

# Concise Explanatory Statement For Rulemaking Adoption:

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NEW MEXICO STATE  
PUBLIC EDUCATION DEPARTMENT

2022 APR 29 PM 2: 57

## 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.

The New Mexico Public Education Department approved at its 11/12/2021 hearing, to repeal 6.30.6 NMAC, Suspension of Authority of a Local School Board, Superintendent, or Principal, filed 10/17/2005, and replace with 6.30.6 NMAC, Suspension of Authority of a Local School Board, adopted on 4/29/2022 and effective 5/24/2022.

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

Name:

Gwen Perea Warniment

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:  
  
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4/29/2022

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Specific statutory or other authority authorizing rulemaking:  
Sections 9-24-8, 22-2-1, 22-2-2, and 22-2-14 NMSA 1978

Rule adoption date:  
April 29, 2022

Rule effective date:  
May 24, 2022

### Reasons for adopting rule:

The purpose of the repeal and replace rule is to update the current department processes, procedures, and requirements related to the emergency or non-emergency suspension of a local school board by the secretary.

### Reasons for any change between the published proposed rule and the final rule:

The effective date was revised to "May 24, 2022." The department processes, procedures, and requirements are updated to reflect a streamlined process for when a suspension of a local school board occurs. Language was added to the rule to detail clarifications in the rule based on written public comment from educational stakeholders. See attached document - Response to Public Comment.

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