Rule Overview

Date: November 18, 2026
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Rule Citation: NMAC 6.30.17, Structured Literacy Instruction, Interventions, and Professional Development

Overview of Proposed Rule

Agency: Public Education Department
Rulemaking Action: New rule
Date of Notice: October 20, 2026
Public Comment Period: Tuesday, October 20, 2026, to Friday, November 20, 2026, at 5:00 p.m. (MDT)
Rule's Purpose: The proposed new rule expands structured literacy instruction, intervention, and professional development guidance and meets the statutory requirements enacted with Laws 2026, Chapter 54 (Senate Bill 37).

Summary of NMAC 6.30.17: Structured Literacy Instruction, Interventions, and Professional Development

The Public Education Department (PED) gave notice of a proposed new rulemaking to satisfy the statutory requirements enacted in Laws 2026, Chapter 54 (SB37), LESC-endorsed legislation that created the High Quality Literacy Instruction Act and expanded evidence-based reading supports for public school students. The new law builds upon previous legislative action, beginning with the passing of Laws 2019, Chapter 256 (Senate Bill 398), which began the process of ensuring all literacy instruction in New Mexico is grounded in the science of reading. PED's proposed rulemaking modifies literacy screening, intervention, and notification requirements for students in kindergarten through third grade (K-3), adds parent notification requirements for K-3 students to include read-at-home plans, amends requirements for public school literacy plans, and adds requirements for PED-assigned literacy coaches in schools performing in the bottom quartile of reading proficiency statewide.

It appears the proposed rulemaking has some provisions that go beyond the statutory requirements of Laws 2026, Chapter 54. However, it's also important to note PED has broad statutory authority to determine policy for the operation of all public schools in the state; PED cited its statutory authority in state law (Section 9-24-8 NMSA 1978 and Section 22-2-2 NMSA 1978) as statutory authority for the rulemaking.

Impact

PED's proposed rule establishes local education agency (LEA) requirements for K-3 literacy screening, evaluation, and intervention; caregiver notification; literacy plans; and documentation.

Literacy Screening, Evaluation, and Intervention

The proposed rule outlines requirements for LEAs to administer PED-approved grade-specific K-3 literacy assessments and screen all K-3 students for reading difficulties and characteristics of dyslexia by the first standardized reporting date of the school year. The proposed rule also requires LEAs to notify caregivers that K-3 students will be screened for characteristics of dyslexia, and that they will receive notification if their student displays characteristics of dyslexia.

This may go beyond the statutory requirement for K-3 literacy assessment in Laws 2026, Chapter 54. The High Quality Literacy Instruction Act requires grade-specific K-3 literacy assessments that:

- Have screening, diagnostic, and monitoring capabilities;

- Measure, at minimum, phonological awareness, the alphabetic principle, decoding, encoding, accuracy, vocabulary, and comprehension;
- Identify students who have a reading difficulty, including characteristics of dyslexia;
- Can be administered with minimal impact on instructional time; and
- Provide for timely reporting of assessment results that can be integrated with instructional support for teachers and students.

While the law requires literacy screening for K-3 students, it appears PED's proposed rule goes beyond these statutory requirements, requiring parental notification that K-3 students will be screened for dyslexia each year.

It is unclear what literacy screener PED plans to require LEAs to administer to meet the requirements of the proposed rulemaking. The proposed rule defines "department-approved screener" as "a tool, approved by the department, to identify reading difficulties and characteristics of dyslexia."

Caregiver Notification

PED's proposed rule establishes requirements for caregiver notification and read-at-home plans enacted in Laws 2026, Chapter 54. If a student is determined to display reading difficulties or characteristics of dyslexia by the PED-approved literacy screener, public schools must notify caregivers within 30 days. In alignment with law, the proposed rule notes the notification must include:

- The results of the screening, and the plan for structured literacy interventions and services taking place in response to the results;
- A description of the student's specific skill deficits and of the interventions or supplemental instructional services, supports, or programs the public school proposes for the student, including the required reading improvement plan;
- Recommendations for how to support their children at home with reading using the department-approved read-at-home plan template, or an LEA-created read-at-home plan template which includes the components of the department read-at-home plan template; and
- Assurances that caregivers will receive written reports on the student's progress at least four times each school year.

