

NOTICE OF EMERGENCY RULEMAKING

Public Notice. The New Mexico Public Education Department (PED) gives notice that on 5/30/2019 it adopted 6.30.12 NMAC, K-5 PLUS PROGRAM as an emergency rule adoption. The repeal and replace to 6.30.12 NMAC is in response to new statute, K-5 Plus Act. The repeal and replace to 6.30.12 NMAC is implemented as an emergency rule. The Department finds that following the non-emergency rulemaking procedures in enacting regulation of K-5 Plus programs causes imminent peril to the public health, safety, and welfare, pursuant to Section 14-4-5.6 NMSA 1978, State Rules Act, Emergency rule.

Rule Information. The purpose of this rule is to provide criteria for the development and implementation of the K-5 plus program in order to maximize successful outcomes and to facilitate the transition from the K-3 Plus Act to the K-5 Plus Act.

The statutory authorizations include the following:

Section 22-2-1 NMSA 1978 grants the authority of the secretary to adopt, promulgate, and enforce rules.

No technical information served as a basis for this proposed rule change.

A public comment period and a public hearing, pursuant to Section 14-4-5.3 NMSA 1978, State Rules Act, Public Participation, Comments, and Rule Hearings, will be held in order to adopt a permanent rule within 180 days of the effective date of June 14, 2019 for 6.30.12 NMAC, pursuant to Section 14-4-5.6 NMSA 1978, State Rules Act, Emergency rule.

Copies of the rule may be accessed through the New Mexico Public Education Department's website under the "Rule Notification" link at <https://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/> or may be obtained from John Sena by contacting him at (505) 570-7816 during regular business hours.

Individuals with disabilities who require the above information in an alternative format are asked to contact John Sena at (505) 570-7816.