**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, October 16, 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 6.75.2 NMAC, Relating to the Public Education Department Instructional Material Bureau. 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 rule is to govern the procedures for the adoption, purchase, and delivery of instructional material ensuring that public schools and eligible state education institutions have equitable access to high quality instructional material. The proposed new language outlines pathways for open educational resources, open source curriculum, and district-created instructional material to be considered for the material list approved by the PED. Additionally, the proposed rule change defines a clear distinction between core instructional material and supplementary instructional material.

**Statutory Authorizations:**

Sections 9-24-8, 22-2-1, 22-15-4, and 22-15-8 NMSA 1978

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

**Stakeholder Engagement.** Stakeholder engagement regarding this proposed rule change included teachers and district and school leaders.

**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, or by fax to (505) 827-6520. All written comments must be received no later than 5:00 p.m. (MDT) on Tuesday, October 16, 2018. The PED encourages the early submission of written comments. The public comment period is from Tuesday, September 11, 2018 to Tuesday, October 16, 2018 at 5:00 p.m. (MDT). 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 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 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.