



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2026 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: February 5 2026

Bill No: SB233

Committee Referrals: SEC/SFC

Agency Name and Code: PED - 924

Sponsor: Lanier

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Short Title: HIGH-IMPACT TUTORING FOR SOME STUDENTS

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: The [H AFC Committee Substitute for House Bill 2](#) contains an appropriation of \$5.1 million to the Public Education Department (PED) to conduct a randomized control trial of high impact tutoring during the school day, and an appropriation of \$11.5 million to conduct a randomized Control trial of out-of-school time programs to improve student reading and math proficiency and attendance, up to \$200 thousand of which may be used to monitor and evaluate outcomes.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 233 (SB233) would require public schools, before the 30th day of each school year, to review the statewide assessments administered during the previous school year to identify students with mathematics or reading deficiencies and make high-impact tutoring (HIT) available for each student identified as such.

The bill would also set requirements for the high impact tutoring such that it shall:

- begin within 30 days from when the student is identified as having a mathematics or reading deficiency;
- be individualized and designed to meet the student’s specific needs;
- be delivered by a high-quality tutor;
- occur at least three times per week for 30 minutes during the school day or out of school for a minimum of 10 weeks;
- have no more than four students per tutor; and
- use high quality instructional materials (HQIM) aligned with the PED’s performance standards.

Finally, SB233 would require the parents of students receiving this tutoring be provided an explanation of the tutoring plan and periodic written progress reports.

This bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective May 20, 2026.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

SB233 requires that all students in grades 4-8 be provided tutoring if they score in the bottom percentile of statewide math or reading and language arts assessments. However, the bill does not provide funding to help pay for these tutors. This may place a financial strain on public schools in the state to make tutoring available to all these students, while also ensuring that no more than four students are assigned to a single tutor, per the bill.

SIGNIFICANT ISSUES

SB233 would require that students with reading and math deficiencies be provided tutoring as a means to assist the student in achieving proficiency in mathematics or reading. The bill defines a student as any school-age person enrolled in grades 4-8 at a public school in New Mexico, and deficiency as a score in the bottom quartile on a statewide assessment in either math or reading and language arts, per the [Assessment and Accountability Act](#).

The bill defines a “high-quality tutor” as someone licensed or approved by the PED to provide high-impact tutoring, and includes current or retired licensed school personnel, private tutoring providers, or volunteers and charitable organizations. While there is some leeway with regard to

the current occupation of potential tutors, the requirement that they be licensed or approved by the PED would likely limit the potential pool of candidates.

HIT is usually defined as a learning model consisting of multiple sessions per week where a trained instructor offers academic instruction in either a one-on-one format or to a group of no more than four students. There is a substantial body of evidence in support of high-impact tutoring as an effective instructional intervention. Indeed, a [2020 review and meta-analysis](#) of 96 randomized evaluations found tutoring led to substantial growth. While these studies were largely concentrated on the effect of tutoring in elementary schools, there is evidence for its efficacy across the educational spectrum. A [2021 report from EdResearch](#) showed that HIT can increase student achievement levels by the equivalent of three to 15 months of regular class learning across grade levels.

This bill supports work that has been done across the state in cooperation with the PED. The PED currently has two separate tutoring initiatives outside of general tutoring across sites, HIT middle math, and near-peer tutoring. Students who received HIT middle math tutoring were estimated to have learned 43 percent more in that year (equivalent to 3.5 months of extra learning) compared to those students who didn't receive tutoring. In a preliminary analysis of out of school math tutoring, 73 percent of first graders, 66 percent of second graders, and 31 percent of third graders achieved proficiency in math by mid-year SY24 after participating in the program. For near-peer tutoring, data from 2023-2025 showed that tutored students had improved in both math and language arts at nearly twice the rate of non-tutored students.

HIT falls in layer 2 of [New Mexico's Multi-Layered System of Supports](#) (MLSS). MLSS is New Mexico's system of educational supports for students in the state that consists of three layers: universal supports for all students, targeted interventions for some students, and intensive interventions for a few students. HIT is considered a layer 2 support as it serves as a targeted intervention for groups of students that fall below proficiency level.

HIT is also called High Dosage Tutoring as well. Intentional, focused tutoring shows gains that can add up from several months of additional learning in both reading and mathematics.

PERFORMANCE IMPLICATIONS

Given the success of tutoring initiatives in both New Mexico and around the country, additional tutoring requirements, especially for those students struggling the most with both math and language arts, would likely have a positive impact on student proficiencies statewide.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to [Senate Bill 37](#) which creates the High-Quality Literacy Instruction Act to expand evidence-based reading supports for public school students and, as part of this, would create an

additional reading assessment for K-3 to identify students with reading difficulties and offer support. Further, this relates to [SB0029](#) which would create additional mathematics support for students after screening for math difficulties.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

New Mexico is not the only state turning to tutoring to support students. Arizona, for example, allocates tutoring funding to schools through the [Arizona Department of Education](#) (ADE) State Tutoring fund. These funds are only offered to schools that rate a D or F on the annual achievement profile based on academic growth and proficiency. The ADE does not have a mandatory tutoring structure but instead provides a list of approved tutoring providers for schools to choose from. Colorado, on the other hand, has a grant-based high-impact tutoring program where LEAs which qualify for additional support for their student academic proficiency levels receive grant money to fund high-impact tutoring based on established standards. That grant funding depends on the yearly budget allocation, so the number of schools and size of the award vary.

Some states are starting to see similar benefits of tutoring programs. Louisiana has now marked three years in a row of growth on the *U.S. News & World Report* [Best States Rankings on education](#). Two recent educational changes that likely contributed to this growth are high-impact tutoring and the Steve Carter Tutoring Program. Since 2024, in-school high-impact has been required for students who fall below proficiency level in math and reading. Since 2021, the Steve Carter Education Program has delivered \$1,500 vouchers to families of students who fall below proficiency level on math and reading for after-school tutoring programs.

It should be noted that Section 22-2C-6 NMSA 1978 of the Assessment and Accountability Act requires schools offer remediation and academic improvement plans when students are failing to meet proficiency. SB233 notes that the HIT required by the bill may be offered in addition to or in lieu of such programs required by the Assessment and Accountability Act.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.