

## 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 Tuesday, December 4, 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 amendments to 6.80.4 NMAC, Charter School Application and Appeal 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 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 amendments to 6.80.4 NMAC, Charter School Application and Appeal Requirements is in part to implement regulations reflecting the academic performance framework utilized by the all chartering authorities including the Public Education Commission (PEC) in relation to renewal decisions. This rule change will further solidify the authority of the PEC and local chartering authorities to make decisions regarding applications for renewal of charters. The amended rule also addresses procedural matters relating to appeals of such decisions to the Secretary of the New Mexico Public Education Department.

**Statutory Authorizations:** Sections 22-2-1, 22-8-1 through 22-8-47 and 22-8B-1 through 22-8B-17 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 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](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. (MST) on Tuesday, December 4, 2018. The PED encourages the early submission of written comments. The public comment period is from Tuesday, October 30, 2018 to Tuesday, December 4, 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.