While the law requires caregiver notification of K-3 students identified as having a reading difficulty, it does not require notification to all K-3 caregivers that students will be screened for characteristics of dyslexia.

Literacy Plans

The proposed rule requires LEAs to develop and implement kindergarten through 12th grade (K-12) literacy plans to support implementation of read-at-home plans, professional development, literacy champions, and reading coaches for schools in the bottom quartile of average reading proficiency. It appears the proposed rule has some components that go beyond statutory requirements and may create an administrative burden for LEAs.

The proposed rule defines "literacy champion" as a school or district-based leader who supports the effective implementation of evidence-based literacy practices, literacy assessment, and read-at-home plans and serves as the liaison between teachers, school leadership, and PED by helping educators use student data, strengthen instructional practices, address implementation barriers, and improve literacy outcomes. The establishment of the literacy champion role is in alignment with recently released department guidance, but beyond the scope of Laws 2026, Chapter 54.

PED's proposed rule requires, beginning in the 2027-2028 school year (SY28), and every other school year thereafter, for LEAs to develop and implement a K-12 literacy plan. This is also not a requirement of Laws 2026, Chapter 54.

The proposed rule requires the K-12 literacy plan to include a detailed framework to support implementation of read-at-home plans and data driven instruction, professional development in structured literacy and evidence-based reading interventions, a literacy champion for each elementary school, and training on the implementation

of read-at-home plans for all teachers responsible for literacy and reading instruction. The proposed rule requires the following literacy plan components:

- School overview, literacy data, and literacy needs;
- Grade band goal and action plan;
- Dyslexia screening plan;
- Core literacy curriculum;
- Plan for multi-layered system of support (MLSS);
- Structured literacy allocation;
- Plan for structured literacy professional learning;
- Administration ongoing literacy monitoring and support; and
- Members of the district or charter school's literacy leadership team.

It appears the requirement to create a K-12 literacy plan goes beyond statutory requirements and may create an administrative burden for LEAs.

Professional Development. The proposed rule also amends and expands professional development requirements for school administrators and teachers who teach reading to implement the requirements of Laws 2026, Chapter 54. The High Quality Literacy Instruction Act requires LEAs to train teachers who teach reading and site administrators on how to administer the provisions of the law, including how to provide differentiated core instruction and other interventions for students with a reading difficulty, and how to use evidence-based practices for English learners, biliteracy, differentiation, culturally and linguistically responsive instruction, and instructional leadership for bilingual and dual language programs. The proposed rule instead requires LEAs to provide sustained professional development on structured literacy and on the implementation and use of high-quality instructional materials (HQIM) and aligned interventions.

PED's proposed rule also outlines the department process for assigning a literacy coach to public elementary schools that have an average reading proficiency in the bottom quartile for reading proficiency in the state, and details what at least one coaching cycle monthly for all teachers would look like in schools in the bottom quartile of average reading proficiency.

The proposed rule references undefined terms, such as "literacy data" and "structured literacy walkthrough form," which may need definition. Also, the proposed rule's definition of HQIM is slightly different from the HQIM definition in the High Quality Literacy Instruction Act in Section 22-15G-2 NMSA 1978 (see **Technical Issues**).

Documentation

PED's proposed rule requires LEAs to submit structured literacy walkthrough data, as well as an assurance that all teachers responsible for literacy and reading instruction have been trained in structured literacy annually. It appears this section of proposed rule could benefit from additional clarity and definition (see **Technical Issues**).

Technical Issues

The proposed rule may contain a few technical issues. On page 1, the definition of HQIM does not match the statutory definition of HQIM in Section 22-15G-2(B) NMSA 1978. On page 3, proposed NMAC 6.30.17.10 should be amended to replace the "40th day" language with "first standardized reporting date" used elsewhere in the proposed rule. In this same section, "structured literacy walkthrough data" is referenced, which should be defined for clarity. On page 3, proposed NMAC 6.30.17.11 references "literacy data" and "structured literacy walkthrough form," both of which should be defined for clarity.

