

NOTICE OF PROPOSED RULEMAKING

Public Hearing. The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Monday, December 16, 2019 from 10 a.m. to 12 p.m. (MDT) in Mabry Hall, located in the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, New Mexico 87501. The purpose of the public hearing is to receive public input on the proposed repeal of 6.12.9 NMAC, Elementary School Free Breakfast Program During Instructional Time to be replaced with 6.12.9 NMAC, Breakfast Program, and the proposed repeal of 6.30.3 NMAC, Eligibility for the General Educational Development Tests (GED Tests) and Diploma in NM to be replaced with 6.30.3 NMAC, Eligibility for the High School Equivalency Assessment or Programs and Diploma in NM. At the hearing, the PED will provide a verbal summary statement on record. Attendees who wish to provide public comment on record will be given three (3) minutes to make a statement concerning the rule changes. Written comment will also be accepted at the hearing.

Explanation of Purpose and Summary of Text

The purpose of the proposed repeal of **6.12.9 NMAC, Elementary School Free Breakfast Program During Instructional Time**, to be replaced with **6.12.9 NMAC, Breakfast Program** is to establish the standards, procedures for waiver requests and the award of waivers, and procedures for funding necessary to implement the breakfast program established by Section 22-13-13.2 NMSA 1978.

The purpose of the proposed repeal of **6.30.3 NMAC, Eligibility for the General Education Development Tests (GED TESTS) and Diploma in NM**, to be replaced with **6.30.3 NMAC, Eligibility for the High School Equivalency Assessment or Programs and Diploma in NM** is to give individuals who have not graduated from high school the opportunity to earn a high school equivalency credential or department-issued New Mexico high school diploma, and to establish criteria for a high school equivalency publisher or program provider to become qualified to administer a high school equivalency credential assessment or program in the state of New Mexico.

Statutory Authorization(s):

Sections 9-24-8, 22-1-9.2, 22-2-1, 22-2-2, 22-2-8.8, 22-2-8.14, 22-12A-4, 22-13-1.1, 22-13-13.2, and 43-1-3 NMSA 1978.

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

Public Comment. Interested parties may provide comment at the public hearing or may submit written comments by mail to John Sena, Policy Division, New Mexico Public Education Department, 300 Don Gaspar Avenue, Room 101, Santa Fe, New Mexico 87501, by electronic mail to rule.feedback@state.nm.us, or by fax to (505) 827-6520. All written comments must be received no later than 5 p.m. (MDT) on Monday, December 16, 2019. The PED encourages the early submission of written comments. The public comment period is from November 12, 2019 to December 16, 2019 at 5:00 p.m. (MDT).

The PED will review all feedback received during the public comment period and issue communication regarding a final decision at a later date.

Copies of the proposed rules may be accessed through the page titled, "Rule Notification," on the PED's website at <http://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>, or may be obtained from John Sena at (505) 570-7816 during regular business hours.

Individuals with disabilities who require the above information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact John Sena at (505) 570-7816 as soon as possible before the date set for the public hearing. The PED requires at least 10 calendar days advance notice to provide any special accommodations requested.