

## DEPARTMENT OF EDUCATION

### Colorado State Board of Education

## RULES FOR THE ADMINISTRATION OF THE COLORADO READING TO ENSURE ACADEMIC DEVELOPMENT ACT (READ ACT)

### 1 CCR 301-92

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

#### 1.0 Statement of Basis and Purpose.

These rules are promulgated pursuant to Colorado Revised Statutes sections ~~22-7-1208(6)(f), 1208(6.5)(d), 1208(6.7)(d), and 1209(1), which 22-2-107 (1) (c), section 22-7-1208(6.5) and (6.7), and section 22-7-1209 (1) (a) (e). Section 22-2-107 (1) (a), (c), C.R.S., authorizes the State Board of Education to perform all duties delegated to it by law and to promulgate and adopt policies, rules, and regulations concerning general supervision of the public schools, the Colorado Department of Education, and the educational programs maintained and operated by all state governmental agencies for persons who have not completed the twelfth grade level of instruction. Sections 22-7-1208(6.5) and (6.7), 22-7-1209 (1) and 1208(6)(f), C.R.S., requires authorize the Colorado State Board of Education to promulgate Rules for the Administration of the Colorado Reading to Ensure Academic Development Act (the Colorado READ Act).~~

#### 2.00 Definitions.

- 2.01 Administrator: Any person who administers, directs or supervises the education instructional program, or a portion thereof in any school or school district in the state and who is not the chief executive officer or an assistant chief executive officer of a school.
- 2.02 Advisory: Recommendations made by the Colorado Department of Education that meet the requirements for scientifically based reading research or evidence-based. These may include but are not limited to the topics of classroom resource materials, instructional programming, interventions, and professional development.
- 2.023 Body of Evidence: A collection of information about a student's academic performance which, when considered in its entirety, documents the level of a student's academic performance. A body of evidence, at a minimum, shall include scores on formative or interim assessments and work that a student independently produces in a classroom, including but not limited to the school readiness assessments adopted pursuant to section 22-7-1004(2)(a), C.R.S.. A body of evidence may include scores on summative assessments if a local education provider decides that summative assessments are appropriate and useful in measuring students' literacy skills.
- 2.034 Colorado Academic Standards: The 2020 Colorado Academic Standards for Reading, Writing, and Communicating (adopted June 13, 2018), which identify the knowledge and skills that a student should acquire as the student progresses from preschool through elementary and secondary education, as adopted by the State Board of Education pursuant to section 22-7-1005, C.R.S.
- 2.045 Comprehension: The process of extracting and constructing meaning from written texts. Comprehension has three key elements: (1) the reader; (2) the text; and (3) the activity.

- 2.056 Department: The Colorado Department of Education created pursuant to section 24-1-115, C.R.S.
- 2.067 Diagnostic Assessment: A state board approved assessment which schools are required to use for students identified through screening as possibly having a significant reading deficiency so as to pinpoint a student's specific area(s) of weakness and provide in-depth information about students' skills and instructional needs.
- 2.078 Duration: The length (number of minutes) of a session multiplied by the number of sessions per school year.
- 2.089 Enrollment: For the purposes of the READ Act, enrollment refers to the student's first day of school.
- 2.0910 Explicit Instruction: Instruction that involves direct explanation in which concepts are explained and skills are modeled, without vagueness or ambiguity. The teacher's language is concise, specific, and related to the objective, and guided practice is provided.
- 2.101 Evidence-Based: The instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in adequately increasing students' reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension.
- 2.142 Fidelity: The delivery of instruction in the way in which it was designed to be delivered.
- 2.123 Fluency: The capacity to read words in connected text with sufficient accuracy, rate, and prosody to comprehend what is read.
- 2.134 Frequency: How often an intervention occurs used within a Response to Intervention framework. Frequency of an intervention, in conjunction with intensity, fidelity of delivery, and duration, may be used as an element to determine the effectiveness of an intervention.
- 2.145 Intervention: The practice of providing scientifically-based, high-quality instruction and progress monitoring to students who are below proficient in reading.
- 2.156 Instructional Programming: Scientifically-based or evidence-based resources in reading instruction that local education providers are encouraged to use including but not limited to interventions, tutoring, and instructional materials that adequately teach students to read and may include materials used within a multi-tiered system of support including the universal/core level and supplemental and intensive interventions.
- 2.167 Intensity: More time daily above and beyond 90+ minutes of universal (Tier 1) instruction, which is focused on the specific needs of the student as identified by a diagnostic measure. Instruction can be intensified in three ways: (1) more time, (2) more targeted instruction, and (3) smaller group size.
- 2.178 Interim Assessment: A universal screening assessment administered to all students to identify those who may experience lower than expected reading outcomes who may be at risk for reading challenges.
- 2.189 Judicious Review: A review of previously learned information over time, integrated into more complex tasks, in order to enhance the learning of new skills.
- 2.4920 Local Education Provider or LEP: A school district, a board of cooperative services, a district charter school, or an institute charter school.