This is an amendment to 6.30.17 NMAC, Sections 3, 7, 8, 9, 10, 11, and new section 12 effective 12/22/2026

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 30 EDUCATIONAL STANDARDS - GENERAL REQUIREMENTS
PART 17 STRUCTURED LITERACY INSTRUCTION, INTERVENTIONS, AND PROFESSIONAL DEVELOPMENT

6.30.17.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-2, 22-15G-1 et seq., and [~~22-13-32~~] 22-36-5 NMSA 1978.
[6.30.17.3 NMAC – N, 7/14/2020; A, 12/22/2026]

6.30.17.7 DEFINITIONS:

A. "Certified academic language therapist" means a person recognized by the department as having the requisite skills and credentials to provide diagnostic and prescriptive interventions to students with language-based learning disabilities.

B. "Coaching Cycle" means a structured, collaborative process between a literacy coach and teacher designed to strengthen evidence-based instructional practice and improve student outcomes.

[~~A~~] **C. "Department-approved screener"** means a tool, approved by the department, used to identify, reading difficulties and characteristics of dyslexia.

[~~B~~] **D. "First standardized reporting date"** means the 40th day count, or the second Wednesday of October.

E. "High-quality instructional materials (HQIM)" means instructional materials that are research-based, culturally and linguistically relevant and designed to support equitable learning for all students; aligned with the department's academic content and performance standards and benchmarks; and included on the department's list of instructional materials or otherwise approved by the department.

F. "Literacy champion" means a school or district-based leader who supports the effective implementation of evidence-based literacy practices, literacy assessment, and read-at-home plans and serves as a liaison between teachers, school leadership, and NMPED by helping educators use student data, strengthen instructional practices, address implementation barriers, and improve literacy outcomes.

G. "Literacy coach" means a department-approved teacher whose primary duty is supporting teachers with evidence-based, data-driven, literacy instruction, who shall be a certified academic language therapist or have the following qualifications:

(1) a valid level two or three teaching license;

(2) a bachelor's degree in education and advanced coursework or professional development in the science of reading, multisensory language instruction or other advanced training approved by the department; and,

(3) a reading endorsement or certification or eligibility for a reading endorsement or certification.

[~~**C. "Licensed and accredited or credentialed teacher preparation provider"** means a licensed and accredited professional development provider who specializes in providing evidence-based training in structured literacy.~~]

[~~D~~] **H. "Multi-layered system of supports"** means a coordinated and comprehensive framework that uses increasingly intensive evidence-based academic and behavioral supports that address student needs as evidenced by student data.

I. "Read-at-home plan" means a set of resources for parents to support a student's reading at home that is aligned with the science of reading.

J. "Science of reading" means an interdisciplinary body of scientifically based research about reading instruction that addresses the acquisition of language, phonological and phonemic awareness, phonics and spelling, fluency, vocabulary, oral language and comprehension.

[~~**E. "Student assistance team" or "SAT"** means the student assistance team, which is a school-based group of people whose purpose is to provide additional educational support to students who are experiencing difficulties that are preventing them from benefiting from general education.~~]

[~~F~~] **K. "Structured literacy"** means [~~systematic, cumulative, explicit, diagnostic, and multisensory instruction that includes deep content knowledge and specific teaching expertise that focuses on the elements of phonological awareness, word recognition, phonics and decoding, spelling, and syntax at the sentence and paragraph levels for the prevention of reading deficits~~] an evidence-based approach to teaching oral and written language that

is aligned with the science of reading and based on the science of how children learn to read, is characterized by explicit, systematic, sequential, cumulative and diagnostic instruction in phonology, sound-symbol association, syllable instruction, morphology, syntax and semantics and can be differentiated to meet the needs of individual students.

L. "Student assistance team" means a school-based group whose purpose is to provide additional educational support to students who are experiencing difficulties that are preventing them from benefiting from general instruction.

