

From: [Anna Ransom](#)
To: [FeedBack, Rule, PED](#)
Subject: [EXTERNAL] Re: [6.29.1 NMAC, General Provisions]
Date: Monday, November 18, 2024 5:31:39 PM

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Re: [6.29.1 NMAC, General Provisions]

To Whom It May Concern,

Thank you for the opportunity to comment on this proposed amendment. I am a RN in Las Cruces, who has mentored several students through our Arrowhead High School. I have 5 children who have gone through the LCPS district with varied outcomes. What I found appalling was the elementary schools who said my child had no academic issues because she showed up every day. She was in 3rd grade performing at a low level 1st grade competency. We need a drastic change to our education system and I strongly support 6.29.1 NMAC, General Provisions.

I am writing to express my strong support for including a definition of assessment in 6.29.1 NMAC, General Provisions. These changes represent a significant step forward in creating a more equitable and effective education system in New Mexico.

Sincerely,

Anna Ransom

From: [Christa Kulidge](#)
To: [FeedBack, Rule, PED](#)
Cc: ckulidge@hotmail.com; [Andrews, Marit](#)
Subject: [EXTERNAL] Rule Feedback for: 6.29.1
Date: Monday, November 25, 2024 2:26:57 PM
Attachments: [Outlook-kawgejut.png](#)

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Hello,

I respectfully submit the following questions and potential clarifications regarding the proposed rule changes in 6.29.1:

J (7) (a) which is not a change, indicates grades 3-12 use a standardized alphabetic grading system. Many schools have moved to standards-based grading systems (K-8), which is numerical rather than alphabetic and do not align to the traditional GPA scale

J (13) (ii) "A modified program of study is developed to provide relevance and is based on a student's career interest as it relates to one of the career clusters, with or without reasonable accommodations of delivery and assessment methods. In addition, a student shall take the current state standards-based assessments required for high school students, under standard administration or with state-approved accommodations as determined by the [SEA] department. The highlighted section indicates that students on the modified pathway must take the regular end of course exams; however, these students are not on the standard diploma pathway.

"A diploma obtained through the modified program of study is not considered a 'regular high school diploma'" **Might it be possible to state that it will be an alternate diploma?**


J (13) (iii) (e) "By the end of the eighth grade..." **or the year a child turns 14, ...**"each student's IEP shall contain a proposed individual program of study for grades nine through 12." **Please consider adding the language I have provided in red**

J (13) (g) (iii) "The IEP team shall not change the program of study for a student entering the final year of high school (not the cohort with which the student entered high school) from the standard program of study to the modified program of study, nor from the modified program of study to the ability program of study, after the 20th school day of the final year of high school" **Thank you for clarifying!!**

Thank you for your consideration, and feel free to contact me with any questions.

Christa Kulidge
Special Education Administrator
LCHS feeder pattern
Las Cruces Public Schools
575.527.5930

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From: [MANN, BETH B CIV USAF AFGSC 377 MSG/CCL](#)
To: [FeedBack, Rule, PED](#)
Subject: [EXTERNAL] Feedback on proposed revision to NMAC 6.29.1
Date: Friday, December 6, 2024 1:48:51 PM

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Dear members of the NMPED Policy and Legislative Affairs Division,

Thank you for the opportunity to provide feedback on the proposed revisions to NMAC 6.29.1 “General Provisions”.

My feedback is to expand the definition of “Free appropriate public education (FAPE)” to include all students with disabilities, including students served under Section 504 and Title II. The definition of FAPE provided by the US Department of Education’s Office of Civil Rights states, *“Students with disabilities have the same right to K-12 public education that students without disabilities have. In order to receive and benefit from that education, students with disabilities may need special education and/or related aids and services. OCR works to ensure that public elementary and secondary schools, including charter schools, provide a free appropriate public education (FAPE) to all qualified students with disabilities (generally, students with disabilities who are of school age), regardless of the nature or severity of their disabilities. Section 504 and Title II require public schools to provide appropriate education and modifications, aids and related services free of charge to students with disabilities and their parents or guardians. The “appropriate” component means that this education must be designed to meet the individual educational needs of the student as determined through appropriate evaluation and placement procedures. However, students with disabilities must be educated with students without disabilities to the maximum extent appropriate.”*

Additionally, I would suggest clarification for the inclusion of students with disabilities under Section 504 to be included in the proposed NMAC 6.29.1.11.B.10. Students with disabilities under Section 504 don’t receive special education services or supports, but receive general education supports and related services. They may technically be the same supports and services, but they have different legal names.

My suggested revisions would be to:

- combine the requirements for FAPE under all three statutes in the proposed NMAC 6.29.1.7.U., such as, **“Free appropriate public education (FAPE)”** means special education, and related aids and services, and/or accommodations and modifications in general education settings that are provided at public expense, under public supervision and direction without charge, which meet the standards of the department in providing appropriate preschool, elementary, or secondary education to all qualified students with disabilities, regardless of the nature or severity of their disabilities in New Mexico; and which are provided

in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR Sections 300.320 through 300.324, the requirements for Section 504 of the Rehabilitation Act of 1973, or Title II of the Americans with Disabilities Act of 1990 (ADA).”

- Add clarification for the documentation of a student’s disability with a Section 504 plan in NMAC 6.29.1.11.B.10, “A school district or charter school may submit a waiver request to the department for the requirement as prescribed in Subparagraph (b) of Paragraph (7) of Subsection B of 6.29.1.11 NMAC for health education for a student with disabilities receiving a FAPE special education supports and services pursuant to the IDEA or Section 504 of the federal Rehabilitation Act in grades nine through 12 with a disability as documented through an individualized education program (IEP) or a Section 504 Plan if the requirement as prescribed in Subparagraph (b) of Paragraph (7) of Subsection B of 6.29.1.11 NMAC cannot be reasonably met with accommodations for a given student.”

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Please feel free to contact me with any questions.

Very Respectfully,

Beth

Beth Mann

School Liaison Program Manager, Kirtland AFB

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