

## NOTICE OF PROPOSED RULEMAKING

**Public Hearing.** The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Tuesday, May 19, 2020 from 3 p.m. to 5 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 6.30.12 NMAC, K-3 Plus Program to be replaced with 6.30.12 NMAC, K-5 Plus Program, repeal and replace of 6.31.2 NMAC, Children with Disabilities/Gifted Children, and amendment to 6.60.7 NMAC, Educator Licensure Application Fee. 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 **6.30.12, K-3 Plus Program** to be replaced with **6.30.12, K-5 Plus Program** 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 K-3 Plus to K-5 Plus.

The purpose of the proposed repeal and replace of **6.31.2 NMAC, Children with Disabilities/Gifted Children** is to provide public agencies with the requirements for serving students with disabilities, including composition of the individualized education program (IEP) team and providing information on the full continuum of services. The full continuum of services may include placement and educational services provided at the New Mexico School for the Deaf (NMSD) and the New Mexico School for the Blind and Visually Impaired (NMSBVI) or in conjunction between the public agency and NMSD or NMSBVI. The proposed repeal and replace also includes requirements a public agency, including NMSD and NMSBVI, is obliged to do if a student is deaf, blind, deafblind, or has a hearing or visual impairment.

The purpose of the proposed amendment of **6.60.7 NMAC, Educator Licensure Application Fee** is to establish the requirements for military member or veteran to obtain a licensure fee exemption.

### Statutory Authorization(s):

Sections 22-2-1, 22-2-2, 22-8-44, 22-10A-3, 22-13-5, 22-13-6.1, and 22-13D-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 121 Santa Fe, New Mexico 87501, by electronic mail to [rule.feedback@state.nm.us](mailto: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 Tuesday, May 19, 2020. The PED encourages the early submission of written comments. The public comment period is from April 7, 2020 to May 19, 2020 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.