[6.30.17.7 NMAC – N, 7/14/2020; A, 12/22/2026]

6.30.17.8 PARENT OR LEGAL GUARDIAN NOTIFICATION: At the beginning of a school year, [~~school districts and charter schools~~] public schools shall notify parents or legal guardians that entering kindergarten, first, second, and third grade students shall be screened for characteristics of dyslexia. If a student is determined to display reading difficulties or characteristics of dyslexia per the department-approved screener, [~~school districts and charter schools~~] a public school shall [~~notify parents of the results of the screening and the structured literacy interventions that are taking place in response to the results. School districts and charter schools shall decide the method by which to inform parents or legal guardians of the results and interventions.~~] provide notification to parents or guardians within 30 days, including:

A. The results of the screening and the plan for structured literacy interventions and services that are taking place in response to the results.

B. A description of the student's specific skill deficits and of the interventions or supplemental instructional services, supports or programs the public school proposes for the student, including the required reading improvement plan.

C. Recommendations for how to support their children at home with reading using the department-approved read-at-home plan template, or a district-created read-at-home plan template which includes the components of the department read-at-home plan template.

D. Assurances that the parents or legal guardians will receive written reports on the student's progress at least four times each school year.

[6.30.17.8 NMAC – N, 7/14/2020; A, 12/22/2026]

6.30.17.9 REQUIREMENTS FOR SCREENING, EVALUATION, AND INTERVENTION:

A. Using a department-approved, [~~screener~~] grade-specific literacy assessment, elementary schools shall screen all entering kindergarten, first, second, and third grade students, in accordance with PED guidance, for reading difficulties and characteristics of dyslexia by the first standardized reporting date.

B. A student whose screening demonstrates reading difficulties or characteristics of dyslexia shall receive, as part of a multi-layered system of supports, differentiated core instruction or targeted structured literacy interventions with progress monitoring to determine if the student is making adequate progress, pursuant to [~~Section~~] Sections 22-15G-4 or [~~22-13-32~~] 22-36-5 NMSA 1978, or be referred to a student assistance team.

C. Consideration shall be given to ensure the student is not demonstrating characteristics of dyslexia solely due to a lack of appropriate English language program or services.

D. Pursuant to Section [~~22-13-32~~] 22-36-5 NMSA 1978, as part of a multi-layered system of supports, if a student does not make adequate progress with targeted structured literacy interventions, a school shall convene a student assistance team to prescribe more frequent and intensive structured literacy interventions with progress monitoring to determine the student's level of progress. The structured literacy interventions prescribed by the student assistance team shall be in accordance with the department's multi-layered system of supports.

E. At no time [~~should~~] shall a student identified as demonstrating reading difficulties or characteristics of dyslexia stop receiving targeted structured literacy interventions.

F. Pursuant to Section [~~22-13-32~~] 22-36-5 NMSA 1978, a parent or legal guardian of a student referred to a student assistance team shall be informed of the parent's right to request an initial special education evaluation at any time. If the school district or charter school agrees that the student may have a disability, the student assistance team shall refer the child for an evaluation without undue delay, and, shall document attempts at obtaining informed consent from the student's parent(s) or legal guardian(s). The student shall be evaluated within 60 days of receiving the parental consent for an initial evaluation. If the school district or charter school refuses the parent's request for an initial evaluation, the school district or charter school shall provide written notice of the refusal to the parent, including notice of the parent's right to challenge the school district's or charter school's decision as provided in state and federal law and rules.

[6.30.17.9 NMAC – N, 7/14/2020; A, 12/22/2026]

6.30.17.10 REQUIREMENTS FOR DOCUMENTATION: School districts and charter schools shall submit data in accordance with PED guidance.

A. All public elementary schools shall submit structured literacy walkthrough data through the department-approved teacher evaluation system before the end of the 40th day.

B. All public schools shall submit an annual assurance that all teachers responsible for literacy and reading instruction have been trained in structured literacy.

