

1 SENATE BILL 242

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO SCHOOL PERSONNEL; ENACTING THE ADVANCING THE
12 SCIENCE OF READING ACT; REQUIRING TEACHER LICENSING CANDIDATES
13 TO DEMONSTRATE COMPETENCY IN STRUCTURED LITERACY AND THE
14 SCIENCE OF READING; REQUIRING THE USE OF HIGH-QUALITY
15 INSTRUCTIONAL MATERIALS FOR ALL STUDENT TEACHING AND SUPERVISED
16 FIELD EXPERIENCES; DISALLOWING BALANCED LITERACY AS A TEACHING
17 METHOD IN PUBLIC SCHOOLS AND STATE INSTITUTIONS; PROVIDING FOR
18 LITERACY COORDINATORS; PROVIDING MONITORING AND ENFORCEMENT.

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

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

23 "[NEW MATERIAL] SHORT TITLE.--Sections 1 through 8 of this
24 act may be cited as the "Advancing the Science of Reading
25 Act"."

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

3 "[NEW MATERIAL] DEFINITIONS.--As used in the Advancing the
4 Science of Reading Act:

5 A. "balanced literacy" means an instructional
6 philosophy using strategies such as three-cuing systems for
7 word identification that emphasize whole language approaches
8 over systematic phonics;

9 B. "high-quality instructional materials" means
10 instructional materials that are a comprehensive full course of
11 study that is research-based, culturally and linguistically
12 relevant, designed to support equitable learning for all
13 students and aligned with the New Mexico content standards and
14 benchmarks and performance standards;

15 C. "science of reading" means an interdisciplinary
16 body of scientifically based research about reading and issues
17 related to reading and writing;

18 D. "scientifically based reading instruction" means
19 instruction grounded in empirical research, including explicit
20 and systematic instruction in phonemic awareness, phonics,
21 fluency, vocabulary and comprehension and the science of
22 reading; and

23 E. "structured literacy" means an evidence-based
24 approach to teaching oral and written language aligned with the
25 science of reading that is based on the science of how children

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1 learn to read and is characterized by explicit, systematic,
2 sequential, cumulative and diagnostic instruction in phonology,
3 sound-symbol association, syllable instruction, morphology,
4 syntax and semantics."

5 SECTION 3. A new section of the Public School Code is
6 enacted to read:

7 "[NEW MATERIAL] TEACHERS--ADDITIONAL REQUIREMENTS FOR
8 LICENSURE.--

9 A. To be licensed as a teacher for pre-kindergarten
10 through third grade, kindergarten through eighth grade, fifth
11 through ninth grade, sixth through twelfth grade or pre-
12 kindergarten through twelfth grade special education, in
13 addition to other licensing requirements, an applicant shall
14 have successfully completed the following:

15 (1) three credit hours in phonemic awareness
16 and phonics;

17 (2) three credit hours in fluency, vocabulary
18 acquisition and reading comprehension; and

19 (3) a minimum of one hundred hours of
20 supervised field experience in public school classrooms
21 implementing the science of reading and high-quality
22 instructional materials, including:

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

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1 (b) observing and applying
2 scientifically based reading instruction techniques under the
3 supervision of a teacher trained in the science of reading and
4 using high-quality instructional materials.

5 B. For alternative licensure, an applicant shall
6 have the same requirements provided for applicants in
7 Subsection A of this section, but the credit hours for
8 structured literacy shall be completed during the first twelve
9 months of the alternative program.

10 C. To be licensed as a teacher in special
11 education, in addition to other requirements, an applicant
12 shall have successfully completed the following:

13 (1) three credit hours in phonemic awareness
14 and phonics with strategies for supporting students with
15 learning disabilities or dyslexia;

16 (2) three credit hours in fluency, vocabulary
17 acquisition and reading comprehension; and

18 (3) a minimum of one hundred hours of
19 supervised field experience in public school classrooms
20 implementing the science of reading, including:

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

24 (b) observing and applying
25 scientifically based reading instruction techniques under the

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1 supervision of a teacher trained in the science of reading.

2 D. All candidates seeking licensure in pre-
3 kindergarten through third grade, kindergarten through eighth
4 grade or fifth through ninth grade or pre-kindergarten through
5 twelfth grade special education shall pass the required New
6 Mexico teacher assessment for reading with an emphasis on the
7 science of reading to demonstrate proficiency in the essential
8 components of teaching reading.

