

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Specific statutory or other authority authorizing rulemaking:

Sections 9-24-8, 22-2-1, and 22-2-2 NMSA 1978; Chapter 19 Section 5 Laws 2023.

Rule adoption date:

03/14/24

Rule effective date:

July 1, 2024

At a public hearing held on 12/18/2023, the New Mexico Public Education Department agreed to repeal 6.30.12 NMAC, K-5 Plus Schools, filed 6/9/2020 and effective 7/1/2024.

The proposed repeal of this rule is consistent with the repeal of the K-5 Plus program in statute (Chapter 22, Article 13D NMSA 1978) by HB130, enacted during the 2023 Legislative session.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Gregory Frostad

Check if authority has been delegated

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Title:

Assistant Secretary of Policy, Research and Technology

Signature: (BLACK ink only OR Digital Signature)

Date signed:

DocuSigned by:



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03/14/24

Response to Public Comment
6.30.12 NMAC, K-5 Plus Schools

RULE CHANGES	
Section	Change
6.30.12	<ul style="list-style-type: none">• No changes.

Response to Public Comment
6.30.12 NMAC, K-5 Plus Schools

Public Comment Period: November 7, 2023-December 18, 2023

The New Mexico Public Education Department (PED) received one public comment for this rule.

Summary of Comments	PED Response
The Department received one comment opposing abolition of the K-5 Plus program.	The proposed rulemaking is necessary to change requirements for school calendars and align with the repeal of Section 22-8-23.11 NMSA 1978 and its replacement with Section 22-8-23.14 NMSA 1978. The K-12 Plus Extended Learning Time Program includes provision for students in Kindergarten through Grade Five.