



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 11 2026

Bill No: SB37a

Committee Referrals: SEC/SFC

Agency Name and Code: PED - 924

Sponsor: Stewart / Garratt

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Short Title: HIGH-QUALITY LITERACY INSTRUCTION ACT

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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
<b>Total</b>	None	None	None	N/A	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: [House Bill 2](#), the General Appropriation Act of 2026, includes \$29 million for reading and math summer and school time programs, \$14 million for science of reading and structured literacy training, as well as coaching supports, and \$2 million for literacy coaches for low-performing elementary schools.

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

**Synopsis of the HEC Amendment:** The House Education Committee amendment to Senate Bill 37 (SB37/aHEC) emphasizes biliteracy for English language learners and students in bilingual and dual language programs. The amendment also reduces the required frequency by which parents of students identified as having reading difficulties would receive progress updates from monthly to a minimum of four during a school year.

**Synopsis of the Original Bill:** The bill would create the “High-Quality Literacy Instruction Act” to require:

- the use of high-quality instructional materials (HQIM) to teach reading;
- the use of science of reading and structured literacy to teach students to read;
- schools to administer literacy screener assessments in kindergarten through third grade that identify students who have a reading difficulty, including characteristics of dyslexia; and
- a literacy instructional coach for elementary schools with low reading proficiencies.

The bill considers bilingual and dual language instructional models that develop literacy in English and students’ home languages as evidence-based practices for biliteracy.

This bill has an effective date of July 1, 2026.

This bill is endorsed by the Legislative Education Study Committee.

### **FISCAL IMPLICATIONS**

This bill does not contain an appropriation. The provision requiring instructional coaches for elementary schools with an average reading proficiency in the bottom quartile for reading proficiency would cost \$14.56 million and is currently not funded within the legislation.

### **SIGNIFICANT ISSUES**

**Teacher preparation and biliteracy.** The bill defines HQIM, the “science of reading,” and “structured literacy.”

The bill would require that public school students be taught to read using structured literacy and the science of reading, and teacher preparation standards related to the science of reading to include skills teachers need to support English learners with biliteracy and oral language development and to provide literacy instruction in bilingual or dual language programs and similar settings.

**Literacy assessments.** Public schools would be required to administer literacy assessments in kindergarten through third grade beginning in the 2027-2028 school year. Students in first grade may be administered the assessments in lieu of the dyslexia screening required by statute ([Section 22-13-32 NMSA 1978](#)). The grade-specific literacy assessments would:

- 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;
- be able to 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.

Parent notification and engagement. The bill would require schools to provide written notice, on a PED-developed template, to parents of students identified as having a reading difficulty based on the results of a literacy assessment. The notice, required within 30 days of a student being identified as having a reading difficulty, is required to include what the school will do to improve a student's reading and a read-at-home plan for parents to support a student's reading at home with an assurance that they will receive progress updates at least four times during a school year.

Literacy instructional coaches. The bill would require school districts and charter schools to train teachers who teach reading and site administrators how to administer the provisions of the High-Quality Literacy Instruction Act. The training would also cover how to provide differentiated core instruction and other interventions for students with a reading difficulty, 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.

High-quality instructional materials. The bill would require that instructional materials used in public schools for literacy or reading instruction be high-quality instructional materials that are consistent with the science of reading and structured literacy; provided that instructional materials for English language learners in bilingual or dual language programs or similar settings support literacy development in English and home languages.

## **PERFORMANCE IMPLICATIONS**

The use of effective reading materials helps prevent early literacy struggles. Students who develop strong foundational reading skills in early grades are more likely to succeed in all subjects (and future post-education careers and life) and avoid the need for remedial education. Additionally, high-quality reading instruction can help reduce disparities in literacy rates among students from different socioeconomic, linguistic, and cultural backgrounds and can reduce the cost of remediation and intervention needed. Effective reading instruction is also likely to reduce the number of students who are incorrectly identified as having a learning disability.

## **ADMINISTRATIVE IMPLICATIONS**

The bill would require PED to promulgate rule around parent notification, intervention use, and the interaction of these aspects as part of the reading assessment system. The department would also be required to adopt grade-specific literacy assessments for kindergarten through third grade.

SB37/aHEC would also require PED to provide literacy coaches to the elementary schools with average reading achievement in the lowest quartile. This would require the PED to hire or contract for 125 literacy coaches. This is a significant programmatic increase and may require an additional position at the PED to coordinate.

## CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

## TECHNICAL ISSUES

None.

## OTHER SUBSTANTIVE ISSUES

**Investments in Literacy and Growth in Proficiency.** In New Mexico, [39 percent](#) of students (61,102) received a proficient or advanced (PL3/PL4) score for SY24, consistent with the previous school year at 38.2 percent (57,016 students). However, this has increased to 44.3 percent for SY25, with the gains being largely driven by the younger grades, K-8. This improvement is illustrative of the impact of the early literacy investments since 2019.

- Reading proficiency in grades 3–8 has increased by 10 percentage points since 2022, reaching 44 percent proficient in 2025. Students in grades 3, 6, and 8 posted the largest one-year gains on record.
- More than 10,000 educators and administrators have enrolled or completed science-of-reading/LETRS and structured literacy training.
- PED has provided coaching support to more than 1,500 educators serving approximately 25,000 K–5 students in structured-literacy support model schools. Coaching is a key differentiator: teachers who complete LETRS training and receive ongoing job-embedded coaching are far more likely to implement high-fidelity structured literacy routines every day.
- PED provides 56 expert literacy coaches and grants to model schools implementing structured literacy K-12. This encompasses two contracts, the first with CREC includes 27 Literacy Coaches and one coordinator (28) and SWREC with the same amount.
- Early data show that structured-literacy model schools have outperformed comparison schools, including a reported three-percentage-point higher gain in reading proficiency and two-point higher gains than non-structured literacy schools.
- New Mexico has built a comprehensive literacy policy framework over the past several years with actions that position New Mexico as one of the states with the most coherent statutory framework around the science of reading.

