

## NOTICE OF PROPOSED RULEMAKING

### Public Hearing

The New Mexico Public Education Department (PED) gives notice on Tuesday, April 22, 2025, that it will conduct a public hearing for the following proposed rulemaking on Friday, May 23, 2025, from 1:30 p.m. to 2:30 p.m. (MDT) in Mabry Hall, located in the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, New Mexico 87501:

### Amendment of 6.35.2 NMAC, Implementing the Indian Education Act

The PED will give a verbal summary statement, on record, at the hearing.

The purpose of the public hearing is to receive public input on the proposed rulemaking. Attendees who wish to provide public comments on the record will be given three minutes to make a statement concerning the proposed rulemaking. To submit written comments, please see the Public Comment section of this notice.

### Explanation of Purpose of Rulemaking, Summary of Text, and Statutory Authority

#### 6.35.2 NMAC, Implementing the Indian Education Act

**Explanation:** The purpose of the proposed rulemaking is to strengthen accountability and funding mechanisms to ensure that the educational needs of American Indian and Alaska Native students are being met.

**Summary:** The proposed amendment clarifies tribal consultation requirements for school districts and charter schools. The amendment also revises funding processes and reporting obligations to ensure greater transparency in the implementation of the Indian Education Act.

**Statutory Authority:** Sections 9-24-8, 22-2-1, 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 comments at the public hearing or may submit written comments by mail or e-mail.

#### Mailing Address

Policy and Legislative Affairs Division  
New Mexico Public Education Department  
300 Don Gaspar Avenue, Room 121  
Santa Fe, New Mexico 87501

#### E-Mail Address

Rule.Feedback@ped.nm.gov

Written comments must be received no later than 5 p.m. (MDT) on Friday, May 23, 2025. The PED encourages early submission of written comments.

### Public Comment Period

The public comment period is from Tuesday, April 22, 2025, to Friday, May 23, 2025, 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 of the proposed rulemaking at a later date.

Copies of the proposed rule may be obtained from Denise Terrazas at (505) 470-5303 during regular business hours or may be accessed through the PED Policy and Legislative Affairs webpage titled, "Proposed Rules," at <http://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>.

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 Denise Terrazas at (505) 470-5303 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.