

SENATE BILL 37

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE HIGH-QUALITY LITERACY INSTRUCTION ACT; PROVIDING STANDARDS FOR LITERACY INSTRUCTIONAL MATERIALS; HEC→REQUIRING THE USE OF EVIDENCE-BASED PRACTICES FOR BILITERACY FOR ENGLISH LANGUAGE LEARNERS AND STUDENTS IN BILINGUAL AND DUAL LANGUAGE PROGRAMS; ←HEC 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

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EDUCATION DEPARTMENT TO ASSIGN LITERACY INSTRUCTIONAL COACHES
TO CERTAIN PUBLIC SCHOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 21-1-53 NMSA 1978 (being Laws 2025,
Chapter 149, Section 1) is amended to read:

"21-1-53. TEACHER PREPARATION PROGRAMS--TEACHING STUDENTS
HOW TO TEACH READING.--

A. As used in this section:

(1) "high-quality instructional materials"
means instructional materials that are:

(a) HEC ~~→ a comprehensive full course of~~
~~study that is~~ ← HEC research-based, culturally and
linguistically relevant and designed to support equitable
learning for all students;

(b) aligned with the public education
department's academic content and performance standards and
benchmarks; and

(c) included on the public education
department's multiple list of instructional materials or
otherwise approved by the department;

(2) "science of reading" means an
interdisciplinary body of scientifically based research about
reading ~~[and issues related to reading and writing;~~

~~(3) "scientifically based reading instruction"~~

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~~means instruction grounded in empirical research, including explicit and systematic instruction in phonemic awareness, phonics, fluency, vocabulary and comprehension and the science of reading; and~~ instruction that addresses the acquisition of language, phonological and phonemic awareness, phonics and spelling, fluency, vocabulary, oral language and comprehension;
and

[~~(4)~~] (3) "structured literacy" means an evidence-based approach to teaching oral and written language that is aligned with the science of reading [~~that is~~] and based on the science of how children learn to read, [~~and~~] 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.

B. Structured literacy is the primary approach to teaching foundational literacy skills for all learners, and public school students shall be taught to read using the science of reading and structured literacy. Literacy instruction for English language learners HEC→**and students in bilingual or dual language programs**←HEC shall:

(1) include evidence-based practices for [~~bi-literacy~~] biliteracy, such as bilingual and dual language instructional models that develop literacy in English and

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students' home languages; and

(2) incorporate differentiation and culturally and linguistically responsive instruction. [~~Public school students shall be taught to read using science of reading structured literacy and scientifically based reading instruction.~~]

C. Each teacher preparation program shall offer courses and student teaching sufficient for level one licensure that:

(1) includes science of reading and structured literacy [~~and scientifically based reading instruction~~];

(2) for elementary teacher candidates, provides a minimum of one hundred hours of supervised field experience in public school classrooms implementing the science of reading and structured literacy, [~~and scientifically based reading instruction~~] including:

(a) planning and teaching reading lessons focused on phonemic awareness, phonics, fluency, vocabulary and comprehension; and

(b) observing and applying scientifically based [~~reading instruction~~] techniques for reading instruction under the supervision of a teacher trained in the science of reading; and

(3) includes training and teaching teacher candidates to identify when students are not reading at grade

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level.

D. In collaboration with public post-secondary teacher preparation programs, the public education department shall develop specific teacher preparation standards related to the five components of the science of reading, including the knowledge and skills teachers need to support struggling readers and those with dyslexia as well as the knowledge and skills teachers need to support English language learners with biliteracy and oral language development and to provide literacy instruction in bilingual or dual language programs and similar settings.

E. As part of its review process, the public education department shall monitor all teacher preparation programs, and programs that fail to adhere to the science of reading shall be required to submit corrective action plans and may face the loss of state approval.

F. As part of the state approval review process for teacher preparation programs, each program shall provide evidence of its alignment with New Mexico's statutory and regulatory requirements for structured and systematic science of reading instruction HEC→, including requirements for supporting English language learners and for biliteracy instruction←HEC .

G. Initial approval and ongoing review shall include:

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(1) evaluation of coursework and field experiences to ensure that teacher candidates are prepared to implement evidence-based reading instruction practices aligned with the science of reading;

(2) an assessment of faculty qualifications and professional development related to scientifically based ~~[reading instruction]~~ methodologies for reading instruction;

(3) documentation of how the program integrates state-adopted literacy standards, including explicit instruction in phonemic awareness, phonics, vocabulary development, fluency and comprehension;

(4) the collection of data demonstrating the effectiveness of graduates in applying science of reading practices during their first three years of teaching, as available through performance-based assessments or other state-approved measures; and

(5) evidence of partnerships with kindergarten through twelfth grade public schools to ensure high-quality student teaching and supervised field experiences that emphasize science of reading instructional practices and the use of high-quality instructional materials during student teaching and other supervised field experiences.

H. The public education department shall provide guidelines for evaluating compliance with science of reading instruction requirements during the review process. These

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guidelines shall include minimum performance thresholds for coursework, assessments and candidate outcomes.

I. Programs failing to meet the established science of reading instruction standards may be placed on a corrective action plan with specific requirements and time lines for achieving compliance. Noncompliance may result in probationary status or the loss of state approval.

J. As part of an annual accountability report, teacher preparation programs shall include:

(1) a summary of program changes made to enhance science of reading instruction aligned to the standards;

(2) data on teacher candidate performance in science of reading instruction-related coursework and clinical experiences; and

(3) graduate impact data on student literacy outcomes, where available."

