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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**57th Legislature, 1st Session, 2025**

<b>Bill Number</b>	<u>SB434/SECS/aSFC</u>	<b>Sponsor</b>	<u>Lanier/Tobiassen/Townsend/Woods</u>
<b>Tracking Number</b>	<u>.231106.1</u>	<b>Committee Referrals</b>	<u>SEC/SFC;HEC/HGEIC</u>
<b>Short Title</b>	<u>Math &amp; Reading Academic Support</u>		
<b>Analyst</b>	<u>Andrews</u>	<b>Original Date</b>	<u>3/6/2025</u>
		<b>Last Updated</b>	<u>3/14/2025</u>

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**BILL SUMMARY**

Synopsis of SFC Amendment

The Senate Finance Committee amendment to SB434/SECS (SB434/SECS/aSFC) allows the proposed high-quality tutoring sessions to be delivered out of school (in addition to during the school day).

Synopsis of Bill

The Senate Education Committee Substitute for Senate Bill 434 (SB434/SECS) would require public schools to provide students identified as having a mathematics or reading deficiency with high-impact tutoring, and to notify parents of these students and provide them with regular progress reports. SB434/SECS would define mathematics and reading deficiencies as a score in the bottom quartile for mathematics or reading on the statewide assessment administered pursuant to the Assessment and Accountability Act.

The bill would require students identified as having a mathematics or reading deficiency to receive high-impact tutoring within 30 days of being identified as having a mathematics or reading deficiency. SB434/SECS would require high-impact tutoring to be individualized and designed to meet student's specific needs to achieve proficiency in mathematics or reading, be provided by a high-quality tutor licensed or approved by with Public Education Department (PED) to provide high-impact tutoring, be provided in addition to the required minimum instruction for the student's grade, and be delivered at least three times per week in at least 30-minute increments during the school day for a minimum of 10 weeks, and be provided at a ratio of no more than four students per high-quality tutor with the use of high-quality instructional materials (HQIM) that are aligned with PED academic content and performance standards.

SB434/SECS would require parental notification of students identified as having a mathematics or reading deficiency. Parental notification would include both "immediate" notification including a detailed explanation of the student's high-impact tutoring plan along with the name of the student's high-quality tutor, the subject matter, schedule and duration of the high-impact tutoring, and

“periodic written progress reports” while the high-impact tutoring is provided with information for the parent to support the student’s learning at home.

## **FISCAL IMPACT**

This bill does not contain an appropriation.

SB434/SECS/aSFC would have a fiscal impact on public schools to provide high-impact tutoring in reading or math for students identified as having a reading or math deficiency. The cost to public school districts and charters schools would depend on the need to hire high-quality tutors to provide high-impact tutoring—who could be current or retired licensed school personnel or a private tutoring provider licensed or approved by PED—as well as the need to purchase HQIM aligned with PED’s academic content and performance standards for mathematics and reading. While some school districts and charter schools may be able to cover these costs with funding provided through the state equalization guarantee (SEG), the public school funding formula, and funds contained therein—for example for HQIM—others may face financial deficiencies to implement the requirements of SB434/SECS/aSFC.

