandt still voted no on the amended bill during the Senate floor vote.

There was one lone Democrat senator, Senator Steinborn, a member of the Senate Finance Committee, who asked why the NMOS was a middle-dollar scholarship instead of a last-dollar scholarship. He reasoned that it made more sense to have students use their Pell Grants to pay for their tuition and fees “before we make up the difference” as this would “maximize [the] use of state dollars.” Secretary Rodriguez explained how students who received Pell Grants are “our most at-risk students in the country” and “need more assistance and aid to be successful in college.” If federal aid is applied after their tuition and fees are paid for, this allows students to use their Pell Grants to cover “the cost of attendance associated with housing, transportation, books, materials, etc.” Senators Munoz and Stefanics, Democrats, echoed the Secretary's explanation, which also led to a conversation of why the FAFSA was not a requirement for NMOS (i.e., because some parents or guardians will not release their income tax information to their dependents).

Students Needed “Skin in the Game” as Free Postsecondary Degrees Are Not Valuable

There were several Republicans who were concerned that free college would devalue the worth of postsecondary degrees (due to over-credentialing) and for beneficiaries, who may not value their education as much if they do not incur costs. For these reasons, they recommended that students needed “skin in the game” by paying some money for their college education.

Representative Terrazas (R) reasoned that “skin in the game is so important because it makes you more apt to finishing something because you’re invested in it.” Senator Sharer (R) explained how “if people have skin in the game, they succeed. If they don’t have skin in the game, if it’s free—it’s worth exactly what you pay for it. Nothing.” Representative Harper (R) argued, “when we give something out for free, we significantly lower the true value” so “skin in the game” is essential and “even a good thing” because “there are many ways right now to finance education.” Representative Harper also stated that they “never heard from anyone that they didn’t go to college because they couldn’t get the funding. I’ve never heard that because there’s ways.”

Representative Harper also shared with the legislators several stories that illustrated why he opposed the NMOS. One story featured his son and his son’s experience during the first semester of college when Representative Harper and his wife agreed to pay for their son’s college tuition if he received As and Bs in his courses:

He [My son] took 15 credit hours that first semester and I think only one class was really challenging, the rest were, you know, as long as he showed up and did his homework and, you know, studied a little bit, he would have gotten straight As. At the end of that semester, he didn’t do so well. We actually ended up only writing him a check for \$600. He could have done much better and so he learned from that experience. He was actually a little sheepish about it, he apologized to us, and we said you don’t have to apologize to us - this is your life. And he ended up having to pay a big chunk of change from his own bank account for that first semester of college. Do you know what his GPA is now starting his second semester? It’s a 4.0. So there’s something to be said about having skin in the game versus being handed something for free.

Representative Harper explained how his son thought he was getting a free ride to college, but it ended doing “more harm than good” and “kep[t] him from reaching his full potential” since his son was given money to pay for college by his parents and did not need to work for it. In his father’s retelling, it was only when there were consequences for his low grades (i.e., having to pay “from his own bank account”) that his son decided to make an effort and study for his courses.

Representative Harper argued, “there’s something ennobling and uplifting and gracious about struggling and overcoming” and “if we just keep giving fish after fish after fish after fish, no one is ever going to learn how to fish. And then what have we really done to our society?” He made the analogy that by offering students free college, “what we’re really doing is setting up a system that results in people who are essentially content with being a dependent of the state” and “that state is where [they] go for all of [their] help.” Instead, New Mexico should require students to pay for part of their college education, because they will value their college degree more since they had to work for it. Despite their strong publicly stated opposition for NMOS, Representative Harper voted yes on the bill.

Representatives Lord and Terrazas offered their own personal stories on how skin in the game is essential for student success. Representative Lord explained how her husband worked for several companies that paid for his bachelor’s and master’s degrees. She reasoned students who wanted to go to college should “get a job” like her husband who “swept the floors to pay for part of his schooling” or join the military. She further explained:

I think going to college is about putting in that hard work to get there and not handing anything for free. You go—there’s other ways that you can get into college, there’s all kinds of ways or scholarships and everything. And I think it truly, I guess I wouldn’t have so much heartburn about it if they [the students] at

least had to do something like paint walls or clean at night or something. They were doing something in a trade, it wasn’t just handed to you, you had to work for it.

Representative Lord said she was voting no on NMOS because, “I want the American dream to live on and I want people to fight for what they want.” The NMOS felt like too much of a handout because the students did not need to work to receive the scholarship. Representative Terrazas explained when he started paying for his own college, he “graduated with exactly the amount of credits needed to get my bachelor’s degree” which highlighted his argument that students are less likely “to waste anything when you have a little skin in the game.”

