

NOTICE OF PROPOSED RULEMAKING

Public Hearing. The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Monday, March 16, 2020 from 1 p.m. to 3 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 and replace of 6.35.2 NMAC, Implementing the Indian Education Act and the proposed repeal of 6.19.9 NMAC, Early Literacy Remediation, Interventions, and Family Engagement. 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 and replace of **6.35.2 NMAC, Implementing the Indian Education Act** is to require and implement the American Indian/Alaska Native student needs assessment, accountability tool, and systemic framework for improving educational outcomes for American Indian and Alaska Native students.

The purpose of the proposed repeal of **6.19.9 NMAC, Early Literacy Remediation, Interventions, and Family Engagement** is to repeal a rule that does not align to current best practices, including conflicts between the rule and the new Multi-Level System of Support, which allows for local education agencies to maintain local control. Additionally, the repeal of this rule allows school districts the flexibility to identify best practices for engaging parents, and enables local education agencies to provide ongoing interaction and communication throughout the school year.

Statutory Authorization(s):

Sections 9-24-8, 22-2-1, 22-1-1.2, 22-2-2, 22-2C-1 through 22-2C-13, 22-13-1, and 22-23A-1 et seq. 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, March 16, 2020. The PED encourages the early submission of written comments. The public comment period is from January 28, 2020 to March 16, 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.