- 2.201 Mastery: A student can successfully perform, apply, and transfer their knowledge of the task at least 85% of the time.
- 2.242 Multi-tiered Systems of Supports: A systemic preventive approach that addresses the academic and social-emotional needs of all students at the universal, targeted, and intensive levels. Through the multi-tiered systems of supports, a teacher provides high-quality, scientifically based or evidence-based instruction and intervention that is matched to student needs; uses a method of monitoring progress frequently to inform decisions about instruction and goals; and applies the student's response data to important educational decisions.
- 2.223 Oral Language: The ability to produce and comprehend spoken language, including vocabulary and grammar.
- 2.234 Phonemic Awareness: A subset of phonological awareness in which listeners are able to hear, identify, and manipulate phonemes, the smallest units of sound that can differentiate meaning.
- 2.245 Phonological Awareness: Awareness of the sound structure of spoken words at three levels: (1) rhyming to onset and rime; (2) segmenting and blending; and (3) manipulating individual phonemes
- 2.256 Phonics: A method of teaching reading and writing by developing learners' phonemic awareness, that is, the ability to hear, identify, and manipulate the sounds (phonemes) in order to teach the correspondence between these sounds and the spelling patterns (graphemes) that represent them.
- [2.27 Principal: Any person who is employed as the chief executive officer or an assistant chief executive officer of any school in the state and who administers, directs or supervises the education instruction program in such school.](#)
- 2.286 Professional Development: Activities that develop an individual's skills, knowledge, expertise and other characteristics as a teacher or educational professional. Such activities include but are not limited to, updating individuals' knowledge of literacy in light of recent advances; updating individuals' skills, attitudes, and approaches in light of the development of new teaching techniques and objectives, new circumstances, and new educational research; enabling individuals to apply changes made to curricula or other aspects of the teaching practice of literacy; enabling schools to develop and apply new strategies concerning the curriculum and other aspects of the teaching of literacy; and exchanging information and expertise among teachers and others. This definition recognizes that professional development can be provided in many ways, ranging from the formal to the informal and can be made available through external expertise in the form of courses, workshops or formal qualification programs, and through collaboration between schools or teachers across schools.
- 2.297 Progress Monitoring: An assessment used to determine whether students are making adequate progress and to determine whether instruction needs to be adjusted.
- [2.3028 Reading Interventionist: An educator who provides individual or small group literacy instruction to one or more students to supplement core academic instruction.](#)
- [2.31 School District: A school district, other than a junior college district, organized and existing pursuant to law.](#)
- 2.2932 Scientifically Based: The instruction or item described is based on research that applies rigorous, systematic, and objective procedures to obtain valid knowledge that is relevant to reading development, reading instruction, and reading difficulties.

- 23.033 Screening: An assessment that provides a quick sample of critical reading skills that will inform the teacher if the student is on track for grade level reading competency by the end of the school year. A screening assessment is a first alert that a student may need extra help to make adequate progress in reading during the year.
- 2.341 Significant Reading Deficiency: A student does not meet the minimum skill levels for reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension established by the state board for the student's grade level.
- 2.352 State Board: The state board of education created pursuant to section 1 of article IX of the state constitution.
- 2.363 Sufficient Duration: Dependent on a number of factors including the program or strategy being used, the age of the student, and the severity of the deficit involved.
- 2.374 Summative Assessment: An end of year comprehensive measurement of student mastery in order to inform taxpayers and state policy makers, support identification of successful programs, and serve a variety of state and federal accountability needs.
- 2.385 Systematic Instruction: A carefully planned sequence of instruction that is thought out and designed before activities and lessons are planned, maximizing the likelihood that whenever children are asked to learn something new, they already possess the appropriate prior knowledge and understandings to see its value and to learn it effectively.
- 2.396 Teacher: The professional responsible for the literacy instruction of the student(s) and may include the main instructor for a class, an instructional coach, ~~reading-interventionist~~, special education teacher, Title I teacher or other personnel who are identified as effective in the teaching of reading.
- 2.4037 Vocabulary: Knowledge of words and word meanings and includes words that a person understands and uses in language. Vocabulary is essential for both learning to read and comprehending text.

