

# Administrative Rulemaking Process

We welcome everyone to review these slides to learn about the rulemaking process and how to participate.

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# Overview of Rulemaking Process

- If there is a change in federal law, statute, or policy priority as determined by the Secretary, the Department will revise existing regulations, commonly referred to as “rules,” to see if:
  - A new rule needs to be created;
  - An existing rule needs to be amended;
  - An existing rule needs to be repealed and replaced with a new rule; or
  - An existing rule needs to be repealed.
- If it is determined that a change needs to happen, the Department will work with internal and external stakeholders to develop a draft that reflects or aligns with federal, state, or Department changes or priorities.



# Overview of Rulemaking Process, Continued

- When a draft is ready, the Department is required to publish and post a Notice of Proposed Rulemaking.
  - A Notice of Proposed Rulemaking includes information about the proposed rule changes, how the public can submit feedback, and by when the public needs to submit feedback.
  - This information is published and made available via the Division's [Proposed Rules](#) webpage, the [New Mexico Register](#), the [Sunshine Portal](#), the [Albuquerque Journal](#), and via e-mail to anyone who has requested to be notified of proposed rulemakings.
    - To request to be notified of proposed rulemakings, e-mail [Rule.Notification@ped.nm.gov](mailto:Rule.Notification@ped.nm.gov), and note that you would like to be on the distribution list.
- A public hearing is held a minimum of 30 days after the Notice of Proposed Rulemaking is published.



# About the Rule Hearing

- During the public hearing, a rule hearing officer will provide information for the rule record, ask Department staff to read a summary of the proposed rulemaking, then welcome attendees to provide comment.
- Attendees who wish to comment have three minutes to make a statement concerning the proposed rulemaking. The purpose is not to engage in debate. Any such debate will be ruled out of order. Pursuant to Subsection F of 1.24.25.13 NMAC, the rules of evidence do not apply to public rule hearings and the agency or hearing officer may, in the interest of efficiency, exclude or limit comment or questions deemed irrelevant, redundant, or unduly repetitious. The rule hearing officer may ask questions or ask for clarification of comments.



# Rule Hearing Location

- The Department will typically hold rule hearings in Mabry Hall, located at

**300 Don Gaspar Avenue**

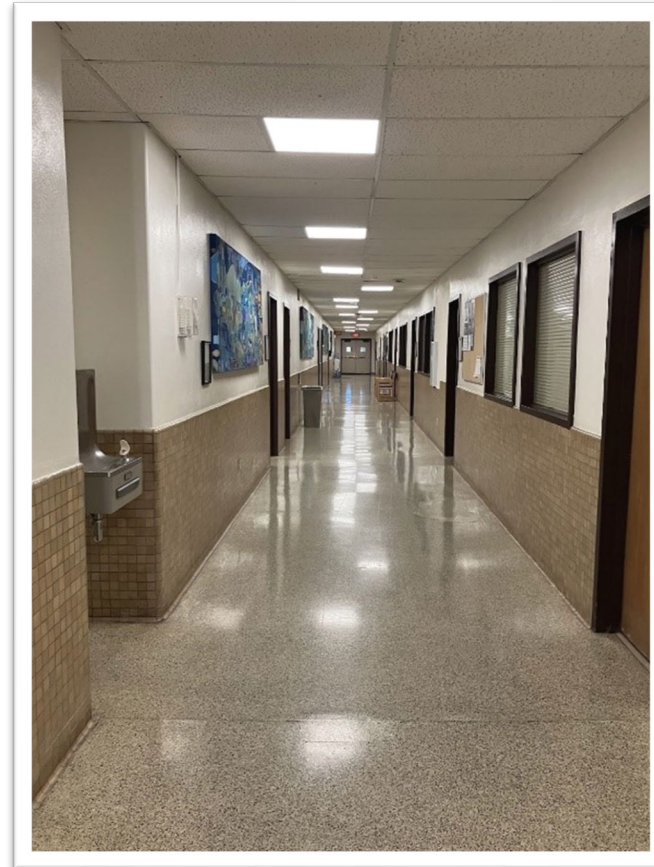
**Santa Fe, New Mexico 87501**

See next slide for further directions.



# Rule Hearing Location

- Once you are inside, go down the long hallway pictured on the right.
  - If you enter the building from the West side double doors, the hallway will be to your left.
  - If you enter the building from the East side double doors, the hallway will be to your right.
- You will also see signs pointing you in the right direction.



# Rule Hearing Location

- Toward the end of the long hallway, before the white double doors, you will turn right into the short hallway pictured on the right.





# Rule Hearing Location

- You will then see two sets of double doors, with signs, that point you to Mabry Hall, which is pictured here.



# Overview of Rulemaking Process, Continued

- After the public comment period, Department staff reviews and considers if or how the feedback can be incorporated into the proposed rule draft.
- The Department sends a final draft of the proposed changes to the New Mexico Register for adoption of the rule.

# Additional Information

- For more information about all proposed rulemaking, visit our Division's [Proposed Rules](#) webpage.
- Interested parties may provide comment at the public hearing or submit comments by the end of the public comment period via:

Mailing Address	Email Address	Fax Number
Policy and Legislative Affairs Division New Mexico Public Education Department 300 Don Gaspar Avenue, Room 121 Santa Fe, New Mexico 87501	Rule.Feedback@ped.nm.gov	(505) 827-6520

# Contact Information

## For more information

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