

# 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, 12-10-10, 22-2-1, and 22-2-2 NMSA 1978.

Rule adoption date:  
July 20, 2023

Rule effective date:  
July 31, 2023

### Reasons for adopting rule:

The purpose of the rulemaking is to align the rule with the end to the federal and state government COVID-19 public health order.

### Rule information:

The amendment to the rule replaces references to COVID-19 with language that requires public schools to adhere to public health orders, executive orders, and department guidance.

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

The Department reviews and considers all written and oral feedback received during the public comment period. For more detail on the changes between the proposed rule and the rule as adopted, reasons for changes, or information as to why the Department may not have accepted comments or suggested changes, please see "6.12.15 NMAC\_Response to Public Comment," attached. Note: The Department did not receive feedback for this rule.

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

Name:

Gregory Frostad

Check if authority has been delegated



Title:

Assistant Secretary of Policy, Research and Technology

Signature: (BLACK ink only OR Digital Signature)

Date signed:

07/20/2023

DocuSigned by:



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Response to Public Comment  
6.12.15 NMAC, Public Health Orders, Executive Orders, and Department Guidance

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

Response to Public Comment  
6.12.15 NMAC, Public Health Orders, Executive Orders, and Department Guidance

**Public Comment Period:** May 31, 2023 to July 6, 2023

The New Mexico Public Education Department (PED) received no public comment for this rule.

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Summary of Comments	PED Response
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