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**9.00 Approved Interim Reading Assessments.**

- 9.01 The following are approved interim assessments:
- 9.01(A) Acadience Reading (previously published under DIBELS Next) published by Acadience;
- 9.01(B) aimswebPlus (English and Spanish) published by Pearson;
- 9.01(C) FAST earlyReading English (K-1) and FAST CBMreading English (1 -3);
- 9.01(D) Incidaores Dinamicos del Exito en la Lectura (IDEL) published by the University of Oregon;
- 9.01(E) Indicators of Progress for Early Reading (ISIP ER) (English and Spanish) published by Istation;
- 9.01(F) i-Ready published by Curriculum Associates;

**Commented [KL1]:** List of approved assessments is currently under review and this section may be updated prior to rule adoption. (Recommendations will be submitted in August; rule hearing will be held in September.)

9.01(G) Phonological Awareness Literacy Screening (PALS) and Phonological Awareness Literacy Screening Espanol published by the University of Virginia; and

9.01(H) Star Early Learning publishes by Renaissance Learning, Inc.

9.02 As reading comprehension is dependent upon students' understanding of the language, children with limited English proficiencies, as determined by the individual district's criteria and documentation, must be assessed in their language of reading instruction, leading to their competency in reading English.

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### 13.00 District Reporting Requirements.

13.01 Annually, by June 30, in order to receive a distribution of per-pupil intervention money, each LEP must submit to the department:

13.01(A) The number of students enrolled in kindergarten and first, second, and third grades in public schools operated by the LEP who were identified as having significant reading deficiencies and received instructional services pursuant to READ plans in the budget year preceding the year in which the money is distributed;

13.01(B) A budget, including a narrative explanation, for the use of the per-pupil intervention money in accordance with the uses described in section 22-7-1210.5(4). Each LEP may only carry over 15 percent of funds from the previous budget year. In the event an LEP retains funds in excess of the 15 percent cap, the Department must reduce that LEP's distribution of per-pupil intervention funds by that excess amount; and

13.01(C) ~~An assurance~~Evidence that each teacher employed to teach kindergarten or any of grades one through three ~~and, beginning in 2024-25, each reading interventionist employed to teach students in any of grades four through twelve has submitted evidence to CDE indicating the successful completion of successfully completed~~ evidence-based training in teaching reading that was either: included as a course in an approved program of preparation or an alternative teacher program; included as a course in a post-graduate degree program in teaching reading or literacy; provided by CDE or included on the CDE advisory list of professional development programs; or provided by an LEP or deemed appropriate for license renewal pursuant to section 22-60.5-110(3), C.R.S.

13.01(C)(1) The evidence-based training in teaching reading must have included a minimum of 45 hours and must have addressed the content of the educator preparation literacy standards referenced in the state board's Rules for the Administration of Educator License Endorsements, 1 CCR 301-101, section 4.02(5) through 4.02(12) (effective ~~January 15, 2020~~May 30, 2019).

13.01(C)(2) A teacher ~~or reading interventionist~~ is deemed to have successfully completed evidenced-based training in teaching reading if the LEP submits evidence that the teacher ~~or reading interventionist~~:

13.01(C)(2)(a) successfully completed a CDE-provided reading training designed to meet this training requirement and passed the end of course assessment of learning; or

13.01(C)(2)(b) passed a CDE-approved undergraduate or graduate reading course and passed the end of course assessment of learning; or

13.01(C)(2)(c) passed a CDE-approved district or BOCES reading course or a course appropriate for license renewal and passed the end of course assessment of learning; or

13.01(C)(2)(d) holds a state of Colorado endorsement as a Reading Teacher or Reading Specialist; or

13.01(C)(2)(e) successfully completed a training program included on the department's advisory list of professional development programs created pursuant to C.R.S. § 22-7-1209(2)(c) and passed the end of course assessment of learning.

13.01(C)(3) In the event that a teacher or reading interventionist completes one of the evidence-based training options listed in 13.01(C)(2) but lacks proof of passing an end of course assessment, the teacher or reading interventionist may take and pass an alternate assessment authorized by the State Board aligned to the expectations of this section.

13.01(C)(4) An LEP that is not in compliance with this subsection 13.01(C) for reading interventionists employed to teach students in any of grades four through twelve as of the beginning of the 2024-25 school year or for a subsequent school year may request a one-year extension from the state board based on demonstration of good cause for inability to comply. The request, including an explanation of the good cause for inability to comply, must be submitted in writing to the state board at [state.board@cde.state.co.us](mailto:state.board@cde.state.co.us).

