

## NOTICE OF PROPOSED RULEMAKING

**Public Hearing.** The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing on Tuesday, August 24, 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 2021-030, 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 2021-030. 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 amendment to 6.30.12 NMAC, K-5 Plus Program. 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 amendment to **6.30.12 NMAC, K-5 Plus Program**, is to align the administrative rule with Section 22-13D-1 et seq. NMSA 1978, cited as the K-5 Plus Act.

### Summary of Text

The proposed amendment to **6.30.12 NMAC, K-5 Plus Program**, includes the statutory requirements that must be met for the implementation of K-5 Plus schools, gives details about the kind of instruction, assessment, and professional development K-5 Plus schools are required to give or administer to students or teachers, and provides the application and review process and funding mechanisms. Additionally, the proposed amendment contains details on the information K-5 Plus schools will or may be required to report to the department.

### Statutory Authorization(s):

Sections 9-24-8, 22-2-1, 22-2-2, 22-8-23.11 and 22-13D-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 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. Written comments must be received no later than 5 p.m. (MDT) on Tuesday, August 24, 2021. The PED encourages the early submission of written comments. The public comment period is from Tuesday, July 20, 2021 to Tuesday, August 24, 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.