

NOTICE OF PROPOSED RULEMAKING

Public Hearing. The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Friday, November 12, 2021 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 location of the public hearing is subject to change due to concerns surrounding COVID-19 and in accordance with Governor Michelle Lujan Grisham's Executive Order 2021-049, Renewing the State of Public Health Emergency Initially Declared in Executive Order 2020-004, Other Powers Invoked in That Order, and All Other Orders and Directives Contained in Executive Orders Tied to the Ongoing Public Health Emergency; or with any executive order that supersedes Executive Order 2021-049. Continuous updates on hearing changes and Zoom information will be provided on the PED website. The purpose of the public hearing is to receive public input on the proposed repeal of **6.29.11 NMAC, Social Studies**, to be replaced with **6.29.11 NMAC, Social Studies**; the proposed repeal of **6.30.6 NMAC, Suspension of Authority of a Local School Board, Superintendent, or Principal**, to be replaced with **6.30.6 NMAC, Suspension of Authority of a Local School Board**; and the proposed new rule of **6.60.11 NMAC, Required Training Program for School District Personnel, School Volunteers, and Contractors**. 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 of Text

The purpose of the proposed repeal of **6.29.11 NMAC, Social Studies**, to be replaced with **6.29.11 NMAC, Social Studies**, is to update the social studies standards.

The purpose of the proposed repeal of **6.30.6 NMAC, Suspension of Authority of a Local School Board, Superintendent, or Principal**, to be replaced with **6.30.6 NMAC, Suspension of Authority of a Local School Board**, is to update the current department processes, procedures, and requirements related to the emergency or non-emergency suspension of a local school board by the secretary. The repeal and replace is designed specifically for local school boards. As such, any references to charter schools, governing councils, or suspensions related to school superintendents, principals, or charter school leader counterparts is removed from the proposed repeal and replace.

The purpose of the proposed new rule of **6.60.11 NMAC, Required Training Program for School District Personnel, School Volunteers, and Contractors**, is to align the new rule with the required ethical misconduct training program for all school district personnel, school employees, school volunteers, contractors, and contractors' employees outlined in the amended provisions of the School Personnel Act, Section 22-10A-32 NMSA 1978, from the 2021 legislative session.

Summary of Text

The proposed repeal of **6.29.11 NMAC, Social Studies**, to be replaced with **6.29.11 NMAC, Social Studies**, establishes the academic content and performance standards for social studies for grades kindergarten through 12. The social studies standards include six strands: (1) civics; (2) economics; (3) geography; (4) history; (5) ethnic, cultural, and identity standards; and (6) inquiry. The strands are organized by anchor standard, which are the core ideas that establish what students should understand and be able to do, with increasing complexity. Anchor standards consist of performance indicators, which are concise, written descriptions of what students are expected to know and be able to do in a specific grade or course.

The proposed repeal of **6.30.6 NMAC, Suspension of Authority of a Local School Board, Superintendent, or Principal**, to be replaced with **6.30.6 NMAC, Suspension of Authority of a Local School Board**, includes: (1) the removal of any references to charter schools, governing councils, or suspensions related to school superintendents, principals, or charter school leader counterparts; (2) updates the current department processes and procedures related to factors the secretary can consider when determining if a local school board suspension is warranted; (3) clarifies

the procedures for non-emergency suspensions; (4) details the procedures for emergency suspensions; (5) clarifies the hearing procedures for all suspensions; and (5) removes the requirement of periodic status reports.

The proposed new rule of **6.60.11 NMAC, Required Training Program for School District Personnel, School Volunteers, and Contractors**, includes the details of the new requirement for the mandatory ethical misconduct training program for all school district personnel, school employees, school volunteers, contractors, and contractors' employees within a specified time period. The proposed new rule also notes the mandatory training must address the following topics: child abuse and neglect, ethical misconduct, professional responsibilities, sexual abuse and assault, and substance abuse; and details the minimum training components will also include: reporting requirements, including minimal standards triggering reporting; trauma-informed instruction; identification of circumstances and factors that are indicators of likely child abuse or inappropriate behaviors; ethical misconduct; professional responsibilities; investigations and procedures; and relevant legal and regulatory definitions. Lastly, the new rule states that all school districts and public schools are required to maintain training records of those individuals who completed the training.

Statutory Authorization(s):

Sections 9-24-8, 22-2-1, 22-2-2, 22-2-14, 22-2C-3, and 22-10A-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, or by fax to (505) 827-6520. Written comments must be received no later than 5 p.m. (MDT) on Friday, November 12, 2021. The PED encourages the early submission of written comments. The public comment period is from Tuesday, September 28, 2021 to Friday, November 12, 2021 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.