13.01(D) For the 2024-25 budget year and budget years thereafter, evidence that each principal in a school that serves kindergarten or any of grades one through three and each administrator with responsibility that pertains to programs in kindergarten or any of grades one through three has successfully completed evidence-based training designed for school administrators in the science of reading and was either: included as a CDE-approved course in an approved program of preparation, as defined in section 22-60.5-102(8), C.R.S., for principals or administrators or an individualized alternative principal program or other alternative principal program approved pursuant to section 22-60.5-305.5, C.R.S.; included as a course in a CDE-approved post-graduate degree program in teaching reading or literacy; provided by CDE or included on the CDE advisory list of professional development programs provided by the department pursuant to section 22-7-1209(2)(c), C.R.S.; or included in a CDE-approved training provided by an LEP or deemed appropriate for license renewal pursuant to section 22-60.5-110(3), C.R.S.

13.01(D)(1) The evidence-based training designed for school administrators in the science of reading must include a minimum of 45 hours and must address the following standards:

13.01(D)(1)(a) **Principal Literacy Standard I: Foundational Knowledge of the Science of Reading:** Principals demonstrate knowledge of the evidence-based foundations of language and literacy (reading, writing, speaking, and listening), instructional practice, and the major theoretical, conceptual, and evidence-based foundations of the science of reading to implement schoolwide scientifically and evidence-based reading instructional programming to improve literacy achievement for all students.

13.01(D)(1)(a)(i) Element A: Principals demonstrate knowledge of the foundational reading skills in the science of reading, including

phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension.

13.01(D)(1)(a)(ii) Element B: Principals demonstrate knowledge of the instructional practice of explicit, systematic, and evidence-based learning and instruction addressing oral language development and writing.

13.01(D)(1)(a)(iii) Element C: Principals demonstrate knowledge of the major theoretical instructional models such as The Simple View of Reading and Scarborough's Reading Rope.

13.01(D)(1)(b) **Principal Literacy Standard II: Curriculum, Instruction, Assessment, and Evaluation:** Principals ensure the implementation of curriculum and instructional programming aligned to the science of reading, understand that reading difficulty exists along a continuum of severity, understand how curriculum impacts learning, and coach and evaluate to increase the quality of instruction for all students.

13.01(D)(1)(b)(i) Element A: Principals understand the components of the science of reading and use that knowledge to ensure schoolwide adoption and implementation of standards-aligned, scientifically and evidence-based core, supplemental, and intervention curricular resources.

13.01(D)(1)(b)(ii) Element B: Principals understand that reading difficulty exists along a continuum of severity, understand the distinguishing characteristics of reading difficulties, and understand how this affects curricular and instructional programming decisions to support learners on this continuum.

13.01(D)(1)(b)(iii) Element C: Principals coach and evaluate educators in their use of evidence-based literacy instruction to ensure that the school meets the literacy needs of all students.

13.01(D)(1)(b)(iv) Element D: Principals ensure that literacy assessments and evaluations are scientifically and evidence-based.

13.01(D)(1)(b)(v) Element E: Principals lead, monitor, and evaluate the school's comprehensive scientifically and evidence-based language and literacy assessment systems, monitor gaps or redundancy across assessments, and adjust the assessment system accordingly to foster school literacy improvement for all students.

13.01(D)(1)(c) **Principal Literacy Standard III: Literacy Leadership and Professional Learning:** Principals demonstrate leadership by aligning literacy instructional programming to the science of reading and supporting evidence-based professional learning.

13.01(D)(1)(c)(i) Element A: Principals establish, align, and ensure the implementation of the science of reading through job-embedded professional learning based on school-wide assessment data.

13.01(D)(1)(c)(ii) Element B: Principals analyze and guide literacy instruction through data analysis, observation, and coaching conversations.

13.01(D)(1)(d) Principal Literacy Standard IV: Diversity, Equity, and

Inclusion: Principals lead and guide school efforts to advance diversity, equity, and inclusion.

13.01(D)(1)(d)(i) Element A: Principals promote self-reflection by school personnel about the effect of culture, beliefs, and potential biases on literacy instruction; and lead change in educational practices and institutional structures to promote equitable literacy instruction for all students.

13.01(D)(1)(d)(ii) Element B: Principals apply foundational knowledge of scientifically and evidence-based practices and promote equitable literacy instruction to meet the diverse and inclusive needs of all learners.

13.01(D)(1)(d)(iii) Element C: Principals create an environment that prioritizes transforming and creating scientifically and evidence-based learning experiences for students that reflect their language and culture and create a link between the school and family literacy practices.

13.01(D)(2) A principal or administrator is deemed to have successfully completed the evidenced-based training if the LEP submits evidence that the principal or administrator:

13.01(D)(2)(a) Successfully passed a CDE-approved course in an approved program of preparation, as defined in section 22-60.5-102(8), C.R.S., for principals or administrators, or an individualized alternative principal program, or other alternative principal program, approved pursuant to section 22-60.5-305.5, C.R.S. and passed the end of course assessment of learning;

13.01(D)(2)(b) Successfully passed a CDE-approved course in a post-graduate degree program in teaching reading or literacy and passed the end of course assessment of learning;

13.01(D)(2)(c) Successfully completed a training provided by CDE or included on the advisory list of rigorous professional development programs provided by CDE pursuant to section 22-7-1209(2)(c) and passed the end of course assessment of learning; or

13.01(D)(2)(d) Successfully completed a CDE-approved training that was provided by an LEP or that is appropriate for license renewal pursuant to section 22-60.5-110(3) and passed the end of course assessment of learning.

13.01(D)(3) In the event that a principal or administrator completes one of the evidence-based training options listed in 13.01(D)(2) but lacks proof of passing an end of course assessment, the principal or administrator may take and pass an alternate assessment authorized by the State Board aligned to the expectations of this section.

13.01(D)(4) An LEP that is not in compliance with this subsection 13.01(D) as of the beginning of the 2024-25 school year or for a subsequent school year may request a one-year extension from the state board based on demonstration of good cause for inability to comply. The request, including an explanation of the good cause for inability to comply, must be submitted in writing to the state board at [state.board@cde.state.co.us](mailto:state.board@cde.state.co.us).

13.02 In order for the department to comply with the reporting requirements found in section 22-7-1213, C.R.S., on an annual basis, LEPs must submit the following information to the department. The



state board will review the data annually to determine if district reporting requirements are consistent with section 22-7-1213, C.R.S.

- 13.02(A) Student background information (SASID, name, gender, date of birth and grade level);
- 13.02(B) Indication of whether the student has been identified as having a significant reading deficiency;
- 13.02(C) Interim assessment selected by the district (from list of approved assessments);
- 13.02(D) Interim assessment score (If the LEP is required to administer to a student at least one assessment in English, either because the student has demonstrated at least partial proficiency in English or because the student's parent has requested the student to be assessed in English, the LEP must submit the student's score on that English assessment.);
- 13.02(E) Indication of whether testing accommodations were provided;
- 13.02(F) Testing date;
- 13.02(G) Indication of whether retention was recommended;
- 13.02(H) Indication of whether student was retained;
- 13.02(I) The specific, allowable expenditures for which the LEP used per-pupil intervention funding, including the number and grade levels of students who participated in each of the types of programs or services provided;
- 13.02(J) If the LEP purchased instructional programming in reading using per-pupil intervention funding, the scores attained by students enrolled in kindergarten through third grade on an approved interim reading assessment; and
- 13.02(K) Any other information required by the department or the independent evaluator contracted by the department to complete the evaluation described in section 22-7-1209(8), C.R.S., including information necessary for the evaluator to determine a baseline indication of the level and quality of pre-service and in-service training in teaching reading that is received by each educator who is employed to teach kindergarten or one of grades one through three. The LEP, in providing the information, and the department and independent evaluator in receiving and using the information, shall comply with state and federal laws to protect the privacy of student information. The LEP, the department and the independent evaluator shall collaborate to minimize the impact on instructional time that may result from collecting and providing the information.

#### 14.00 Incorporation by Reference.

The 2020 Colorado Academic Standards for Reading, Writing, and Communicating (adopted June 13, 2018), and the state board's Rules for the Administration of Educator License Endorsements, 1 CCR 301-101 (effective ~~January 15, 2020~~ May 30, 2019), are incorporated by reference as noted above. Both are available for public inspection at the Colorado Department of Education, 201 East Colfax Avenue, Denver, Colorado, during regular business hours, as well as at [www.cde.state.co.us](http://www.cde.state.co.us). This Rule does not incorporate by reference any later amendment or editions to the Colorado Academic Standards and the state board's Rules for the Administration of Educator License Endorsements, after the effective dates noted herein.

**Editor's Notes**

**History**

Entire rule eff. 04/30/2013.

Entire rule eff. 06/30/2015.

Rules 2.34, 3.00-5.00, 5.04(B)(3), 6.01(B), 8.01(C)-(E), 13.01(I) eff. 04/30/2016.

Rules 1.0, 3.04, 3.05(A)-(B), 13.00 eff. 11/30/2017.

Entire rule eff. 04/30/2020.