



Public Education Department

MICHELLE LUJAN GRISHAM, GOVERNOR

Ryan Stewart, Cabinet Secretary

March 13, 2020

Superintendents and charter leaders,

Thank you for your continued leadership and support during the last few days. Following the announcement that all New Mexico public schools will be closed from the end of the school day March 13, 2020 through April 5, 2020, the New Mexico Public Education Department wants to make sure you have as much information about the implications of closing schools and how PED can support you during this process.

Working collaboratively to best protect and serve our students, families, and communities will be critically important during the upcoming school closure.

It is critical that the school sites that serve Head Start, aftercare programs that are run by private providers, and offer spaces for faith-based organizations stay open as needed. NMPED is grateful to the Early Childhood Education and Care Department and the private providers as they look at supporting families and our most vulnerable children during this time. If there are districts or schools that are able, please consider supporting these providers with much needed supplies and cleaning materials.

Below are a few of the most important considerations for school districts.

Instructional Hour Requirements

The Secretary is waiving statutory instructional hour requirements, so schools will not have to make up instructional time lost to closure. This approach will:

- Allow districts and charter schools to better take advantage of opportunities such as K-5 Plus and Extended Learning Time programs.
- Better position school districts and charter schools to manage labor and pay issues.
- Enable educators to complete summer professional development
- Reduce issues related to labor
- Reduce conflicts with other summer activities, such as summer internships, camps, and other family plans and teacher
- Schools that have online or distance learning programs are encouraged to offer those on a voluntary basis during the closure

Providing Ongoing Services

Administrative functions should continue, such as:

- Maintaining food services for students
- Keeping school-based health centers open
- Keeping childcare centers in schools open
- Continuing to provide behavioral health services that can be provided virtually or by phone

- Maintaining appropriate communication with employees and local bargaining units
- Continuing school board activities
- Completing budget submission and approval process, including the Education Plan
- Completing PED-required submission and reporting as currently scheduled
- Ongoing facilities and safety operations
- Other activities as required to maintain essential district operations
- Schools that have online or distance learning programs are encouraged to offer those on a voluntary basis during the closure

The PED will be sending information soon that would normally have been covered at the annual Budget Conference.

Caring for our Families

- Provide meals to students who qualify for free or reduced lunch. The U.S. Department of Education has granted waivers that enable districts to be reimbursed for breakfast and lunch for all students in school districts and charter schools in which at least 50 percent of students qualify for free or reduced-fee breakfast and lunch.
- Keeping school-based health centers open will be critical for our communities during this health crisis.
- Continue to provide behavioral health services to students and families.
- Childcare centers in schools should remain open. State agencies are considering options to address those needs in our communities.

PED is exploring options to support school districts and charters in distributing meals to students.

Caring for our Employees

School districts and charter schools should continue to pay employees during closure as if school were still in session. School districts and charter schools should work with their local bargaining units and school boards to determine the most appropriate manner to deploy employees during this time. It's critical to help communities maintain financial security and economic stability during this volatile time.

- Maintaining wage security for employees is a top priority. Each local education agency must make specific decisions based on local policies and collective bargaining agreements. Everyone must come to the table to take care of employees.
- Considering the health crisis, it is critical that employees' health insurance not be interrupted

Technology

- We are taking inventory of distance learning capabilities and infrastructure. Please fill out this survey regarding your technology: <https://www.surveymonkey.com/r/589GJZR>

Assessments

- PED will push back testing windows.
- PED will work with school districts and charter schools to extend the testing windows and provide make-up testing windows as needed.
- The department is also working with school sites that host college entrance exams to reschedule.

Athletics

- Athletic practices and competitions will not be held during school closure.
- PED is working with the New Mexico Activities Association to reschedule events and determine qualification requirements for state championship events.

Teacher Evaluations

- We are extending the deadline to evaluate teachers.

Special Education Considerations

- Students with Individualized Instructional Plans (IEPs) must receive the same educational opportunities as other students. Since school will be closed and instructional hours will not need to be made up, there are no differences for students with IEPs.
- For schools that choose to use distance learning, students with IEPs should receive equitable services. Supports identified on a student's Individualized Education Program (IEP) must be provided and districts must communicate service changes to Individualized Education Plans. This must be documented through a Prior Written Notice (PWN) and Procedural Safeguards attached.
- For IEP meetings that should have occurred during a school closure but were postponed as a result of the close, documentation must be completed through a Prior Written Notice (PWN) and Procedural Safeguards must be attached.

Ongoing Questions

The department is researching a number of topics based on questions from superintendents and charter leaders, including working with the Higher Education Department regarding dual credit. Thank you for your patience as we work through these complex issues.