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**SENATE BILL 180**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Bernadette M Sanchez**

  

**AN ACT**

**RELATING TO EDUCATION; REQUIRING PUBLIC SCHOOLS TO PROVIDE SUPPLEMENTAL READING INSTRUCTION; REQUIRING STUDENTS WHO DO NOT READ AT GRADE LEVEL TO BE ENROLLED IN SUPPLEMENTAL READING CLASSES; CHANGING THE PURPOSE OF THE PUBLIC SCHOOL READING PROFICIENCY FUND.**

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

**Section 1. A new section of Chapter 22, Article 2 NMSA 1978 is enacted to read:**

**" [NEW MATERIAL] MANDATORY SUPPLEMENTAL READING INSTRUCTION FOR STUDENTS NOT READING AT GRADE LEVEL. --**

**A. A school district shall require the curriculum of grades two through twelve to include supplemental reading instruction designed to improve a student's reading proficiency to his grade level. The number of classes offered**

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1 in a school shall be sufficient to enroll all students  
2 mandated to participate in supplemental reading instruction  
3 pursuant to Subsection B of this section.

4 B. Before the end of each school year, but no  
5 later than April 1, all students in grades one through eleven  
6 shall be administered a test to determine the student's  
7 reading ability. The test shall be approved by the department  
8 of education and shall be designed to determine whether a  
9 student is reading at grade level. A student who is  
10 determined not to be reading at grade level shall be enrolled  
11 in the following school year in a supplemental course of  
12 reading instruction.

13 C. Failure to read at grade level at the end of a  
14 school year shall not be by itself a reason for not promoting  
15 a student. "

16 Section 2. Section 22-2-6.12 NMSA 1978 (being Laws 2000  
17 (2nd S.S.), Chapter 14, Section 2) is amended to read:

18 "22-2-6.12. PUBLIC SCHOOL READING PROFICIENCY FUND--  
19 CREATED.--The "public school reading proficiency fund" is  
20 created in the state treasury. The fund shall consist of  
21 appropriations, gifts, grants and donations. The fund shall  
22 be administered by the [state] department of [public] education,  
23 and money in the fund is appropriated to the  
24 department to provide supplemental reading instruction for  
25 students who do not read at grade level and to distribute

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1 awards to local schools that implement innovative, research-  
2 based reading programs. The [state] department of [public]  
3 education shall develop procedures and rules for the  
4 application and award of money from the fund, including  
5 criteria upon which to evaluate innovative, research-based  
6 reading programs. Disbursements of the fund shall be made by  
7 warrant of the department of finance and administration  
8 pursuant to vouchers signed by the superintendent of public  
9 instruction. Any unexpended or unencumbered balance remaining  
10 in the fund at the end of any fiscal year shall not revert but  
11 shall remain to the credit of the fund. "