9 E. Education preparation programs shall ensure that
10 candidates seeking initial standard or alternative licensure in
11 pre-kindergarten through third grade, kindergarten through
12 eighth grade, fifth through ninth grade, sixth through twelfth
13 grade and pre-kindergarten through twelfth grade special
14 education meet the minimum course and credit hour requirements
15 in the science of reading as provided in the Advancing the
16 Science of Reading Act."

17 SECTION 4. A new section of the Public School Code is
18 enacted to read:

19 "[NEW MATERIAL] SCIENCE OF READING--USE OF SCIENTIFICALLY
20 BASED READING INSTRUCTION REQUIRED.--

21 A. Pre-service teachers completing student teaching
22 or supervised field experiences assigned in a classroom in a
23 public school shall use high-quality instructional materials
24 with alignment to a structured literacy approach and the
25 state's literacy framework to provide scientifically based

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1 reading instruction using the science of reading.

2 B. Balanced literacy, which research shows is
3 inconsistent with scientifically based reading instruction and
4 the science of reading, shall not be used to teach reading in
5 New Mexico public schools or state agencies or by anyone who
6 receives state funding."

7 SECTION 5. A new section of the Public School Code is
8 enacted to read:

9 "[NEW MATERIAL] HIGH-QUALITY INSTRUCTIONAL MATERIALS.--

10 A. All reading instruction coursework for
11 pre-kindergarten through twelfth grade in public schools and
12 state agencies shall use high-quality instructional materials
13 that:

14 (1) are grounded in evidence-based research
15 and consistent with the science of reading;

16 (2) do not employ balanced literacy techniques
17 such as three-cuing systems for word identification;

18 (3) provide explicit and systematic
19 instruction in phonemic awareness, phonics, fluency, vocabulary
20 and comprehension; and

21 (4) are reviewed and approved as English
22 language arts core instructional material on the multiple list
23 adopted by the department and recognized for structured
24 literacy.

25 B. Student teaching or field experience candidates

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1 in public schools are required to use high-quality
2 instructional materials to plan reading instruction and teach
3 lessons under the observation of trained teachers."

4 SECTION 6. A new section of the Public School Code is
5 enacted to read:

6 "[NEW MATERIAL] LITERACY COORDINATORS.--

7 A. Literacy coordinators shall be employed at each
8 state-approved teacher preparation program to oversee the
9 implementation of the provisions of the Advancing the Science
10 of Reading Act and ensure compliance with that act.

11 B. Literacy coordinators shall:

12 (1) participate in department-approved
13 training and professional development;

14 (2) support faculty in delivering science of
15 reading-aligned coursework;

16 (3) ensure the use of high-quality
17 instructional materials when coaching teachers on reading
18 instruction;

19 (4) provide professional development for
20 faculty on the latest science of reading research and best
21 practices;

22 (5) ensure that student teachers receive
23 appropriate field experience; and

24 (6) serve as a liaison between teacher
25 preparation programs, the department and school districts and

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1 charter schools.

2 C. Sufficient funding shall be provided to support
3 salary and administrative costs of literacy coordinator
4 positions."

5 SECTION 7. A new section of the Public School Code is
6 enacted to read:

7 "[NEW MATERIAL] MONITORING AND ENFORCEMENT.--

8 A. The department shall work with stakeholders to
9 develop specific teacher preparation standards related to the
10 five components of the science of reading, including the
11 knowledge and skills teachers need to support struggling
12 readers and those with dyslexia as well as the knowledge and
13 skills teachers need to support English language learners.

14 B. The department, as part of its review process,
15 shall monitor all educator preparation programs, and programs
16 that fail to adhere to the science of reading shall be required
17 to submit corrective action plans and may face the loss of
18 state approval.

19 C. As part of the state approval review process for
20 educator preparation programs, each program shall provide
21 evidence of its alignment with New Mexico's statutory and
22 regulatory requirements for structured and systematic science
23 of reading instruction.

24 D. Initial approval and ongoing review shall
25 include:

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1 (1) a reading specialist or literacy expert
2 for all elementary program approvals and on all accreditation
3 renewal review teams;

4 (2) evaluation of coursework and field
5 experiences to ensure that candidates are prepared to implement
6 evidence-based reading instruction practices aligned with the
7 science of reading;

8 (3) an assessment of faculty qualifications
9 and professional development related to science-based reading
10 instruction methodologies;

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

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

20 (6) evidence of partnerships with kindergarten
21 through twelfth grade public schools to ensure high-quality
22 student teaching and supervised field experiences that
23 emphasize science of reading instructional practices and the
24 use of high-quality instructional materials during student
25 teaching and supervised field experiences.