Discussion

NMOS is one of the most flexible statewide promise programs in the United States. Students only need to enroll in a minimum of six credits per semester, can enroll in the summer, and can be used at public four-year universities, community colleges, and tribal colleges for high-need workforce certificates, associates degrees, and bachelor’s degrees, covering up to 160 credits towards bachelor’s degrees or 90 credits for associates degrees. NMOS also targets several college student populations who traditionally have not been eligible for most statewide promise programs, namely adult learners, part-time students, and student parents. In part, this is due to most promise programs focusing on only recent high school graduates. Our analysis of how New Mexico state legislators framed their support or opposition to the program offered notable insights into the processes that underlay the uniqueness of NMOS when compared to other promise programs.

Regardless of their support or opposition of the NMOS, legislators alluded to the social constructions of NMOS recipients. They specifically focused on part-time, adult learners, and student parents as the main recipients of the NMOS. Democrats tended to frame these individuals as deserving of support because they were hardworking and disciplined as they were juggling multiple responsibilities such as family and work while going to school. This aligns with Kreitzer and Smith’s (2018) research who found that mothers (or student parents) were considered one of the most deserving groups. On the other hand, some Republicans framed adult learners and part-time students as less deserving of support because they were more likely to drop out of college without their degrees or take an excessive amount of time to earn their credentials. They argued these behaviors may lead to a poor return on investment and potentially waste taxpayers’ money. According to the deservingness theory (van Oorschot, 2000; van Oorschot & Roosma, 2017), these individuals are less deserving of support because they may not earn their degrees and give back to the state by contributing to the economy.

Other Republicans had a similar framing of their opposition to NMOS because they also tied the deservingness of recipients to their ability to contribute to the state’s economy. Senator Brandt (R) felt that NMOS did not focus enough on degrees that the state needed so students who were earning “superfluous degrees” were less deserving of support because they were not contributing sufficiently to the state’s workforce needs. Senator Gallegos (R) explained how he did not support the bill because there was no requirement for graduates to stay in state which means that those graduates who left were less deserving of support because they were contributing to another state’s economy instead of New Mexico.

Republicans and Democrats also chose different language when discussing the recipients of the NMOS. Republicans tended to frame the recipients as “kids” or “dependents of the state” whereas Democrats framed them as “returning adults,” “adult learners,” or “working parents.” The use of this language is notable, since according to the theory of social construction and policy

design, “children” are one of the groups with the highest levels of perceived deservingness (Kreitzer & Smith, 2018). However, mothers are viewed as equally deserving, which may explain the frequent mention to “parents” among NMOS advocates. We view the use of legislators’ language as intentional as “working parents” evoke positive social constructions since they are viewed as mature individuals with agency and responsibility whereas labeling college students as “kids” (who are technically legally adults in most cases) evoke negative social constructions because they are being infantilized and seen as irresponsible and immature, providing further evidence of their helplessness if they need the state or their parents to bail them out when they mess up.

In addition to social constructions of NMOS recipients, legislators focused on four out of the five criteria for deservingness: need, control, reciprocity, and identity (van Oorschot, 2000). Democrats discussed how the NMOS may help some of these students break the “cycle of poverty” and eventually achieve the middle class. This framing emphasized the *need* of the recipients and illustrated how the NMOS could improve their quality of life if students were able to earn their degrees and secure higher-paying jobs because of their education. Representative Lane (R) also focused on *need* of the NMOS recipients but used it as a reason to oppose the NMOS because there was no income cap for the program, which allowed high-income students to receive the NMOS. He felt that wealthy individuals were less deserving of support because they can afford to pay for their education and consequently, their *need* was less.

Representative Lane also blamed part-time and adult learners for their situation by alluding to the “bad choices” that they made. His comment emphasizes the *control* recipients are perceived to have over their circumstances. Since Representative Lane labeled their decisions as “bad choices,” he is making a judgement call that these students had full control over their circumstances and chose poorly, which makes them responsible for their current predicament. According to the deservingness theory, these students would be less deserving of support because their circumstances were caused by decisions within their control.

Some Democrats explained how NMOS recipients can give back to the state by contributing to the state’s “economic and workforce needs.” By investing in students through NMOS, recipients may feel more obligated to stay in state after their graduation and contribute to the economy. This framing of support emphasized the *reciprocity* between the recipients and the state. If New Mexico paid for students’ education, they would remain in the state and fulfill the growing demand for educated workers.

Several Republican legislators evoked personal stories of their family or themselves to illustrate their arguments and compare how their *identities* aligned with the recipients of the NMOS. Representatives Lord, Harper, and Terrazas discussed how their family members or themselves either worked hard or did not work hard and the consequences of those decisions. Representative Lord evoked an emotional story about her hard-working husband and how it took him twelve years to earn his degree because he worked full-time to pay for it. Representative Terrazas brought up a story about himself and how he graduated with the exact number of credits that he needed for his bachelor’s degree because he was paying for it himself. Representative Harper discussed his son and how his son learned the consequences of his slacking because he was forced to pay for the first semester of college out of his pocket because of his poor grades.

These stories illustrate how students need “skin in the game” to ensure that they stick with college and finish their degrees. They also show how the legislators viewed the NMOS recipients in relation to either their *identities* or their families’ *identities*. In the stories that Representatives Lord and Terrazas told, hardworking and resourceful individuals were the lead characters and these individuals were dissimilar to the *identities* that these representatives constructed of NMOS recipients who were not required to work to receive the scholarship. Given this dissimilarity, the NMOS recipients were

considered less deserving of support. Along those same lines, Representative Harper constructed *identities* of the NMOS recipients that were similar to his son, who squandered his first semester of college because his parents were paying for it. Even though the constructed *identities* of his son and the NMOS recipients were similar, the NMOS recipients were considered less deserving of support because Representative Harper was afraid that the NMOS recipients would waste this opportunity (like his son did) because they are not financially contributing towards their education.

While Republicans and Democrats were on opposite sides for many of the design choices for NMOS, they agreed that the funding for NMOS was problematic. Most of the funding for NMOS was non-recurring and the amount of funding needed to continue NMOS would far exceed the available revenue. While many Republicans thought that the lack of sufficient and stable funding was an adequate reason to block the bill, Democrats felt that the benefits of the NMOS far exceeded the concerns on how to fund the program. Instead, several Democrats stated that they were up for the challenge on how to secure more sustainable funding in the future. In the following legislative session after NMOS was passed, the legislature appropriated \$146 million in recurring funds to support the NMOS (Clark, 2023). This represents about 1100% increase in recurring funding from \$12 million in years one and two, 95% increase in total funding from \$75 million in year one, and 300% increase in total funding from \$36.5 million in year two.

Implications for Policy

The study reveals key arguments that can be made in support or opposition to promise programs. Arguments that point to individual benefits for recipients and to the value of flexibility in requirements resonated with Democratic legislators. Moreover, socially constructing beneficiaries as adults with numerous responsibilities trying to better their and their families’ lives made them compelling and sympathetic recipients of public aid. Organizations who advocate for equitable higher education policy like EdTrust and the Institute for Higher Education Policy (IHEP) recommend more generous and flexible promise program designs like part-time enrollment, first-dollar programs, and covering non-tuition expenses (Jones & Berger, 2018; Kendrick & Dancy, 2024; Poutre & Voight, 2018). This is because financial aid matters for student outcomes. In two recent systematic reviews and meta-analyses of the financial aid literature, LaSota et al. (2022) and Nguyen et al. (2019) found positive effects of grant aid on college persistence and degree completion ranging from two to three percentage points for college persistence and 0.4 to three percentage points for college completion. LaSota et al. (2022) also examined college enrollment and credit accumulation and found an effect of 2.8 percentage points for college enrollment and 1.6% increase in credit accumulation or about 0.22 credits, on average. There was also a difference in student outcomes by the amount of aid available. Nguyen et al. (2019) estimated increases of 1.5 to 2 percentage points in college persistence and completion for every \$1,000 in grant aid. LaSota et al. (2022) only found suggestive evidence as the pattern of coefficients across the four outcomes were larger and positive (but statistically-insignificant) when the amount of grant aid awarded increased.

However, research evidence alone is often not enough to drive policy change. Since statewide promise programs need to be adopted by legislatures, politics play just as an important role on which programs—or specific types of designs get adopted. Gándara (2019) examined research use in the adoption and implementation of performance-based funding (PBF) in two states and found that research evidence is one of many factors influencing policymaking. Others include anecdotes, “common sense,” and input from the public. Similarly, Cairney (2017) discussed how research evidence is only one source of knowledge for policymakers and often they want to know what is politically feasible as much as they want to know whether the policy works. Therefore, promise program advocates need to frame their support in ways that align with the political

ideologies, beliefs, and values of their policymakers who may need to preference politics over research evidence.

Implications for Future Research

It is important to continue to explore how the political dynamics within a state influence which promise program designs are proposed and ultimately adopted. Future research needs to consider how arguments for or against promise programs, and other education policies, may spread to neighboring states and how state policymakers may learn from these states which arguments and strategies work to advocate for their preferred design. For example, future research can examine to what extent the arguments presented in the creation of NMOS are reused or repurposed in states that are looking to establish or revise their statewide promise programs, particularly in states with similar political dynamics to New Mexico. In states with a Republican majority or a slim majority of one political party, future research can examine how arguments are adapted or changed for these programs to gain support and ultimately be adopted. To receive support from Republican legislators in Arkansas, Kentucky, Maryland, and Tennessee, Dziesinski (2022) found that promise program designs were tailored to either high-demand fields and STEM or included additional requirements like community service or working in the state after graduation. While New Mexico legislators included only high-demand workforce certificates for the NMOS, they did not require this field specification for bachelor's or associates degrees nor did they include additional requirements such as community service or working in the state after graduation.

