

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, December 3, 2018 from 9 a.m. to 12:00 p.m. (MST). The purpose of the public hearing is to receive public input on the proposed repeal and replace of 6.19.8 NMAC, Grading of Public Schools and the proposed repeal of 6.19.1 NMAC, Public School Accountability: General Provisions. 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 regarding 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 **6.19.8 NMAC, Grading of Public Schools** is to align the implementation of the A-B-C-D-F Schools Rating Act (22-2E-1 to 22-2E-4 NMSA 1978) and the New Mexico ESSA plan approved by the U.S. Department of Education in compliance with Section 1111 of the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act to establish a consistent school rating system for grading public schools. Additionally, this rule updates criteria for rating public schools and provides options for students enrolled in a failing school. The rule outlines criteria for the identification and rating of supplemental accountability model schools.

The purpose of the proposed repeal of **6.19.1 NMAC, Public School Accountability: General Provisions** is to repeal a rule adopted under the provisions of the federal No Child Left Behind Act.

Statutory Authorizations: Sections 22-2-1, 22-2-2, and the A-B-C-D-F School Rating Act 22-2E-1 to 22-2E-4, 22-2C-4, 22-2C-5, and 22-2C-11 NMSA 1978 and the federal Every Student Succeeds Act.

No technical information served as a basis for this proposed rule change.

Stakeholder Engagement. Stakeholder engagement regarding the New Mexico ESSA plan was held. Stakeholders included district and school leaders, teachers, and parents and families. Requirements for the school rating system were determined in partnership and with the approval of the U.S. Department of Education.

Public Comment. Interested parties may provide comment at the public hearing or may submit written comments by mail to the 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 5:00 p.m. (MST) on Monday, December 3, 2018. The PED encourages the early submission of written comments. The public comment period is from Tuesday, October 30, 2018 to Monday, December 3, 2018 at 5:00 p.m. (MST). The PED will review all feedback received during the public comment period and issue communication regarding the final decision at a later date.

Copies of the proposed new rule 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 the Policy Division at (505) 827-6452 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 the Policy Division at (505) 827-6452 as soon as possible before the date of the public hearing. The PED requires at least ten (10) calendar days' advance notice to provide any special accommodations requested.