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1 E. The department shall provide guidelines for
2 evaluating compliance with science of reading instruction
3 requirements during the review process. These guidelines shall
4 include minimum performance thresholds for coursework,
5 assessments and candidate outcomes.

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

11 G. As part of their annual accountability report,
12 educator preparation programs shall include:

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

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

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

21 SECTION 8. A new section of the Public School Code is
22 enacted to read:

23 "[NEW MATERIAL] PARENT NOTIFICATION FOR STUDENTS WHO ARE
24 NOT READING ON GRADE LEVEL.--

25 A. Educator preparation programs shall ensure that
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1 teacher candidates are trained to identify when students are
2 not reading at grade level, and candidates shall be prepared to
3 provide appropriate interventions. Additionally, school
4 districts and charter schools shall notify parents of the
5 following:

6 (1) twice per academic year, the parent of any
7 kindergarten through third grade student shall receive
8 notification on current reading performance; and

9 (2) all parents of first grade students shall
10 be notified in writing no later than fifteen days after the
11 dyslexia screener has been administered of any reading
12 difficulty. The written notification shall include the
13 following:

14 (a) that the parent's child has been
15 identified as having difficulty in reading and a reading
16 improvement plan will be developed by the teacher, other
17 pertinent school personnel and the parent;

18 (b) a description of the current
19 services that are provided to the student;

20 (c) a description of the proposed
21 research-based reading interventions and supplemental
22 instructional services and supports that will be provided to
23 the student that are designed to remedy the identified areas of
24 reading difficulty;

25 (d) notification that the parent will be

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1 informed in writing of the student's progress toward grade
2 level reading at least monthly; and

3 (e) a description of the specific skill
4 deficits and strategies for parents to use at home to help the
5 student succeed in reading.

6 B. The department shall design and provide school
7 districts and charter schools with parent notification
8 templates."

9 SECTION 9. Section 22-10A-6 NMSA 1978 (being Laws 1986,
10 Chapter 33, Section 8, as amended) is amended to read:

11 "22-10A-6. EDUCATIONAL REQUIREMENTS FOR LICENSURE.--

12 A. The department shall require a person seeking
13 [~~licensure or reciprocity in elementary, special, early~~
14 ~~childhood or secondary education~~] to be licensed as a teacher
15 for pre-kindergarten through third grade, kindergarten through
16 eighth grade, fifth through ninth grade, sixth through twelfth
17 grade or pre-kindergarten through twelfth grade special
18 education to have completed the following minimum requirements
19 in the college of arts and sciences:

- 20 (1) nine semester hours in communication;
21 (2) six semester hours in mathematics;
22 (3) eight semester hours in laboratory
23 science;
24 (4) nine semester hours in social and
25 behavioral science; and

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1 (5) nine semester hours in humanities and fine
2 arts.

3 B. In addition to the requirements specified in
4 Subsections A and C of this section, the department shall
5 require that a person seeking standard or alternative
6 ~~[elementary licensure shall have completed six hours of reading~~
7 ~~courses, and a person seeking standard or alternative]~~
8 secondary licensure shall have completed three hours of reading
9 courses in subject matter content, unless seeking endorsement
10 in language arts. Six semester hours in structured literacy
11 and the science of reading is required for a teaching license
12 in pre-kindergarten through eighth grade, special education or
13 for secondary language arts endorsement and the required one
14 hundred hours of supervised field experience in classrooms
15 implementing the science of reading. The department shall
16 establish requirements that provide a reasonable period of time
17 to comply with the provisions of this subsection.

18 C. Except for licensure by reciprocity and except
19 as provided in Subsection B of this section for pre-
20 kindergarten through third grade, kindergarten through eighth
21 grade, fifth through ninth grade, sixth through twelfth grade
22 and special education licenses, the department shall require,
23 prior to initial licensure, no less than sixteen weeks of
24 student teaching, a portion of which shall occur in the first
25 thirty credit hours taken in the college of education and shall

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1 be under the direct supervision of a teacher and a portion of
2 which shall occur in the student's senior year with the student
3 teacher being directly responsible for the classroom.

4 D. Nothing in this section shall preclude the
5 department from establishing or accepting equivalent
6 requirements for purposes of reciprocal licensure or minimum
7 requirements for alternative licensure.

8 E. Vocational teacher preparatory programs may be
9 exempt from Subsections A through C of this section upon a
10 determination by the department that other licensure
11 requirements are more appropriate for vocational teacher
12 preparatory programs.

