



SENATOR GREG BACA
Senate Republican Leader

SENATOR CRAIG BRANDT
Senate Republican Whip

SENATOR MARK MOORES
Senate Republican Caucus Chair

FOR IMMEDIATE RELEASE

December 13, 2023

Contact: Joaquin Romero

joaquin.romero@nmlegis.gov

(505) 506-5798

Republican Legislators Call for Rejection of PED Rule Change

Proposed rule regarding instructional time subverts the will of the Legislature, local school districts

SANTA FE—Today, Republican legislators from the Senate and House of Representatives issued a joint letter to the Public Education Department (PED) and Secretary Arsenio Romero urging the rejection of a proposed rule regarding instructional time. The rule proposes a mandated 5-day school week and 180 days of instructional time for public schools—a deviation from the expanded learning hours recently approved by the Legislature. The letter was signed by Eunice School Board Member **Senator David Gallegos** (R-Eunice); Senate Republican Leader, **Senator Greg Baca** (R-Belen); former Rio Rancho School Board Member, **Senator Craig Brandt** (R-Rio Rancho); **Senator Pat Woods** (R-Broadview); High School Teacher, **Representative Tanya Mirabal Moya** (R-Belen); and School Administrator, **Representative Brian Baca** (R-Los Lunas).

Senator Gallegos released the following statement regarding the proposed rule change:

“This rule change is a direct challenge to local school districts and their ability to act in the best interest of their students. The legislature was clear when we wrote the law and the hourly unit we chose to define instructional time was intentional. An executive agency like PED should not be able to subvert the will of the Legislature and local school districts through rule changes that strip more local control. I urge PED to reject this rule, and if they do not, I call on the Legislature to immediately address this overreach when we convene in January.”

The letter, attached below, was also submitted as public comment to the Public Education Department. For anyone who wishes to submit a comment on this matter, please send an email to Rule.Feedback@ped.nm.gov by 5:00 p.m. on December 18.

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New Mexico State Legislature

STATE CAPITOL
Santa Fe

December 13, 2023

The Honorable Arsenio Romero
Cabinet Secretary, New Mexico Public Education Department
300 Don Gaspar Avenue
Santa Fe, NM 87501

Sent via email to arsenio.romero@ped.nm.gov & rule.feedback@ped.nm.gov

Re: Opposition to Rule Change – 6.10.5 NMAC, School Calendar Requirements

Dear Secretary Romero:

We, the undersigned New Mexico legislators, are writing to express our opposition to the Public Education Department's ("PED") proposed rule mandating a five-day school week and 180-day calendar for all schools. In addition to seizing more local control, this rule would circumvent the Legislature's intent regarding instruction time and place an undue burden on our school districts.

We all want improvement in our education system in New Mexico. Our declining scores and national rankings are of great concern to us, but we believe those best suited to solve this crisis are those closest to the challenge—our local school boards and administrators. For this reason, the Legislature, in consultation with educators and school boards, chose to implement a requirement based on hours, not days. This provided our school districts with the flexibility to structure their calendar based on the needs of *their* students. In a shining example of what this district-led policy implementation can do, some districts have now organized their high school programs into a four-day schedule, with the fifth day serving as an optional career technical education day.

This is the kind of innovation and flexibility we envisioned when we passed the law, and since its implementation, our school districts have worked overtime to develop a schedule that works for *them*. To change the rules now would not only be an insult to them, but to the students and teachers who will be directly impacted by this untimely proposal.

Over the past month, we have all been contacted by concerned parents, teachers, and administrators. This proposed rule clearly lacks support from key stakeholders, and as legislators, we take particular exception to a rather blatant attempt to skirt the work we accomplished earlier this year. If PED wishes to amend the laws duly enacted by the Legislature, we invite the department to bring this matter to us in January when we are in session. In the meantime, we respectfully urge you to heed the concerns of our constituents and reject this rule.

Sincerely,

Handwritten signature of David M. Gallegos in black ink.

DAVID M. GALLEGOS
State Senator

Handwritten signature of Gregory A. Baca in black ink.

GREGORY A. BACA
State Senator
Senate Republican Leader

The Honorable Arsenio Romero

December 13, 2023

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CRAIG W. BRANDT

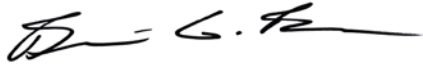
State Senator

Senate Republican Whip



PAT WOODS

State Senator



BRIAN G. BACA

State Representative



TANYA MIRABAL MOYA

State Representative