In addition to promise programs, future research can examine the arguments that state legislators make to adopt other state financial aid programs such as broad-based merit aid or need-based programs. For states that have multiple types of these programs, future research can explore whether state legislators within the same political party change their arguments to support or oppose these programs. In addition, how do state legislators frame which targeted groups are deserving of support given that the recipients of these financial aid programs differ? And does deservingness of different types of financial aid recipients (merit-aid, need-based, adult learners, etc.) vary across states given the findings from Kreitzer et al. (2022) showing a regional clustering of deservingness for similar types of targeted groups? These questions are becoming more pressing to answer as additional states focus on addressing college affordability concerns by adopting state financial aid programs (like free community college). Therefore, we need to better understand how higher education lobbyists and administrators can advocate for their state financial aid design of choice and tailor their messaging to align with the goals, values, and beliefs of their state policymakers.

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Appendix

Table A1

Political Party and Voting Record of Legislators for NMOS

State Official	Political Party	Senate Education Committee (Jan. 31, 2022)	Senate Finance Committee (Feb. 13, 2022)	Senate Floor Vote (Feb. 13, 2022)	House Education Committee (Feb. 16, 2022)	House Floor Vote (Feb. 16, 2022)
William Soules	D	Y	-	Y	-	-
Harold Pope	D	Y	-	Y	-	-
Steven Neville	R	N	-	Y	-	-
Craig Brandt	R	N	-	N	-	-
Jacob Candelaria	DTS	Excused	-	Absent	-	-
Martin Hickey	D	Y	-	Y	-	-
Gay Kernan	R	N	-	Y	-	-
Brenda McKenna	D	Y	-	Y	-	-
Shannon Pinto	D	Y	-	Excused	-	-
George Munoz	D	-	Y	Y	-	-
Nancy Rodriguez	D	-	Y	Y	-	-
William Sharer	R	-	N	N	-	-
William Burt	R	-	Y	Y	-	-
Pete Campos	D	-	Y	Y	-	-
Crystal Diamond	R	-	Y	Y	-	-
Bobby Gonzales	D	-	Y	Excused	-	-
Siah Correa Hemphill	D	-	Y	Y	-	-
Michael Padilla	D	-	Y	Y	-	-
Jeff Steinborn	D	-	Y	Y	-	-
Pat Woods	R	-	N	N	-	-
Liz Stefanics	D	-	-	Y	-	-
Gerald Ortiz y Pino	D	-	-	Y	-	-
Ron Griggs	R	-	-	Y	-	-
Leo Jaramillo	D	-	-	Y	-	-
David Gallegos	R	-	-	N	-	-
Bill Tallman	D	-	-	Y	-	-

State Official	Political Party	Senate Education Committee (Jan. 31, 2022)	Senate Finance Committee (Feb. 13, 2022)	Senate Floor Vote (Feb. 13, 2022)	House Education Committee (Feb. 16, 2022)	House Floor Vote (Feb. 16, 2022)
Stuart Ingle	R	-	-	N	-	-
Cliff Pirtle	R	-	-	N	-	-
Peter Wirth	D	-	-	Y	-	-
G. Andres Romero	D	-	-	-	Y	Y
Joy Garratt	D	-	-	-	Y	Y
Brian Baca	R	-	-	-	Y	Y
Jack Chatfield	R	-	-	-	N	N
Rebecca Dow	R	-	-	-	Excused	Excused
Natalie Figueroa	D	-	-	-	Y	Y
Susan Herrera	D	-	-	-	Excused	Y
T. Ryan Lane	R	-	-	-	N	N
Raymundo Lara	D	-	-	-	Y	Y
Willie Madrid	D	-	-	-	Excused	Y
Patricia Roybal Caballero	D	-	-	-	Y	Y
Candie Sweetser	D	-	-	-	N	Y
Christine Trujillo	D	-	-	-	Y	Y
Larry Scott	R	-	-	-	-	N
Roger Montoya	D	-	-	-	-	Y
Candy Spence Ezzell	R	-	-	-	-	N
Jason Harper	R	-	-	-	-	Y
Stefani Lord	R	-	-	-	-	N
Matthew McQueen	D	-	-	-	-	Y
Gail Armstrong	R	-	-	-	-	Y
Luis Terrazas	R	-	-	-	-	Y

Note: For political party, legislators are categorized as Democrat (D), Republican (R), or Declined-to-State (DTS).

This list only includes legislators who are members of either the Senate Education, Senate Finance, or House Education Committees or spoke during the floor debates.