

## NOTICE OF PROPOSED RULEMAKING

**Public Hearing.** The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing in Mabry Hall located at the Jerry Apodaca Education Building, 300 Don Gaspar Avenue, Santa Fe, New Mexico 87501, on Monday, September 17, 2018 from 9:00 a.m. to 11:00 a.m. (MDT). The purpose of the public hearing is to receive public input on the proposed repeal and replace of 6.10.7 NMAC, Statewide Standardized Testing Security Issues and Irregularities to be replaced with 6.10.7 NMAC, Standardized Testing Procedures and Requirements. 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 6.10.7 NMAC is to update the roles, responsibilities, and procedures required for the preparation, storing, handling, distribution, security, and administration of standardized tests. The rule change also clarifies and sets requirements for the reporting of test irregularities to the PED Assessment Bureau to ensure test validity. Additionally, the structure of the rule has been re-organized.

**Statutory Authorizations:**

Section 22-2-1 NMSA 1978

Section 22-2-2 NMSA 1978

Section 22-2C-4 NMSA 1978

Section 22-13-1.1 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 Jamie Gonzales, 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](mailto:rule.feedback@state.nm.us), or by fax to (505) 827-6520. All written comments must be received no later than 5:00 p.m. (MDT) on Monday, September 17, 2018. The public comment period is from August 14, 2018 to September 17, 2018 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 repeal and replace 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 Jamie Gonzales at (505) 827-7889 during regular business hours.

Individuals with disabilities who require the above information in an alternative format, or who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Jamie Gonzales at (505) 827-7889 as soon as possible before the date set for the public hearing. The PED requires at least ten (10) calendar days advance notice to provide any special accommodations requested.