In 2024, PED launched the [Summer Reading Program](#) to combat low reading proficiency numbers across the state; 117 sites across the state provided free structured literacy instruction to 9,533 students in kindergarten through eighth grade. Students who participated in the program showed an average five percent gain in reading growth. Program participation grew in 2025: 163 sites across the state served 10,876 students.

During the 2025 summer program, 17,195 prekindergarten – 8<sup>th</sup> grade students registered for the program at 174 participating partner sites around the state. Participating students do not experience the typical summer learning loss experienced by students so that they start the school year on track and ahead of their peers.

- Participating students showed an average gain of 8 percent when compared with peers who did not participate.
- Of the participating students, 30.29 percent scored proficient at the beginning of the year, compared with 15.39 percent of peers who did not participate.

PED also provides literacy tutoring programs that can be done at home and provide parents with resources for supporting their children.

**Trends in literacy instruction.** At the national level, fourth, and eighth grade students experienced a decrease in average reading scores in [2024](#) by two points compared to their results in 2022. One [factor contributing](#) to low literacy is the use of instructional methodologies that are not based in the science of reading and in the lack of early intervention when reading difficulties are identified.

[A recent report from Education Week](#) found most elementary special education and K-2 teachers (72 percent) in the U.S. use balanced literacy (three-cueing), rather than a more explicit, systematic phonics-related instruction. Many teachers also enter the profession without any training in science of reading or structured literacy reading instruction. In New Mexico, more than half of elementary teacher candidates are entering the profession as alternatively licensed teachers and this bill would assure that educators in the state are required to adopt the structured literacy approach.

The science of reading became a legislative priority when [Senate Bill 398](#) (2019) (SB398) was passed and signed by the Governor. New Mexico is replacing balanced literacy with structured, phonics-based literacy instruction, including definitions and screenings for dyslexia. SB398 also initiated screening efforts for all first-grade students and [House Bill 481](#) (2023) provided guidance in purchasing materials that align with the science of reading. This bill would expand on these initial programs and more fully incorporate research-based techniques into New Mexico curricula and training.

Implementation of similar initiatives among states is widespread. As of July 2025, [Education Week](#) determined that 40 states (including New Mexico) and the District of Columbia have implemented some aspect of structured literacy as illustrated by Figure 1.

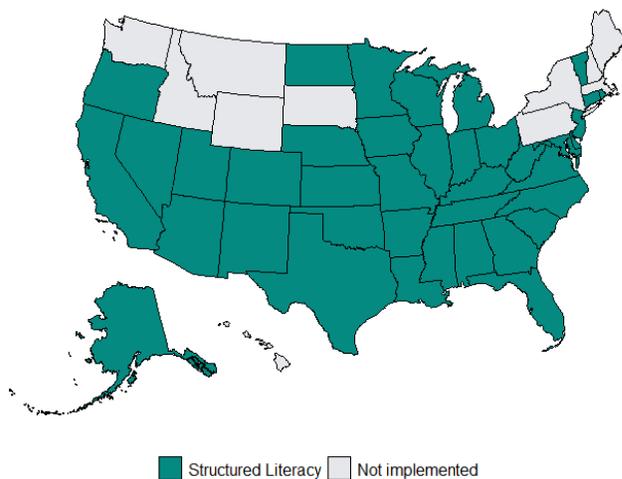


Figure 1: Structured Literacy Across States

The science of reading is an interdisciplinary body of science-based research about reading and

issues related to reading and writing. The research has been conducted worldwide for the last five decades and is derived from studies in a variety of languages. The result has been a preponderance of evidence to inform how to develop proficient reading and writing.

Science of reading-based practices are especially important in New Mexico as the state has both a very diverse student body as well as a large number of at-risk students. However, there is strong evidence that science of reading practices and structured literacy initiatives are especially beneficial for at-risk students. Indeed, research from a variety of scientific journals such as the [Texas Association for Literacy Education](#), the [Australasian Journal of Special Education](#), and the [Reading League Journal](#), among others, show that while these programs are beneficial for all students, it is particularly helpful for at-risk students, including those with disabilities, English language learners, and the socioeconomically disadvantaged.

The science of reading develops proficient readers and demonstrates measurable results that can close the achievement gap. In 2013, Mississippi legislators passed the [Literacy-Based Promotion Act](#), which required the science of reading, teacher training, and funding for literacy coaches, and experienced significant reading gains over the past decade. New Mexico is moving in a similar trajectory, and this bill would ensure greater implementation across the state.

Literacy is critical for employment. Individuals with low reading skills have fewer job opportunities and lower earning potential. Unemployment and financial instability are major risk factors for criminal activity and incarceration. The [National Assessment for Adult Literacy](#) found that 70 percent of incarcerated adults in the U.S. function at the lowest levels of literacy. The [Annie E. Casey Foundation reports](#) that students who are not proficient in reading by 3rd grade are four times more likely to leave school without a diploma. Some states use 3rd and 4th grade reading scores as indicators to project future prison bed needs. Improving reading skills in early grades can break this cycle by increasing graduation rates, improving job prospects, and reducing reliance on the criminal justice system.

Policies like those advocated for in this bill could lead to long-term reductions in incarceration rates by ensuring students receive evidence-based reading instruction early.

## **ALTERNATIVES**

None.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

New Mexico's students will continue to struggle against low-literacy proficiency.

## **AMENDMENTS**

None.