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# LEGISLATIVE EDUCATION STUDY COMMITTEE BILL ANALYSIS

56th Legislature, 1st Session, 2023

Bill Number HB481	Sponsor Lane
Tracking Number225219.2	Committee Referrals <u>HEC/HAFC</u>
Short Title _ Align School Reading Materials	
Analyst Andrews	Original Date 2/22/2023 Last Updated

#### **BILL SUMMARY**

#### Synopsis of Bill

House Bill 481 (HB481) amends the reading materials fund in the Instructional Materials Law to specify that money in the fund must be used for elementary structured literacy core, intervention, or supplementary instructional materials.

HB481 adds language to specify that a school district may apply for funding from the reading materials fund if the requested materials are on the advisory list of instructional programming created by the Colorado Department of Education, and the school district has an established literacy professional development plan that includes a detailed framework for structured literacy training; existing law also requires that a school district must select no more than two comprehensive published core reading programs to be eligible.

#### FISCAL IMPACT

The bill appropriates \$35 million from the public education reform fund to the reading materials fund for expenditure in FY24 and subsequent fiscal years to carry out the purposes of the reading materials fund. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the public education reform fund.

The House Appropriations and Finance Committee substitute for House Bills 2 and 3 (HB2/HAFCS) includes \$11.5 million and \$2 million from the public education reform fund for early literacy and reading support for FY24.

**State Funding for Literacy.** At the beginning of the 2020-2021 school year, the Public Education Department (PED) launched a statewide literacy initiative: Structured Literacy New Mexico. Since the transition to this initiative for literacy instruction, the Legislature has allocated \$38.9 million in funding to support structured literacy in FY21 to FY23. During the 2022 legislative session, the Legislature allocated \$19.5 million for school districts and charter schools to provide structured literacy interventions and develop literacy collaborative models to support students in kindergarten through fifth grade. PED also identified the 2021-2022 school year as the "Year of Literacy" and

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requested the entirety of the FY23 appropriation of \$19.5 million be allocated to provide educators in grades kindergarten through grade five with Language Essentials for Teachers of Reading and Spelling (LETRS) professional development, which focuses on the science of reading.

The 2022 GAA allocated \$8 million from the general fund and \$3.5 million from the public education reform fund to PED. The remaining \$8 million for FY23 was allocated from the general fund directly to districts and charter schools through the state equalization guarantee (SEG) funding formula. Because these allocations are through the SEG, the funds directly go to school districts and charter schools and do not necessarily have to be spent in alignment with enabling legislation that established criteria for structured literacy initiatives in the state.

## SUBSTANTIVE ISSUES

**Structured Literacy and the Science of Reading.** As noted in PED's <u>Statewide Literacy</u> <u>Framework</u>, New Mexico is on a strategic path to ensure all literacy instruction is evidence-based that began with the passage of Laws 2019, Chapter 256 (SB398) which required universal dyslexia screening for first-grade students, early interventions for students displaying characteristics of dyslexia, and school districts to develop and implement a literacy professional development plan to implement structured literacy training for all elementary school teachers.

Structured literacy is an umbrella term coined by the International Dyslexia Association in 2016 to describe a science-based, explicit, systematic, cumulative approach to reading and writing instruction. The language in HB481 that requires elementary literacy materials from the reading materials fund to be "aligned with explicit, systematic, diagnostic, cumulative instruction in phonological and phonemic awareness, phonics, syllable types, morphology, semantics and syntax" means these materials must be aligned with structured literacy and the science of reading. Structured literacy is an approach to reading instruction, to facilitate children's literacy learning and progress as much as possible. This approach is helpful for all students and can be beneficial not only for students with reading disabilities, but also for other at-risk students including English learners and struggling adolescents (IDA, 2019).

**Structured Literacy Instructional Materials.** HB481 requires a school district to request materials on the advisory list of instructional programming created by the Colorado Department of Education to apply for funding from the reading materials fund. It is important to note that the New Mexico PED's Instructional Materials Bureau created an adopted supplemental instructional materials list for kindergarten through second grade structured literacy; the adopted supplementary materials can be found by clicking on the appropriate tab in the <u>Adopted Multiple List-All Subjects</u> and approved publishers can be found <u>on this list</u>.

## **RELATED BILLS**

Relates to SB3, Family Income Index Distributions Flexibility, which removes one-third spending limitations for schools that receive \$40 thousand or more in family income index funding: at least one-third of funding for evidence-based structured literacy interventions, at least one-third for evidence-based mathematics instruction and interventions, and no more than one-third for other interventions.

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# SOURCES OF INFORMATION

- LESC Files
- Higher Education Department

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