

## NOTICE OF PROPOSED RULEMAKING

**Public Hearing.** The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Monday, June 8, 2020 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. Due to recent public health orders issued by Governor Michelle Lujan Grisham, the location of the hearing may be subject to change. The purpose of the public hearing is to receive public input on the proposed new rules of 6.12.13 NMAC, Student Dental Examination Requirements for Enrollment and 6.30.17 NMAC, Structured Literacy Instruction, Interventions, and Professional Development, and proposed amendment of 6.80.5 NMAC, Charter School Governing Body Training Requirements. 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 new rule **6.12.13 NMAC, Student Dental Examination Requirements for Enrollment**, is to provide parameters for the requirements of schools to verify student records of dental examination prior to enrollment, provide an exception for an informed opt-out process based on parent or guardian understanding of the risks associated with not having a dental examination, and provide parameters for the requirements of schools to report annual end-of-year compliance data to the department.

The purpose of the proposed new rule **6.30.17 NMAC, Structured Literacy Instruction, Interventions, and Professional Development**, is to provide criteria for improving literacy outcomes for all students through the development and implementation of structured literacy instruction and structured literacy interventions for students displaying difficulties in reading or characteristics of dyslexia, leading to a higher number of students achieving reading proficiency and a lower number of students identified as requiring special education services.

The purpose of the proposed amendment of **6.80.5 NMAC, Charter School Governing Body Training Requirements**, is to require one hour of training on equity and culturally and linguistically responsive practices for charter school governing body members by decreasing the mandated hours of training on charter school fiscal requirements. Additionally, the proposed amendment removes the department's ability to issue an exemption for continuing governing body members from the specific hourly training requirements based on the charter school's academic performance.

### Statutory Authorization(s):

Sections 9-24-8, 22-1-14, 22-2-1, 22-2-2, 22-8B-5.1, and 22-13-32 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 Monday, June 8, 2020. The PED encourages the early submission of written comments. The public comment period is from May 5, 2020 to June 8, 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.