13 F. Before December 31, 2021, the department shall
14 create a license endorsement in secondary computer science
15 available to all teachers who hold a valid license and
16 demonstrate sufficient content knowledge in computer science as
17 determined by the department. The department shall consult
18 with computer science education experts with experience in
19 creating or supporting computer science endorsement pathways
20 when developing computer science endorsement requirements."

21 SECTION 10. Section 22-10A-7 NMSA 1978 (being Laws 2003,
22 Chapter 153, Section 38, as amended) is amended to read:

23 "22-10A-7. LEVEL ONE LICENSURE.--

24 A. A level one license is a provisional five-year
25 license for beginning teachers that requires as a condition of

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1 licensure that the licensee undergo a formal mentorship program
2 for at least one full school year and an annual intensive
3 performance evaluation by a school administrator for at least
4 three full school years before applying for a level two
5 license.

6 B. Each school district, in accordance with
7 department rules, shall provide for the mentorship and
8 evaluation of level one teachers. At the end of each year and
9 at the end of the license period, the level one teacher shall
10 be evaluated for competency. If the teacher fails to
11 demonstrate satisfactory progress and competence annually, the
12 teacher may be terminated as provided in Section 22-10A-24 NMSA
13 1978. If the teacher has not demonstrated satisfactory
14 progress and competence by the end of the five-year period, the
15 teacher shall not be granted a level two license.

16 C. Except in exigent circumstances defined by
17 department rule, a level one license shall not be extended
18 beyond the initial period.

19 D. The department shall issue a standard level one
20 license to an applicant who is at least eighteen years of age
21 who:

22 (1) holds a baccalaureate degree from an
23 accredited educational institution;

24 (2) has successfully completed a department-
25 approved teacher preparation program from [~~a nationally~~] an

1 accredited or state-approved educational institution;

2 (3) has passed the New Mexico teacher
3 assessments examination, including for elementary licensure
4 beginning January 1, 2013, a rigorous assessment of the
5 candidate's knowledge of the science of ~~[teaching]~~ reading; and

6 (4) meets other qualifications for level one
7 licensure, including clearance of the required background
8 check.

9 E. The department shall issue a standard level one
10 vocational license to an applicant who meets the requirements
11 of Subsection D of this section or to an applicant who is at
12 least twenty-three years of age and who:

13 (1) has five or more years of professional
14 experience in the vocational field in which the applicant will
15 teach; and

16 (2) meets other qualifications for level one
17 licensure, including clearance of a background check pursuant
18 to Section 22-10A-5 NMSA 1978.

19 F. The department shall issue an alternative level
20 one license to an applicant who meets the requirements of
21 Section 22-10A-8 NMSA 1978.

22 G. The department shall establish competencies and
23 qualifications for specific grade levels, types and subject
24 areas of level one licensure, including early childhood,
25 elementary, middle school, secondary, special and vocational

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1 education.

2 H. The minimum salary for a level one teacher,
3 except for a teacher licensed pursuant to Subsection E of this
4 section, is fifty thousand dollars (\$50,000) for a standard
5 nine and one-half month contract; provided that teachers in an
6 extended learning time program or [~~K-5~~] K-12 plus program shall
7 receive additional salary at the same rate as their base salary
8 for that teaching time.

9 I. After the issuance of a license, a license
10 holder shall not be required to meet changed requirements to
11 maintain the license until such time as the license expires and
12 the license holder seeks renewal of the license."

13 SECTION 11. Section 22-10A-8 NMSA 1978 (being Laws 2003,
14 Chapter 153, Section 39, as amended) is amended to read:

15 "22-10A-8. ALTERNATIVE LEVEL ONE LICENSE.--

16 A. [~~Except as provided in Subsection B of this~~
17 ~~section~~] The department shall issue an alternative level one
18 license to a person who is at least eighteen years of age and
19 who:

20 (1) has completed a baccalaureate degree at an
21 accredited institution of higher education and has received a
22 passing score on a state-approved [~~subject-area~~] examination in
23 the subject area of instruction for which the person is
24 applying for a license; or

25 (2) has completed a master's degree at an

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1 accredited institution of higher education, including
2 completion of a minimum of twelve graduate credit hours in the
3 subject area of instruction for which the person is applying
4 for a license; or

5 (3) has completed a doctoral or law degree at
6 an accredited institution of higher education; and

7 (4) has passed the New Mexico teacher
8 assessments examination, including for elementary licensure
9 beginning January 1, 2013, a rigorous assessment of the
10 candidate's knowledge of the science of ~~[teaching]~~ reading
11 ~~[and]~~ in the first twelve months of an alternative program;

