

LFC Requester: _____

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: _____ *Check all that apply:*

_____ 2/11/2026
Bill Number: SB0037 Original Correction
 Amendment Substitute

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962

Short Title: HIGH QUALITY LITERACY INSTRUCTION ACT **Person Writing fsdfs Analysis:** The VPAF Office
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Hire a literacy coordinator	\$94.5	\$99.2	\$104.2	\$297.9	Recurring	General Funds
Additional faculty compensation	\$20.2	\$21.2	\$22.3	\$63.7	Recurring	General Funds
Cooperative teachers stipends	\$60.0	\$60.0	\$60.0	\$180.0	Recurring	General Funds
Faculty professional development	\$10.0	\$10.0		\$20.0	Nonrecurring	General Funds
Total	\$184.7	\$190.4	\$186.5	\$561.6		General Funds

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

- Relating to public schools;
- Enacting the High-Quality Literacy Instruction Act;
- Providing standards for literacy instructional materials;
- Requiring public schools to provide literacy assessments to students in kindergarten

through third grade and interventions for students identified as having a reading difficulty;

- Requiring the public education department to assign literacy instructional coaches to certain public schools.

FISCAL IMPLICATIONS

This bill requires literacy coordinators to be employed at each state-approved teacher preparation program to oversee the implementation of the provisions of the Advancing the Science of Reading Act and ensure compliance with that act and sufficient funding to be provided to support the salary and administrative costs of literacy coordinator positions. Assuming a 5% annual salary increase, it would cost an estimated \$297,911 over three years to support the Literacy Coordinator position (salary plus 35% fringe benefits), and it would cost an estimated additional \$63,838 for faculty to teach two new reading courses over three years. Additionally, a total of \$200,000 is expected to be needed over three years for quality instructional materials and professional development stipends.

SIGNIFICANT ISSUES

The proposed legislation requires alignment of reading instruction with the “science of reading” and structured literacy frameworks, including provisions related to phonemic awareness, identification of struggling readers, diagnostic teaching practices, and biliteracy instruction for English learners.

While the intent of the legislation is to strengthen literacy outcomes, the bill lacks specificity regarding implementation standards, faculty qualifications, required training, and state-issued guidance. The absence of explicit statutory definitions and regulatory frameworks may result in inconsistent application, unfunded mandates, and responsibilities that exceed current educator licensure and preparation standards.

PERFORMANCE IMPLICATIONS

1. DIAGNOSTIC IDENTIFICATION AND TEACHING REQUIREMENTS

The legislation appears to require identification of students not reading at grade level through science-of-reading-based data and diagnostic tools. However, the bill does not clarify:

- Whether classroom teachers are expected to conduct formal diagnostic assessments;
- Whether identification extends to diagnosing specific reading disabilities (e.g., dyslexia);
- Whether additional licensure, endorsements, or specialized credentials are required

Current teacher preparation programs equip educators to identify struggling readers and implement structured literacy interventions. However, diagnosing complex reading disabilities typically requires specialized training, certification, or licensure beyond that of a general education teacher.

Requiring teachers to conduct formal diagnostic evaluations without specialized training may create legal, ethical, and professional concerns. Analogous to psychological or clinical diagnoses, identification of significant reading disabilities generally falls within the purview of trained specialists.

2. FACULTY QUALIFICATIONS AND TRAINING

The bill does not specify whether faculty members in educator preparation programs must hold specialized credentials in structured literacy, dyslexia intervention, or diagnostic reading assessment.

Additionally:

- NMPED has not issued guidance on required qualifications;
- No state-sponsored training programs have been identified;
- No funding mechanism is outlined to support professional development or credential acquisition.

Absent defined qualification standards and state-supported training, institutions may be expected to implement diagnostic and intervention requirements without adequate preparation or resources.

3. BILITERACY AND ORAL LANGUAGE DEVELOPMENT REQUIREMENTS

The legislation includes provisions related to biliteracy and oral language development for English learners. These requirements are distinct from structured literacy mandates and require specialized expertise in:

- Dual language development;
- Biliteracy instructional frameworks;
- Culturally and linguistically responsive pedagogy;
- Diagnostic practices specific to multilingual learners.

Currently, no state-issued guidelines or training frameworks have been provided to support implementation. Without clear standards, there is a risk of inconsistent application and potential misidentification of English learners' language acquisition needs as reading deficits.

ADMINISTRATIVE IMPLICATIONS

Key implementation concerns include:

1. Distinction between identification and formal diagnosis of reading disabilities.
2. Licensure implications for educators required to conduct diagnostic assessments.
3. State-provided training, funding, and credential pathways.
4. Guidance specific to biliteracy and multilingual learners.
5. Clarity of statutory definitions and expectations related to science of reading alignment.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

The bill references alignment with the “science of reading” and structured literacy; however, it does not define:

- The specific instructional frameworks or curricula that meet alignment requirements;
- State-approved phonemic awareness programs;
- Required scope and sequence or progression of learning;
- Benchmarks or accountability measures for compliance.

The lack of explicit statutory language may allow flexibility for local programs; however, it also creates ambiguity regarding expectations and compliance standards. Institutions have not received formal guidance from the New Mexico Public Education Department (NMPED) outlining approved methodologies, implementation timelines, or evaluation criteria.

ALTERNATIVES

Educational programs and courses will be delivered as normal, with minimal changes if necessary.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS