

Implementing the Colorado READ Act: Roles and Responsibilities

The purpose of this document is to provide information to Colorado educators related to roles and responsibilities for implementation of the Colorado Reading to Ensure Academic Development Act (*HB 12-1238, Colorado READ Act*).

The Colorado Reading to Ensure Academic Development Act (the READ Act) was passed by the Colorado Legislature during the 2012 legislative session. The READ Act focuses on K-3 literacy development, literacy assessment, and individual READ plans for students reading below grade level. The READ Act differs from the Colorado Basic Literacy Act (CBLA) by focusing on students identified as having a significant reading deficiency as determined by the State Board of Education, delineating requirements for parent communication, and providing funding to support intervention. Districts and schools will also be held accountable for student progress in the Performance Frameworks and be expected to address requirements in their Unified Improvement Plans (UIPs). Other components of the Colorado READ Act include a competitive Early Literacy Grant and a resource bank of assessments, instructional programming, and professional development programs.

This document is organized according to the main components of the Act. For each component, key tasks and roles for teachers and school and district leaders are delineated.



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READ Act Requirements

Assessment

The READ Act requires teachers to assess the literacy development of students in kindergarten through third grade in the areas of phonemic awareness, phonics, vocabulary development, including oral skills, reading fluency, and reading comprehension.

The State Board of Education will approve interim, diagnostic, and summative assessments for use in measuring reading competency skill levels for children in kindergarten through third grade. Teachers must measure each K-3 student's reading competency using state board approved interim reading assessments throughout each school year. If the student is determined to have a significant reading deficiency, teachers must administer one or more of the state board approved diagnostic assessments to determine the student's specific reading skill deficiencies. Use of a summative reading assessment from the state board approved list at the end of kindergarten, first, and second grades is optional. Also, teachers may use other reading assessments in addition to, but not in place of, a state board approved assessment.

Development of READ Plans

The READ Act requires the creation and implementation of an individual intervention plan (called a READ plan) for students identified with a significant reading deficiency. The Act requires specific components for the READ plan, guidelines on parental involvement, and timing of plan creation. As appropriate, a local education provider may integrate into a student's Individualized Education Plan or Individualized Readiness Plan intervention instruction and strategies to address the student's reading deficiencies in lieu of a READ plan.

Parental Involvement

If a student is identified with a significant reading deficiency, teachers must attempt to meet with parents and jointly create the child's READ plan. If after three documented attempts, the teacher is unable to meet with the student's parents, teachers may create the READ plan and share the information with parents. Information shared must include a copy of the READ plan, an explanation of the scientifically- or evidenced-based reading program being used, any other services the student will receive, and any additional support the parent could provide.

READ Plan Components

READ plans must contain specific components in order to ensure the effectiveness of the intervention strategies. Each READ plan must include, at a minimum:

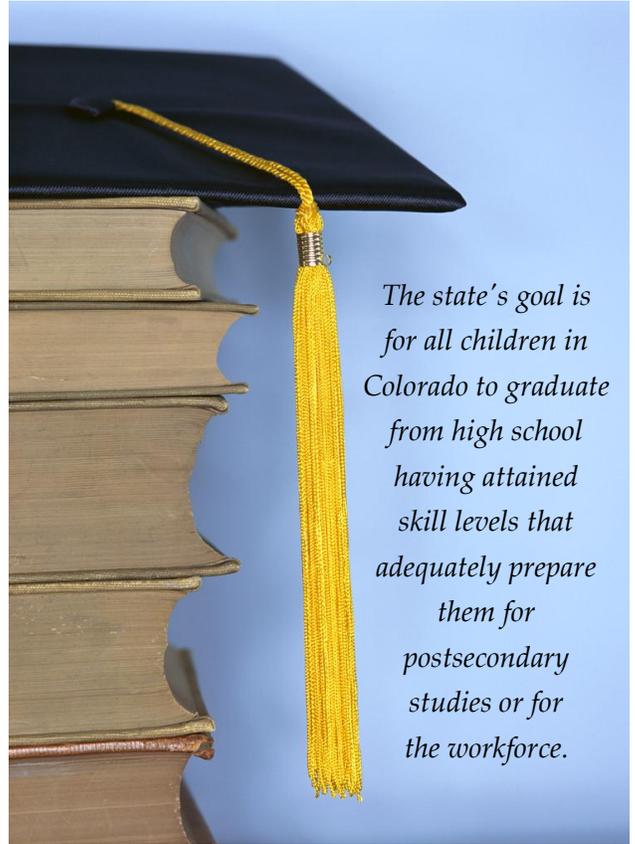
- the student's specific, diagnosed reading skill deficiencies;
- the goals and benchmarks for growth;
- how progress will be monitored and evaluated;
- the type of additional instructional services and interventions the student will receive;
- the scientifically-based or evidence-based reading instructional programming the teacher will use to provide reading instruction, addressing the areas of phonemic awareness, phonics, vocabulary development, including oral skills, reading fluency, and reading comprehension;
- the strategies the student's parent is encouraged to use in assisting the student to achieve reading competency; and,
- any additional services the teacher deems available and appropriate to accelerate the student's reading skill development.

READ Plan Implementation

Throughout the READ plan implementation process, decisions should be made collaboratively between school personnel and parents.

Districts must adopt procedures for ensuring parental involvement, **integration** of READ plans with other individual education plans, and implementation of effective intervention. Procedures for parental involvement must include processes for communicating with parents concerning the creation, content, and implementation of READ plans. The teacher and other personnel shall communicate in writing and discuss with the parent the following information:

- The state's goal is for all children in Colorado to graduate from high school having attained skill levels that adequately prepare them for postsecondary studies or for the workforce, and research demonstrates that achieving reading competency by the end of third grade is a critical milestone in achieving this goal.
- If the student enters fourth grade without achieving reading competency, he or she is significantly more likely to fall behind in all subject areas beginning in fourth grade and continuing in later grades. If the student's reading skill deficiencies are not remediated, it is likely that the student will not have the skills necessary to complete the course work required to graduate from high school.
- Reading skills are critical to success in school. Under state law, the student qualifies for and the local education provider is required to provide targeted, scientifically- or evidence-based interventions to remediate the student's specific, diagnosed reading skill deficiencies, which interventions are designed to enable the student to achieve reading competency and attain the skills necessary to achieve the state's academic achievement goals.
- The nature of the student's significant reading deficiency, including a clear explanation of what the significant reading deficiency is and the basis upon which the teacher identified the significant reading deficiency.
- The student's READ plan will include targeted, scientifically- or evidence-based intervention instruction to address and remediate the student's specific, diagnosed reading skill deficiencies.
- The parent plays a central role in supporting the student's efforts to achieve reading competency, the parent is strongly encouraged to work with the student's teacher in implementing the READ plan, and, to supplement the intervention instruction the student receives in school, the READ plan will include strategies the parent is encouraged to use at home to support the student's reading success.
- There are serious implications to a student entering fourth grade with a significant reading deficiency and, therefore, if the student continues to have a significant reading deficiency at the end of the school year in grades K-3, under state law, the parent, the student's teacher, and other personnel of the local education provider are required to meet and consider retention as an intervention strategy and determine whether the student, despite having a significant reading deficiency, is able to maintain adequate academic progress at the next grade level.



The state's goal is for all children in Colorado to graduate from high school having attained skill levels that adequately prepare them for postsecondary studies or for the workforce.

A student's READ plan must be implemented, regularly reviewed (at least annually) for effectiveness, and revised until the student attains reading competency at or above grade level. If a student is identified with a significant reading deficiency for a second consecutive year, the district must ensure that the student receives reading instruction that includes additional, more rigorous strategies and interventions to assist the student in attaining reading competency including, but not limited to, increased daily time for reading instruction and the option to receive reading instruction in conjunction with and supported through other subjects. Additionally, if practicable, the student should receive reading instruction from a teacher who has expertise in teaching reading and received an effective or highly effective rating in his/her most recent performance evaluation.

Integration of READ Plans with Other Student Learning Plans

If a student is identified as having a disability impacting progress in developing reading skills, districts shall as appropriate integrate reading intervention and strategies to address the student's reading deficiencies into the student's IEP in lieu of a READ plan. Similarly, if a kindergarten student is identified as having a significant reading deficiency, the student's READ plan should be created as a component of the student's individual school readiness plan.

Districts are responsible for intervention(s) through the Response to Intervention framework or a comparable intervention system if a student's reading skills are below grade level expectations but not identified as a significant reading deficiency. Districts are not required but are encouraged to (1) start a READ plan for students enrolled in fourth grade or higher, (2) provide parents with opportunities to learn how to better help their children, (3) use the instructional programs included on advisory lists that will be provided by CDE, and (4) provide behavioral support or counseling services for students with READ plans with the approval of the parents, when applicable.

Districts must ensure that each student's current READ plan, earlier versions of READ plans, and any relevant documentation is included in a body of evidence demonstrating progress toward reading competency. This body of evidence should be included in the student's permanent record and transferred if the student moves to another school.

Advancement of Students with Significant Reading Deficiencies

The READ Act provides guidance for decisions regarding the advancement of students with significant reading deficiencies.

District and teacher responsibilities:

Districts must adopt and teachers must follow procedures for determining whether a student who has a significant reading deficiency will advance to the next grade level. Districts must outline procedures for communicating with parents/guardians, an approval process for advancement decisions, and procedures for exemptions.

Procedures for parent/guardian communication must include providing updates to the student's parents/guardians concerning the contents of the student's READ plan and the progress toward achieving reading competency. District procedures must include plans for the parent, student's teacher, and other school personnel to meet and consider retention as an intervention strategy and determine whether the student, despite

having a significant reading deficiency, is able to maintain adequate progress at the next grade level. Districts must plan for communicating both in writing and orally in a language the parents/guardians understand.

An approval process for advancement decisions must include:

Beginning in the 2013-14 school year, for students completing grades K-3 with a significant reading deficiency, within 45 days of the end of the school year, personnel of the local education provider shall provide to the student's parent a written notice that there are serious implications to a student entering fourth grade with a significant reading deficiency. The parent, teacher, and other personnel shall meet and decide whether the student will advance to the next grade level. If there is not agreement, the parent shall decide, unless a district has a more rigorous decision making process in place. If, after making three documented attempts to schedule the meeting with the parent, personnel of the school are unable to do so, or if the parent does not attend the scheduled meeting, the school personnel shall decide, based on the student's body of evidence, whether the student will advance to the next grade level.

Beginning in the 2016-2017 school year, if a student is completing third grade and the school personnel or parent decides he/she will advance even though the student has a significant reading deficiency, the decision is subject to the approval of the superintendent (or designee). If the superintendent (or designee) does not approve the advancement decision, the student will not advance. After the decision is made, a subsequent letter to the parent must state the basis for the decision. Districts must include the statement in the student's permanent academic record and remove it when he/she achieves reading competency. Superintendents have the ability to decide whether or not a student should advance at any grade level regardless of the reason.

Exemptions related to an advancement decision are allowed under state law. Provisions for an advancement decision will not apply if the student is completing the second school year at the same grade level or the student has a disability and is eligible to take the alternative assessment, or the student is identified as having a disability that substantially impacts the student's progress in developing reading skills. Students with limited English proficiency and a significant reading deficiency primarily due to language skills may also receive an exemption.

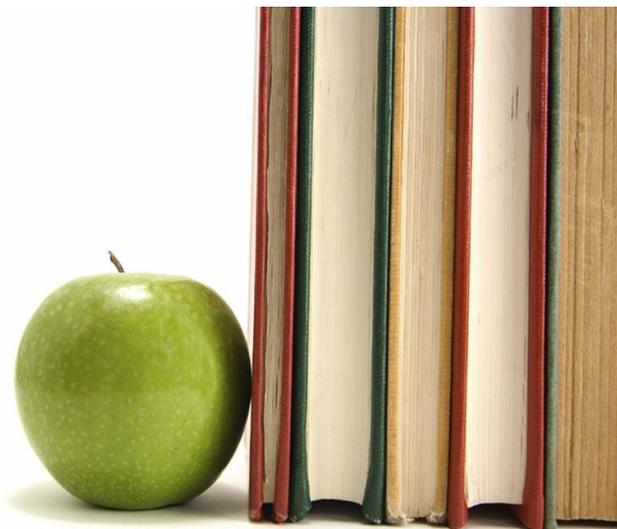
District Reporting Requirements

The READ Act requires all districts to report specific student, school, and district level data to the Colorado Department of Education (CDE). Districts are also encouraged to report strategies and instructional techniques used in order to assist in sharing best practices.

Beginning with the 2012-2013 school year, districts *must* annually report to the CDE the state assigned student identifier (SASID) for each student who is identified as having a significant reading deficiency.

Beginning with the 2013-2014 school year, districts *must* submit annually to the CDE information necessary to determine:

- the total number and percentage of K-3 students identified with significant reading deficiencies, including student level data for identified students using the state assigned student identifier (SASID);



- the total number of students not recommended for advancement and the total number of students who actually did not advance to the next grade level;
- the level at which all identified students progress toward reading competency, regardless of advancement decision;
- a quantitative comparison showing the degree to which identified students who advanced to the next grade level have progressed toward reading competency versus the degree to which identified students who did not advance to the next grade level progress toward reading competency.

Accountability and Improvement Planning

Districts and schools will be held accountable for student progress in the Performance Frameworks and be expected to address requirements in their Unified Improvement Plans (UIPs). Beginning with the school and district performance frameworks based on 2013-2014 assessment data, (released in the fall of 2014), CDE will include the reading scores of third and fourth grade students who were previously identified with a significant reading deficiency. The Colorado Growth Model Technical Advisory Panel shall consult with CDE to determine the amount of additional credit toward accreditation that local education providers will receive for students who were at one time identified with significant reading deficiencies that later score partially proficient, proficient, or advanced on the state summative assessment.

Districts must use data gathered to fulfill the requirements of the READ Act to inform the development and implementation of a district's UIP. Districts must also include in improvement plans the strategies to be used to address the needs of students with significant reading deficiencies and ambitious attainable targets to reduce the number of students with significant reading deficiencies and to ensure all students reach grade level proficiency in reading.

State Supports for Effective Implementation

The Early Literacy Fund provides districts with per-pupil funding in order to help fund programs designed to meet the needs of students identified with a significant reading deficiency. The legislation requires these funds to be spent according to the guidelines described below.

Districts must provide interventions to each K-3 student identified with a significant reading deficiency. Per-pupil intervention moneys for students with significant reading deficiencies must be used in one or more ways including to provide full-day kindergarten, to purchase tutoring services in reading, to provide other targeted, scientifically- or evidence-based intervention services approved by the department, or to operate a summer school literacy program. Summer school literacy programs may serve students in grades K-3 with significant reading deficiencies and may allow other students who are reading below grade level to participate if funding allows after enrolling students with significant reading deficiencies. Summer school programs must use scientifically- or evidence-based instructional programming in reading that has been proven to accelerate student progress in attaining reading competency, includes explicit and systematic instruction in phonemic awareness, phonics, vocabulary, fluency, oral language, and reading comprehension, and includes scientifically-based assessments for ongoing analysis of progress.

Districts must report to the CDE the use of per-pupil moneys and the number of students for which they received these moneys.

Grant Program

The Colorado READ Act includes a competitive grant program through the CDE designed to help districts fund a variety of efforts to improve reading and literacy outcomes for students in kindergarten and first, second, and third grades. **The Early Literacy Grant** program will fund local school and district intervention programs for students identified with significant reading deficiencies.

Resource Bank

The READ Act requires CDE to create and maintain a resource bank in order to help districts meet the needs of students with significant reading deficiencies. The resource bank will include required assessments and suggested instructional programs and professional development.

The **Colorado Department of Education** must develop procedures for identifying reading assessments, instructional programming, and professional development programs. At a minimum, procedures must include soliciting through public notice, accepting, and promptly reviewing assessments, instructional programming, and professional development programs from districts and publishers. Assessments, instructional programming, and professional development programs will be evaluated using any additional criteria the state board adopts. The CDE must periodically review and update the list of approved assessments, instructional programs, and professional development and make available any information received from districts concerning strategies and intervention instruction found effective in assisting students to achieve reading competency, including copies of any effective materials that the department receives. The CDE may contract with an independent, third-party evaluator to evaluate the materials and is not required to provide copies of any reading assessments, instructional programming, or professional development programs included on approved or advisory lists.

Instructional Programming

The Department must create an advisory list, by July 1, 2013, of scientifically- or evidence-based instructional programming that, at a minimum has been proven to accelerate progress in attaining reading competency and provides explicit and systematic skill development in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension. Programs must include texts on core academic content to assist students in maintaining or meeting grade appropriate proficiency levels in academic subjects in addition to reading. Instructional programs selected for the advisory lists must also include scientifically-based and reliable assessments for initial and ongoing analysis of students' progress in attaining reading competency. The advisory list will include both programs related to teaching literacy at the universal level and intervention programs.

Professional Development

The Department must create an advisory list by July 1, 2013 of professional development programs related to teaching literacy.

Assessments

The Department must create a list of interim, diagnostic, and summative assessments approved by the state board and make the list available on the CDE website by April 1, 2013. These instruments should be designed to assess the areas of phonemic awareness, phonics, vocabulary development, including oral skills, reading fluency, and reading comprehension.

Where can I learn more?

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Resource information

- <http://www.cde.state.co.us/coloradoliteracy/ReadAct/index.asp>
- <http://www.cde.state.co.us/coloradoliteracy/index.asp>
- <http://www.cde.state.co.us/coloradoliteracy/AboutOfficeOfLiteracy.asp>