12 ~~[(5) within two years of beginning teaching,~~
13 ~~completes a minimum of twelve semester hours of instruction in~~
14 ~~teaching principles in a program approved by the department;~~
15 ~~or]~~

16 (5) has completed six semester hours in
17 structured literacy and the science of reading in the first
18 twelve months of teaching pre-kindergarten through eighth
19 grade, fifth through ninth grade, sixth through twelfth grade,
20 special education in pre-kindergarten through twelfth grade or
21 for secondary sixth through twelfth grade language arts
22 endorsement and one hundred hours of supervised field
23 experience in classrooms implementing the science of reading
24 and the remaining minimum of six semester hours of instruction
25 in teaching principles in a program approved by the department;

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1 (6) within two years of beginning teaching,
2 has completed a minimum of twelve semester hours in the first
3 twelve months of teaching pre-kindergarten through third grade,
4 kindergarten through eighth grade, fifth through ninth grade,
5 sixth through twelfth grade, pre-kindergarten through twelfth
6 grade special education or for sixth through twelfth grade
7 language arts endorsement and one hundred hours of supervised
8 field experience in classrooms implementing the science of
9 reading and the remaining minimum of six semester hours of
10 instruction in teaching principles in a program approved by the
11 department; provided that six of the hours shall include
12 instruction in the science of reading in a program approved by
13 the department; or

14 ~~[(6)]~~ (7) demonstrates to the department, in
15 conjunction with the school district or state agency, that the
16 person has met the department-approved competencies for level
17 one teachers that correspond to the grade level that will be
18 taught.

19 B. A person seeking an alternative level one
20 special education license to teach students with disabilities
21 shall be at least eighteen years of age and meet the
22 educational and assessment requirements of Paragraphs (1)
23 through ~~[(4)]~~ (5) of Subsection A of this section, as
24 applicable. In addition, the person shall serve a fifteen-week
25 apprenticeship under a level two or three-A special education

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1 teacher while taking related and interwoven coursework at a
2 post-secondary educational institution that is designed to
3 connect pedagogical theory with teaching practice, including:

- 4 (1) lesson planning;
- 5 (2) classroom and behavior management for
6 students with special needs;
- 7 (3) learning theory;
- 8 (4) foundations of special education; and
- 9 (5) culturally and linguistically relevant
10 teaching techniques.

11 C. A degree or examination referred to in
12 Subsection A of this section shall correspond to the subject
13 area of instruction and the particular grade level that will
14 enable the applicant to teach in a competent manner as
15 determined by the department.

16 D. An alternative level one or alternative level
17 one special education teacher shall participate in the same
18 mentorship, evaluation and other professional development
19 requirements as other level one teachers.

20 E. A school district or state agency shall not
21 discriminate against a teacher on the basis that the teacher
22 holds an alternative level one license.

23 F. The department shall provide by rule for
24 training and other requirements to support the use of
25 unlicensed content area experts as resources in classrooms,

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1 team teaching, ~~[on-line]~~ online instruction, curriculum
2 development and other purposes."

3 SECTION 12. Section 22-15-2 NMSA 1978 (being Laws 1967,
4 Chapter 16, Section 206, as amended) is amended to read:

5 "22-15-2. DEFINITIONS.--As used in the Instructional
6 Material Law:

7 A. "core instructional material" means the
8 comprehensive print or digital educational material, including
9 basal material, that constitutes the necessary instructional
10 components of a full academic course of study in those subjects
11 for which the department has adopted content standards and
12 benchmarks;

13 ~~[A.]~~ B. "division" or "bureau" means the
14 instructional material bureau of the department;

15 ~~[B.]~~ C. "director" or "chief" means the chief of
16 the bureau;

17 ~~[C.]~~ D. "instructional material" means school
18 textbooks and other educational media that are used as the
19 basis for instruction, including combinations of textbooks,
20 learning kits, supplementary material and electronic media;

21 ~~[D.]~~ E. "multiple list" means a written list of
22 those instructional materials approved by the department;

23 ~~[E.]~~ F. "membership" means the total enrollment of
24 qualified students on the fortieth day of the school year
25 entitled to the free use of instructional material pursuant to

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the Instructional Material Law;

~~[F.]~~ G. "additional pupil" means a pupil in a school district's, state institution's or private school's current year's certified forty-day membership above the number certified in the school district's, state institution's or private school's prior year's forty-day membership;

~~[G.]~~ H. "school district" includes state-chartered charter schools; and

~~[H.]~~ I. "other classroom materials" means materials other than textbooks that are used to support direct instruction to students."