[6.30.17.10 NMAC – N, 7/14/2020; A, 12/22/2026]

6.30.17.11 REQUIREMENTS FOR [~~PROFESSIONAL DEVELOPMENT~~] LITERACY PLANS:

A. [~~Pursuant to Section 22-13-32 NMSA 1978, every school district and charter school~~] Beginning with the 2027-28 school year and every other school year thereafter, school districts and charter schools shall develop and implement a K-12 literacy [~~professional development~~] plan that includes a detailed framework for the following:

(1) to support implementation of read-at-home plans and data driven instruction, a public school shall assign a literacy champion in each elementary school and provide training on the implementation of read-at-home plans to all teachers responsible for literacy and reading instruction;

[~~**(1)**~~] **(2)** professional development in structured literacy by a licensed and accredited or credentialed teacher preparation provider [~~for all elementary school teachers, including English language development teachers or teachers of English as a second language~~] who specializes in providing evidence-based training in structured literacy; [~~and~~]

[~~**(2)**~~] **(3)** professional development in evidence-based reading interventions for reading interventionists and special education teachers working with students demonstrating characteristics of dyslexia or diagnosed with dyslexia;

(4) data-driven instruction for students in all layers of a multi-layered system of support, including students who score in the at-risk categories on the department-approved screener for reading difficulties and characteristics of dyslexia; and

(5) literacy plan components, including the following:

(a) school overview, literacy data, and literacy needs;

(b) grade band goal and action plan;

(c) dyslexia screening plan;

(d) core literacy curriculum;

(e) plan for multi-layered systems of support (MLSS);

(f) structured literacy allocation;

(g) plan for structured literacy professional learning;

(h) administration ongoing literacy monitoring and support;

(i) members of the district or charter school's literacy leadership team.

B. [~~Every school district and charter school~~] School districts and charter schools shall provide sustained professional development for the following:

(1) school administrators and teachers who teach reading to implement appropriate structured literacy, including training for site administrators responsible for using the department-approved structured literacy walkthrough form; [~~and~~]

(2) special education teachers to provide structured literacy for students who are identified with dyslexia as a specific learning disability and who are eligible for special education services;

(3) all educators responsible for literacy and reading instruction on the implementation and use of high-quality instructional materials and aligned interventions; and

(4) for schools in the bottom quartile of average reading proficiency, at least one coaching cycle monthly for all teachers shall be completed with the department-approved literacy coach, throughout which, the coach and teacher shall use student data, instructional evidence, and reflection to identify focused goals, implement targeted practices, assess progress, and determine appropriate next steps. A coaching cycle:

(a) shall occur once each month for at least three weeks duration;

(b) shall include at least 90 minutes of preparation and collaboration time outside of classroom-based coaching activities;

(c) shall include an initial data review meeting, pre-conference, coaching event, post-conference, and follow-through check-in; and

(d) may include classroom-based observation, modeling, or co-teaching, or may occur during teacher preparation time when the focus is co-planning.

C. The department shall:

(1) provide lists of recommended teacher professional development materials and opportunities for teachers and school administrators regarding structured literacy for students at risk for reading [~~failure~~] difficulty and displaying the characteristics of dyslexia; [~~and~~]

(2) provide technical assistance for special education diagnosticians and other special education professionals regarding the formal special education evaluation of students suspected of having a specific learning disability, such as dyslexia;

(3) pursuant to Section 22-15G-5 NMSA 1978, assign a literacy coach to public elementary schools that have an average reading proficiency in the bottom quartile for reading proficiency in the state.

(a) Literacy coaches shall work with the assigned school for three consecutive years.

(b) For such schools with significant English learner enrollment, per department guidance, literacy coaches shall have training and experience in biliteracy or English language development.

[6.30.17.11 NMAC – N, 7/14/2020; A, 12/22/2026]

6.30.17.12 SEVERABILITY: In the event that any one or more of the sections of this rule, in whole or in part, should be held to be invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining sections of this rule shall not in any way be affected or impaired.

[6.30.17.12 – N, 12/22/2026]

HISTORY OF 6.30.17 NMAC: [RESERVED]