

1 SENATE BILL 37

2 57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

3 INTRODUCED BY

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; ENACTING THE HIGH-QUALITY LITERACY
12 INSTRUCTION ACT; PROVIDING STANDARDS FOR LITERACY INSTRUCTIONAL
13 MATERIALS; REQUIRING PUBLIC SCHOOLS TO PROVIDE LITERACY
14 ASSESSMENTS TO STUDENTS IN KINDERGARTEN THROUGH THIRD GRADE AND
15 INTERVENTIONS FOR STUDENTS IDENTIFIED AS HAVING A READING
16 DIFFICULTY; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO ASSIGN
17 LITERACY INSTRUCTIONAL COACHES TO CERTAIN PUBLIC SCHOOLS.

18
19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

22 "21-1-53. TEACHER PREPARATION PROGRAMS--TEACHING STUDENTS
23 HOW TO TEACH READING.--

24 A. As used in this section:

25 (1) "high-quality instructional materials"

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1 means instructional materials that are:

2 (a) a comprehensive full course of
3 study that is research-based, culturally and linguistically
4 relevant and designed to support equitable learning for all
5 students;

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

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

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

15 ~~(3) "scientifically based reading instruction"~~
16 ~~means instruction grounded in empirical research, including~~
17 ~~explicit and systematic instruction in phonemic awareness,~~
18 ~~phonics, fluency, vocabulary and comprehension and the science~~
19 ~~of reading; and] instruction that addresses the acquisition of
20 language, phonological and phonemic awareness, phonics and
21 spelling, fluency, vocabulary, oral language and comprehension;
22 and~~

23 [~~(4)~~] (3) "structured literacy" means an
24 evidence-based approach to teaching oral and written language
25 that is aligned with the science of reading [~~that is~~] and based

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1 on the science of how children learn to read, ~~and~~ is
2 characterized by explicit, systematic, sequential, cumulative
3 and diagnostic instruction in phonology, sound-symbol
4 association, syllable instruction, morphology, syntax and
5 semantics and can be differentiated to meet the needs of
6 individual students.

7 B. Structured literacy is the primary approach to
8 teaching foundational literacy skills for all learners, and
9 public school students shall be taught to read using the
10 science of reading and structured literacy. Literacy
11 instruction for English language learners shall:

12 (1) include evidence-based practices for ~~[bi-~~
13 ~~literacy]~~ biliteracy, such as bilingual and dual language
14 instructional models that develop literacy in English and
15 students' home languages; and

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

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

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

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

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

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

13 (3) includes training and teaching teacher
14 candidates to identify when students are not reading at grade
15 level.

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

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

6 F. As part of the state approval review process for
7 teacher preparation programs, each program shall provide
8 evidence of its alignment with New Mexico's statutory and
9 regulatory requirements for structured and systematic science
10 of reading instruction.

11 G. Initial approval and ongoing review shall
12 include:

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

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

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

24 (4) the collection of data demonstrating the
25 effectiveness of graduates in applying science of reading

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1 practices during their first three years of teaching, as
2 available through performance-based assessments or other state-
3 approved measures; and

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

10 H. The public education department shall provide
11 guidelines for evaluating compliance with science of reading
12 instruction requirements during the review process. These
13 guidelines shall include minimum performance thresholds for
14 coursework, assessments and candidate outcomes.

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

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

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

25 (2) data on teacher candidate performance in

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1 science of reading instruction-related coursework and clinical
2 experiences; and

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

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

7 "22-15G-1. [NEW MATERIAL] SHORT TITLE.--Chapter 22,
8 Article 15G NMSA 1978 may be cited as the "High-Quality
9 Literacy Instruction Act".

