

## NOTICE OF PROPOSED RULEMAKING

### Public Hearing

The New Mexico Public Education Department (PED) gives notice on Tuesday, July 16, 2024, that it will conduct a public hearing for the following proposed rulemaking on Tuesday, August 20, 2024, from 1:30 p.m. to 2:30 p.m. (MDT) in Mabry Hall, located in the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, New Mexico 87501:

### Repeal of 6.65.4 NMAC, Teacher Leader Development

### Repeal and Replace of 6.101.2 NMAC, Fair Hearings and Alternative Dispute Resolutions Relating to Vocational Rehabilitation

The PED will give a verbal summary statement, on record, at the hearing.

The purpose of the public hearing is to receive public input on the proposed rulemaking. Attendees who wish to provide public comment on record will be given three minutes to make a statement concerning the proposed rulemaking. To submit written comment, please see the Public Comment section of this notice.

### Explanation of Purpose of Rulemaking, Summary of Text, and Statutory Authority

#### 6.65.4 NMAC, Teacher Leader Development

**Explanation:** The department has determined that this rule may be repealed because the existing Teacher Leader Development program is described in guidance.

**Summary:** This proposed rulemaking repeals 6.65.4 NMAC, Teacher Leader Development.

**Statutory Authority:** Sections 9-24-8, 22-2-1, and 22-2-2 NMSA 1978.

#### 6.101.2 NMAC, Fair Hearings and Alternative Dispute Resolutions Relating to Vocational Rehabilitation

**Explanation:** The purpose of the proposed rulemaking is to provide general policy for applicants for or recipients of vocational rehabilitation services who are dissatisfied with any determination made by the NMDVR that affects the provision of their vocational rehabilitation services.

**Summary:** The proposed repeal and replace of this rule establishes mediation and fair hearing processes for applicants for or recipients of vocational rehabilitation services who wish to appeal a determination made by the NMDVR.

**Statutory Authority:** The Rehabilitation Act of 1973, as amended, 34 CFR Part 361, Sections 9-24-8, 22-2-1, 22-2-2, 22-13-13, 22-14-8, and 22-14-12 NMSA 1978, and New Mexico Rules of Civil Procedure, District Court Rule 1-074.

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

### Public Comment

Interested parties may provide comment at the public hearing or may submit written comments by mail or e-mail.

#### Mailing Address

Policy and Legislative Affairs Division  
New Mexico Public Education Department  
300 Don Gaspar Avenue, Room 121  
Santa Fe, New Mexico 87501

#### E-Mail Address

Rule.Feedback@ped.nm.gov

Written comments must be received no later than 5 p.m. (MDT) on Tuesday, August 20, 2024. The PED encourages early submission of written comments.

### **Public Comment Period**

The public comment period is from Tuesday, July 16, 2024, to Tuesday, August 20, 2024, at 5:00 p.m. (MDT). The PED will review all feedback received during the public comment period and issue communication regarding a final decision of the proposed rulemaking at a later date.

Copies of the proposed rule may be obtained from Denise Terrazas at (505) 470-5303 during regular business hours or may be accessed through the PED Policy and Legislative Affairs webpage titled, "Proposed Rules," at <http://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>.

Individuals with disabilities who require the above information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Denise Terrazas at (505) 470-5303 as soon as possible before the date set for the public hearing. The PED requires at least 10 calendar days advance notice to provide any special accommodations requested.