

# 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, 22-2-2, and 22-10A-3 NMSA 1978.

Rule adoption date:  
March 24, 2022

Rule effective date:  
April 5, 2022

Reasons for adopting rule:  
The purpose of the proposed repeal and replace of 6.64.3 NMAC, Competencies for Entry-Level Reading Teachers, is to add a pathway for educators to receive an endorsement in reading. The proposed repeal and replace of 6.64.3 NMAC, Competencies for Entry-Level Reading Teachers, allows teachers to receive an endorsement in the teaching of reading by completing a minimum of 80 hours of professional development from an organization accredited by the International Dyslexia Association. The professional development must (1) include a minimum of 40 hours of online coursework, containing assessments of knowledge and understanding with a score of 80 percent or greater on all summative assessments; (2) a minimum of 40 hours of documented live sessions – virtually or in person – with a certified facilitator; and (3) submittal of a statement of impact that includes the instructional changes the applicant has made based on the applicant’s learning within the professional development. The organization accredited by the International Dyslexia Association must align to the science of reading and a structured literacy approach that (1) promotes explicit, systematic, and cumulative instruction as the primary approach; (2) promotes an understanding of how language, reading, and writing relate to one another; (3) promotes strategies for differentiated instruction for students with reading difficulties and disabilities and English language learners; (4) focuses on all five components of literacy instruction – phonemic awareness, phonics, fluency, vocabulary, and comprehension; and (5) allows participants to implement the strategies into a classroom environment with the opportunity for feedback throughout the professional development experience.

Reasons for any change between the published proposed rule and the final rule:  
The department reviewed and considered all written and oral feedback received during the public comment period. Changes between the published proposed rule and the adopted rule include minor corrections. For more detail on the changes between the proposed rule and the rule as adopted, reasons for changes, and information as to why the Department may not have accepted comments or suggested changes, please see "6.64.3 NMAC, Response to Public Comment," attached.

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

Name:

Gwen Perea Warniment, Ph.D.

Check if authority has been delegated

Title:

Deputy Secretary of Teaching, Learning, and Assessment

Signature: (BLACK ink only OR Digital Signature)

Date signed:

DocuSigned by:  
  
B8184979E01F476...

03/24/2022

Response to Public Comment  
6.64.3 NMAC, Competencies for Entry-Level Reading Teachers

RULE CHANGES	
Section	Change
6.64.3.5 EFFECTIVE DATE	<ul style="list-style-type: none"><li>• Corrected the rule's effective date with "April 5, 2022."</li></ul>

Response to Public Comment  
6.64.3 NMAC, Competencies for Entry-Level Reading Teachers

**Public Comment Period:** February 8, 2022 – March 15, 2022

The New Mexico Public Education Department (PED) received 5 public comments for 6.64.3 NMAC, Competencies for Entry-Level Reading Teachers. All substantive comments have been summarized below. Comments that are not substantive in nature or fall outside the scope of the rule have not been included.

Professional Development Requirement	
Summary of Comments	PED Response
The comments PED received focused on the proposed rule’s requirement that the professional development be provided by an organization accredited by the international dyslexia association, specifically citing concerns this requirement does not consider multicultural or multilingual students and providing suggestions to address their concerns.	PED supports, and therefore considered, all students in the creation of this rule. The proposed rulemaking creates a pathway for educators to be recognized for completing professional learning aligned with the provisions of <a href="#">22-13-32 NMSA 1978, Interventions for students displaying characteristics of dyslexia</a> , which requires all first grade students to be screened for dyslexia and all school administrators and teachers who teach reading to be trained in evidence-based reading interventions.