

## NOTICE OF PROPOSED RULEMAKING

**Public Hearing.** The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Friday, July 10, 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 rule of 6.12.12 NMAC, Armed Public School Security Personnel and proposed amendment of 6.11.2 NMAC, Rights and Responsibilities of the Public Schools and Public School Students. 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 **6.12.12 NMAC, Armed Public School Security Personnel**, is to provide parameters for a local school board or governing body of a charter school to authorize formerly certified and commissioned law enforcement officers employed by a school district or charter school as school security personnel to carry a firearm on school premises or other school property to mitigate loss of life during an emergency and until local law enforcement arrives.

The purpose of the proposed amendment of **6.11.2 NMAC, Rights and Responsibilities of the Public Schools and Public School Students**, is to provide a comprehensive framework within which school districts, local school boards, locally chartered charter schools, state-chartered charter schools, and governing bodies of charter schools [can] may carry out their educational mission and exercise their authority and responsibility to provide a safe environment for student learning and [further to] provide students and parents with an understanding of the basic rights and requirements necessary to effectively function in the educational community.

### Statutory Authorization(s):

Sections 9-24-8, 22-2-1, 22-2-2, 22-5-4.12, 22-5-18, 22-10A-5, 22-10A-40, 22-10A-41, and 28-2-4 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 Friday, July 10, 2020. The PED encourages the early submission of written comments. The public comment period is from June 9, 2020 to July 10, 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.