SECTION 2. A new section of the Public School Code, Section 22-15G-1 NMSA 1978, is enacted to read:

"22-15G-1. [NEW MATERIAL] SHORT TITLE.--Chapter 22, Article 15G NMSA 1978 may be cited as the "High-Quality Literacy Instruction Act".

SECTION 3. A new section of the Public School Code, Section 22-15G-2 NMSA 1978, is enacted to read:

"22-15G-2. [NEW MATERIAL] DEFINITIONS.--As used in the

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High-Quality Literacy Instruction Act:

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. "high-quality instructional materials" means instructional materials that are:

- (1) HEC→~~a comprehensive full course of study~~
~~that is~~←HEC research-based, culturally and linguistically relevant and designed to support equitable learning for all students;
- (2) aligned with the department's academic content and performance standards and benchmarks; and
- (3) included on the department's multiple list of instructional materials or otherwise approved by the department;

C. "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;

D. "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;

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E. "structured literacy" means 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; and

F. "three-cueing model" means reading instruction that teaches word recognition by primarily drawing meaning from context, pictures or syntax."

SECTION 4. A new section of the Public School Code, Section 22-15G-3 NMSA 1978, is enacted to read:

"22-15G-3. [NEW MATERIAL] INSTRUCTIONAL MATERIALS-- LITERACY AND READING INSTRUCTION.--Instructional materials used in public schools for literacy or reading instruction for kindergarten through third grade HEC→~~and materials~~←HEC HEC→shall be high-quality instructional materials. Materials←HEC used for intervention, supplemental instruction, initiatives, services or programs for literacy or reading proficiency for kindergarten through twelfth grade shall be HEC→~~high-quality instructional materials that are~~←HEC HEC→culturally and linguistically relevant,←HEC consistent with the science of reading and structured literacy and shall not include use of the three-cueing model; provided that

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instructional materials for English language learners HEC→and
other students←HEC in bilingual or dual language programs or
similar settings shall support literacy HEC→and biliteracy←HEC
development in English and home HEC→or other←HEC languages, if
otherwise appropriate."

SECTION 5. A new section of the Public School Code,
Section 22-15G-4 NMSA 1978, is enacted to read:

"22-15G-4. [NEW MATERIAL] LITERACY ASSESSMENTS.--

A. The department shall adopt grade-specific
literacy assessments for kindergarten through third grade that:

(1) have screening, diagnostic and monitoring
capabilities;

(2) measure, at minimum, phonological
awareness, the alphabetic principle, decoding, encoding,
accuracy, vocabulary and comprehension;

(3) identify students who have a reading
difficulty, including characteristics of dyslexia;

(4) can be administered with minimal impact on
instructional time; and

(5) provide for timely reporting of assessment
results that can be integrated with instructional support for
teachers and students.

B. Beginning in the 2027-2028 school year, public
schools shall administer the literacy assessments to all
students in kindergarten through third grade. The literacy

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assessment for students in first grade may be administered in lieu of the dyslexia screening required by Section 22-13-32 NMSA 1978.

C. If a public school identifies a student as having a reading difficulty based on the results of a literacy assessment, the public school shall provide written notice to the student's parents within thirty days. The notice shall include:

(1) an explanation that the student was identified as having a reading difficulty and qualifies for literacy interventions;

(2) an explanation that the public school will develop a reading improvement plan for the student;

(3) a description of the interventions or supplemental instructional services, supports or programs the public school proposes for the student;

(4) an assurance that the parents will receive HEC→monthly←HEC written reports on the student's progress HEC→at least four times each school year←HEC ;

(5) a description of the student's specific skill deficits;

(6) a read-at-home plan customized to address the student's specific skill deficits; and

(7) if applicable, any other information required by state or federal law.

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D. Immediately after providing parents with written notice, the public school shall provide the student with differentiated core instruction or with targeted or intensive interventions through a multilayered system of support.

E. The department shall develop a template for the written notice required by this section and grade-specific templates for read-at-home plans. The read-at-home plan templates shall be customizable but shall include, at minimum:

(1) information about the five essential components of reading and, for a student who is an English language learner, the importance of developing the student's home language and English to support the student's biliteracy and long-term literacy outcomes;

(2) guidance on how to read with the student at home;

(3) suggested daily reading activities;

(4) specific strategies and games to build literacy skills; and

(5) information about how to monitor progress."

SECTION 6. A new section of the Public School Code, Section 22-15G-5 NMSA 1978, is enacted to read:

"22-15G-5. [NEW MATERIAL] TRAINING FOR TEACHERS AND ADMINISTRATORS--LITERACY INSTRUCTIONAL COACHES.--

A. School districts and charter schools shall train

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teachers who teach reading and site administrators on how to administer the provisions of the High-Quality Literacy Instruction Act. The training shall also cover how to provide differentiated core instruction and other interventions for students with a reading difficulty and how to use evidence-based practices for English language learners, biliteracy, differentiation, culturally and linguistically responsive instruction and instructional leadership for bilingual and dual language programs.

B. Beginning in the 2027-2028 school year, the department shall assign a literacy instructional coach to public elementary schools that have an average reading proficiency in the bottom quartile for reading proficiency in the state.

C. A literacy instructional coach assigned to a public elementary school shall work with that school for three consecutive school years, regardless of the school's improvements in reading proficiency, and shall have the primary duty of supporting teachers with literacy instruction. Subject to the availability of funding, a literacy instructional coach may be placed full-time at one elementary school or may split time between multiple schools.

D. A literacy instructional coach shall be a certified academic language therapist or have the following qualifications:

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(1) a valid level two or level 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;

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

(4) additional qualifications required by department rule; and

(5) for a department-designated school with a significant English language learner enrollment, training and experience in biliteracy or English language development."

SECTION 7. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2026.

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