## **SUBSTANTIVE ISSUES**

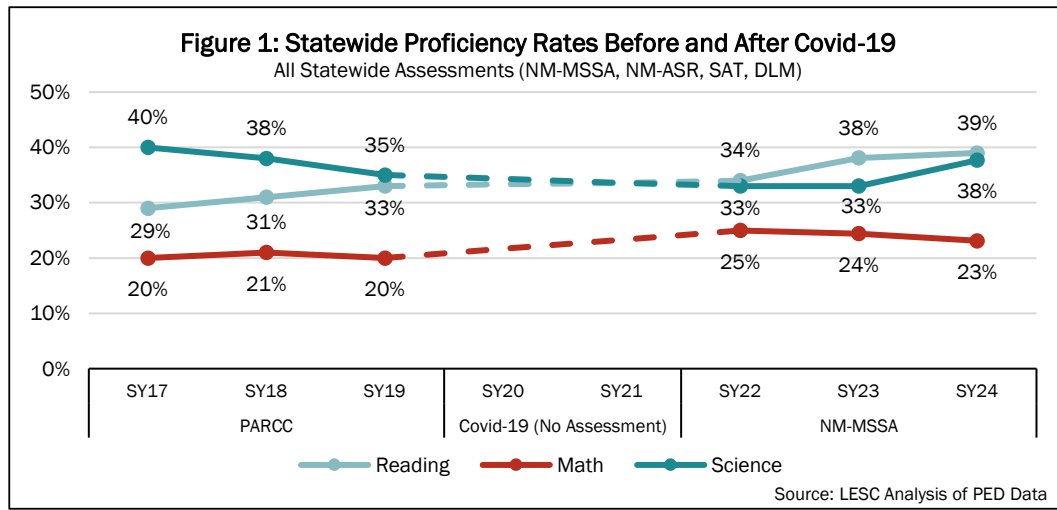
**New Mexico System of Statewide Assessments.** SB434/SECS/aSFC would define mathematics and reading deficiencies as a score in the lowest proficiency level for mathematics or reading on the statewide assessment administered pursuant to the Assessment and Accountability Act (Section 22-2C NMSA 19787). To meet the requirements of the Assessment and Accountability Act, and federal Every Student Succeeds Act (ESSA) requirements that students be assessed in English and math once a year in third grade through eighth grade, and once in high school, PED maintains what it calls “a balanced system of assessments.” Section 22-2C4 NMSA 1978 mirrors these federal requirements, but specifies the high school assessment should occur in 11th grade. For reading and math, PED complies with state and federal laws by administering the New Mexico Measures of Student Success and Achievement (NM-MSSA) assessment in third through eighth grade. In science, students are tested in fifth and eighth grade with the New Mexico Assessment of Science Readiness (NM-ASR). Students in 11th grade are assessed in reading, math, and science using College Board’s Scholastic Aptitude Test (SAT). PED also requires some testing beyond what is mandated in statute, including the Preliminary Scholastic Aptitude Test (PSAT) in 10th grade and Istation assessments in kindergarten through second grade. A full list of assessments contributing to New Mexico’s balanced system of assessments can be found in the Data Reference Guide (page 76) of the [LESC 2025 Annual Report](#).

**Statewide Assessment Results.** Spring 2024 marks the third year since the end of the Covid-19 pandemic, creating an opportunity to examine a three-year trendline of student achievement for the first time since before the pandemic. This year, assessment results revealed conflicting trends, with upward momentum in reading among the states’ neediest students. However, math achievement continues to be an area of concern, highlighting the need for intensive math initiatives that produce growth comparable to the structured literacy initiative. See **Figure 1: Statewide Proficiency Rates Before and After Covid-19** below.

In reading, including both English language arts (ELA) and Spanish language arts, the statewide proficiency rate increased modestly from 38 percent to 39 percent. New Mexico is on a three-year upward trajectory in reading, with significant growth from SY22 to SY23 which later flattened in SY24. An October 2024 LESC analysis of the structured literacy initiative suggested the adoption

of structured literacy may be partially responsible for increases in the statewide reading proficiency rate; these increases may continue over time as teachers become more confident with the new curriculum and methods required by the program.

In math, the statewide proficiency rate decreased from 24 percent to 23 percent. These results contribute to a steady three-year decline in math scores. New Mexico's math proficiency rates are of particular concern beginning in middle school and continuing through high school; while increasing numbers of students reach proficiency through elementary grades, the percent of students proficient in math significantly declines beginning in sixth grade. By 11th grade, only 12 percent of students are proficient in math.



**High-Quality Instructional Materials.** SB434/SECS/aSFC would require high-impact tutoring be provided for students identified as having a mathematics or reading deficiency to use HQIM that are aligned with PED's academic content and performance standards for mathematics and reading. This means SB434/SECS/aSFC would limit accelerated instruction materials to those included on the PED adopted [HQIM multiple list](#) for math and reading. According to [PED's Instructional Materials Bureau](#), 54 percent of New Mexico districts have purchased HQIM for kindergarten through 12th grade (K-12) ELA, and 63 percent of districts have purchased HQIM For K-12 math.

## ADMINISTRATIVE IMPLICATIONS

PED would be required to ensure high-quality tutors employed to meet the requirements stipulated in SB434/SECS/aSFC are department licensed or approved.

## RELATED BILLS

Relates to HB455, Pre-K Through 3rd Grade Math & Reading Help, which would make an appropriation to provide targeted, supplemental online math and reading support for students in prekindergarten through third grade for early intervention and strengthening of foundational literacy and numeracy skills.

Relates to SB235, School Math Changes, which would amend the Mathematics and Science Education Act to establish statewide requirements for K-12 mathematics instruction and practice.

Relates to SB416, Pre-K Through 3rd Grade Math & Reading Help, which would make an appropriation to provide targeted, supplemental online math and reading support for students in prekindergarten through third grade for early intervention and strengthening of foundational literacy and numeracy skills.

Relates to SB242, Advancing the Science of Reading Act, which would amend the Public School Code and create the Advancing the Science of Reading Act to ensure educator preparation programs use only structured literacy practices, and future educators are trained in scientifically based reading instruction.

**SOURCES OF INFORMATION**

- LESC Files
- New Mexico Regional Education Cooperatives (NMRECA)

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