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HOUSE BILL 360

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO PUBLIC EDUCATION; CREATING THE READING FIRST PROGRAM; PROVIDING POWERS AND DUTIES; REQUIRING APPLICATIONS; PROVIDING FOR CRITERIA AND REVIEW PANELS; REQUIRING LOCAL AND STATEWIDE PROFESSIONAL DEVELOPMENT; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] READING FIRST PROGRAM--IMPLEMENTATION.--

A. The "reading first" program is created in the department and shall be modeled on the state's successful reading first program funded by a grant from the United States department of education as part of the federal No Child Left Behind Act of 2001 implementation.

B. The state's reading first program and each

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1 participating school district's component of the reading first  
2 program shall be based on three-year student cohorts and  
3 designed to:

4 (1) provide a comprehensive approach to  
5 teaching reading that is based on high-quality scientifically  
6 based reading research, uses valid and reliable assessments and  
7 provides both school district and statewide professional  
8 development and technical assistance for teachers;

9 (2) provide effective reading instruction that  
10 includes phonemic awareness; phonics; vocabulary development;  
11 reading fluency, including oral reading skills; and reading  
12 comprehension strategies;

13 (3) focus on the use of screening and  
14 diagnostic information to identify students at risk for reading  
15 difficulties to ensure early intervention and ongoing  
16 monitoring of student success;

17 (4) require that teachers develop  
18 individualized reading plans for students who fail to meet  
19 grade-level reading proficiency standards;

20 (5) provide research-based professional  
21 development so that kindergarten through third grade teachers,  
22 kindergarten through twelfth grade special education teachers  
23 and school administrators are capable of implementing and  
24 sustaining significant improvements in reading at all grade  
25 levels; and

1 (6) provide a statewide cadre of reading  
2 experts skilled and capable of working directly with classroom  
3 teachers as coaches and mentors.

4 C. School districts may apply on behalf of their  
5 elementary schools or special education programs on a form and  
6 in a manner as provided by the department for a grant from the  
7 reading first fund. Funding priority shall be given to public  
8 schools that receive federal Title I funding. Eligibility  
9 criteria include that:

10 (1) twenty percent or more of the school  
11 district's kindergarten through third grade students score at  
12 or below the twentieth percentile on valid and reliable early  
13 literacy assessments based on the school district's norms; and

14 (2) the school district meets at least one of  
15 the following criteria:

16 (a) it is in a geographic area  
17 designated as an empowerment zone or enterprise community  
18 pursuant to the federal Internal Revenue Code of 1986, as  
19 amended;

20 (b) a significant number or percentage  
21 of public schools in the school district are identified for  
22 school improvement; and

23 (c) eighty-five percent or more of the  
24 applicant public school's students are eligible for free or  
25 reduced-fee lunch.

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1           D. Applications shall be evaluated by a panel of  
2 reading experts appointed by the secretary from around the  
3 state, but not from public schools for which applications have  
4 been submitted. Professors in the state's colleges of  
5 education that provide instruction in teaching scientifically  
6 based reading and early language literacy development may also  
7 be appointed to a panel by the secretary.

8           E. A grant application may be amended if the review  
9 panel requires.

10           F. A three-year reading first grant shall be  
11 provided to each grantee to implement the reading first program  
12 to a student cohort. Reading first grants shall not be  
13 expended for any purpose other than the purposes provided in  
14 this section and in the grant application, as amended, if  
15 applicable."

16           SECTION 2. A new section of the Public School Code is  
17 enacted to read:

18           "[NEW MATERIAL] READING FIRST FUND--CREATED.--

19           A. The "reading first fund" is created as a  
20 nonreverting fund in the state treasury. The fund consists of  
21 appropriations, gifts, grants and donations. The fund shall be  
22 administered by the department, and money in the fund is  
23 appropriated to the department to provide three-year reading  
24 first grants to public schools. Expenditures from the fund  
25 shall be on warrants issued by the secretary of finance and

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1 administration based on vouchers submitted by the secretary of  
2 public education or the secretary of public education's  
3 authorized representative.

4 B. The department may set aside ten percent of the  
5 total appropriation to be expended as follows:

6 (1) at least fifty percent of the set-aside  
7 shall be used to provide statewide professional development to  
8 teachers and school administrators of the grantee public  
9 schools;

10 (2) at least twenty-five percent of the set-  
11 aside shall be used to provide or contract for technical  
12 assistance to grantee public schools; and

13 (3) no more than twenty-five percent of the  
14 set-aside may be used for program administration."

15 SECTION 3. APPROPRIATION.--Nine million five hundred  
16 thousand dollars (\$9,500,000) is appropriated from the general  
17 fund to the reading first fund for expenditure in fiscal year  
18 2014 and subsequent fiscal years to carry out the provisions of  
19 the reading first program. Any unexpended or unencumbered  
20 balance remaining at the end of a fiscal year shall not revert  
21 to the general fund.