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

12 "22-15G-2. [NEW MATERIAL] DEFINITIONS.--As used in the
13 High-Quality Literacy Instruction Act:

14 A. "certified academic language therapist" means a
15 person recognized by the department as having the requisite
16 skills and credentials to provide diagnostic and prescriptive
17 interventions to students with language-based learning
18 disabilities;

19 B. "high-quality instructional materials" means
20 instructional materials that are:

21 (1) a comprehensive full course of study that
22 is research-based, culturally and linguistically relevant and
23 designed to support equitable learning for all students;

24 (2) aligned with the department's academic
25 content and performance standards and benchmarks; and

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1 (3) included on the department's multiple list
2 of instructional materials or otherwise approved by the
3 department;

4 C. "read-at-home plan" means a set of resources for
5 parents to support a student's reading at home that is aligned
6 with the science of reading;

7 D. "science of reading" means an interdisciplinary
8 body of scientifically based research about reading instruction
9 that addresses the acquisition of language, phonological and
10 phonemic awareness, phonics and spelling, fluency, vocabulary,
11 oral language and comprehension;

12 E. "structured literacy" means an evidence-based
13 approach to teaching oral and written language that is aligned
14 with the science of reading and based on the science of how
15 children learn to read, is characterized by explicit,
16 systematic, sequential, cumulative and diagnostic instruction
17 in phonology, sound-symbol association, syllable instruction,
18 morphology, syntax and semantics and can be differentiated to
19 meet the needs of individual students; and

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

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

25 "22-15G-3. [NEW MATERIAL] INSTRUCTIONAL MATERIALS--
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1 LITERACY AND READING INSTRUCTION.--Instructional materials used
2 in public schools for literacy or reading instruction for
3 kindergarten through third grade and materials used for
4 intervention, supplemental instruction, initiatives, services
5 or programs for literacy or reading proficiency for
6 kindergarten through twelfth grade shall be high-quality
7 instructional materials that are consistent with the science of
8 reading and structured literacy and shall not include use of
9 the three-cueing model; provided that instructional materials
10 for English language learners in bilingual or dual language
11 programs or similar settings shall support literacy development
12 in English and home languages, if otherwise appropriate."

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

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

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

18 (1) have screening, diagnostic and monitoring
19 capabilities;

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

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

25 (4) can be administered with minimal impact on

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1 instructional time; and

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

5 B. Beginning in the 2027-2028 school year, public
6 schools shall administer the literacy assessments to all
7 students in kindergarten through third grade. The literacy
8 assessment for students in first grade may be administered in
9 lieu of the dyslexia screening required by Section 22-13-32
10 NMSA 1978.

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

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

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

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

24 (4) an assurance that the parents will receive
25 monthly written reports on the student's progress;

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

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

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

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

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

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

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

22 (3) suggested daily reading activities;

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

25 (5) information about how to monitor

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1 progress."

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

4 "22-15G-5. [NEW MATERIAL] TRAINING FOR TEACHERS AND
5 ADMINISTRATORS--LITERACY INSTRUCTIONAL COACHES.--

6 A. School districts and charter schools shall train
7 teachers who teach reading and site administrators on how to
8 administer the provisions of the High-Quality Literacy
9 Instruction Act. The training shall also cover how to provide
10 differentiated core instruction and other interventions for
11 students with a reading difficulty and how to use evidence-
12 based practices for English language learners, biliteracy,
13 differentiation, culturally and linguistically responsive
14 instruction and instructional leadership for bilingual and dual
15 language programs.

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

21 C. A literacy instructional coach assigned to a
22 public elementary school shall work with that school for three
23 consecutive school years, regardless of the school's
24 improvements in reading proficiency, and shall have the primary
25 duty of supporting teachers with literacy instruction. Subject

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1 to the availability of funding, a literacy instructional coach
2 may be placed full-time at one elementary school or may split
3 time between multiple schools.

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

7 (1) a valid level two or level three teaching
8 license;

9 (2) a bachelor's degree in education and
10 advanced coursework or professional development in the science
11 of reading, multisensory language instruction or other advanced
12 training approved by the department;

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

15 (4) additional qualifications required by
16 department rule; and

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

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

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