

SB19-199 – Frequently Asked Questions

Spring 2019 Amendments to the Colorado READ Act



COLORADO
Department of Education

Questions Relating to Approved Programming and Advisory Lists

Does the READ Act require that instructional programming be scientifically based and evidence-based?

Yes, as outlined in statute (C.R.S.22-7-1204), instructional programming used to instruct students in reading in grades kindergarten through third grade must be scientifically based and evidence-based and must focus on reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading competency.

If we are not currently using a CDE approved core reading program, does this mean that we cannot receive READ funds in the future?

In order to receive per-pupil intervention funds in a budget year, an LEP must meet specific requirements outlined in statute (C.R.S. 22-7-1210.5(3)(b)). If per pupil funds are used to purchase a core program, the program must be selected from programs on the advisory list of approved core programming. The READ Act requires that instructional programming used to instruct students in reading in grades kindergarten through third grade must be scientifically based and evidence-based and must focus on reading competency in the areas of phonemic awareness, phonics, vocabulary development reading fluency, including oral skills, and reading competency (C.R.S. 22-7-1204). This programming does not need to be listed on the CDE approved list if per-pupil funds are not used to purchase the programming.

We recently adopted and have implemented a core program that is not on the current advisory list. How do I make sure that program is reviewed and possibly added to the list?

The review process will include a review of core, supplemental and interventional programming as well as professional development. If you would like your program to be reviewed, be in communication with the vendor and monitor our website to check to see when the application for review is posted. You can also be added to the READ Act listserv to receive updates directly from our office. All submitted programs will go through the review process to ensure that programs are aligned to scientifically and evidence-based reading research. Programs that meet these requirements will be added to the advisory list. Keep in mind that some reviewed programs may not meet the requirements to be added to the list.

How long did the program review process take?

The initial review process began in September 2019 and ended in April 2020.

Are district charter schools required to use one of the approved core programs?

Statute (C.R.S. 22-7-1208) now requires that, beginning in the 2020-2021 school year, each school district must report in its UIP the core programming and supplemental programming used in each school for grades K-3. This includes district charter schools. This programming must be designed around the teaching of the foundational reading skills of phonemic awareness, phonics, vocabulary development, reading fluency including oral skills and reading comprehension. They must also report the targeted, evidence-based, or scientifically based core and supplemental reading programs and reading intervention services and other supports for students who are identified as having a significant reading

deficiency or as reading below grade level. If a school or district purchases core programming using READ funds, the program must be selected from the advisory list of approved core programming.

Are there options on the advisory list of approved core programming for students in K-3 who are receiving their literacy instruction in Spanish?

There are approved core Spanish programs on the current advisory list. Any core Spanish reading programs submitted during the review process will be reviewed for possible inclusion on the advisory list of programming.

How will publishers be notified and encouraged to submit programs for review and approval?

Vendors are encouraged to monitor the CDE website for up-to-date information on the Advisory List Program Review <https://www.cde.state.co.us/coloradoliteracy>. Please contact Marisa Calzadillas at Calzadillas_M@cde.state.co.us for more information or to be added to the CDE listserv. Districts are encouraged to alert vendors about upcoming program reviews and encourage vendors to submit an application for review.

Questions Relating to Unified Improvement Plans (UIPs)

What are the new requirements for reporting programming on a district's UIP?

Statute (C.R.S. 22-7-1208 (5)(a)(IV)) now requires that, beginning in the 2020-2021 school year, each school district must report in its UIP the core programming and supplemental programming used in each school for grades K-3. This programming must be designed around the teaching of the foundational reading skills of phonemic awareness, phonics, vocabulary development, reading fluency including oral skills and reading comprehension. It must also report the targeted, evidence-based, or scientifically based core and supplemental reading programs and reading intervention services and other supports for students who are identified as having a significant reading deficiency or as reading below grade level. The district must also include the State Board approved READ Act assessment that each school uses in grades K-3. If the LEP receives and uses READ Funds for professional development, the LEP must include a plan for providing professional development which must be scientifically based or evidence-based. In addition, the LEP is required to submit to the CDE the information listed above every year, even if it is authorized to submit a UIP every two years.

Questions Relating to Evidence-Based Teacher Training in Teaching Reading

When did the requirement for teacher training go into effect?

As outlined in statute (C.R.S 22-7-1208(6)(a-d)), each LEP that receives per-pupil intervention money or a grant through the early literacy grant program in any budget year starting with the 2019-2020 budget year must submit evidence that each teacher employed to teach reading in grades K-3 has successfully completed evidence-based training in teaching reading by the beginning of the 2021-2022 school year. An LEP that is not in compliance with the requirements at the beginning of the 2021-22 school year or for a subsequent school year may request a one-year extension from the department based on a demonstration of good cause for inability to comply.

Will a training course or a conference I attended in the past (e.g., FOLI, LETRS, etc.) meet the requirements for the evidence-based training in teaching reading?

The rulemaking process establishes parameters for this requirement. View the complete [Rules for the Administration of Colorado Reading to Ensure Academic Development Act \(Read Act\) \(PDF\)](#)

Which teachers will need to receive evidence-based training in teaching reading?

Statute requires that any teacher hired to teach reading in any of the grades from kindergarten through grade three be trained and pass an end of course exam in evidence-based reading instruction. This includes classroom teachers, interventionists, Special Education teachers, and any teacher who teaches reading to students in grades K-3.

Does CDE provide guidance on what the required evidence-based training for K-3 teachers will need to include to meet the minimum requirements?

Yes. CDE provides guidance to support districts in choosing an appropriate pathway to fulfill the teacher training requirement. More information can be found on the [CDE READ Act Teacher Training web page](#).

In relation to the end of course exam, is CDE creating one or is it up to the district's discretion?

The rulemaking process establishes parameters for this requirement. View the complete [Rules for the Administration of Colorado Reading to Ensure Academic Development Act \(Read Act\) \(PDF\)](#)

Allowable Uses of Per-Pupil Intervention Funds

What is required of an LEP in order to receive per-pupil intervention funds in a budget year?

Statute (C.R.S. 22-7-1210.5 (3)(b)) states:

To receive per-pupil intervention money in a budget year, a local education provider must meet the following requirements:

- (I) The local education provider must submit the information described in subsection (2) of this section and in section 22-7-1213 (2);
- (II) For the 2021-22 budget year and budget years thereafter, the local education provider must submit evidence that it is in compliance with the teacher training requirements specified in section 22-7-1208 (6);
- (III) The department must approve the local education provider's proposed use of the per-pupil intervention money as being in compliance with the requirements in subsection (4) of this section;
- (IV) For the preceding budget year, the local education provider must have used the money for one or more of the purposes specified in subsection (4) of this section; except that the provisions of this subsection (3)(b)(IV) do not apply if the local education provider did not receive a distribution of per-pupil intervention money in the preceding budget year; and
- (V) If the local education provider is expecting to use the per-pupil intervention money for targeted intervention services as described in subsection (4)(d) of this section, the department reviewed and approved the services. The department shall not approve services that have not been implemented and proven to be successful with a student population and under circumstances that are comparable to those of the local education provider or that are not supported by valid research that suggests the services will be effective with the student population served by, and under the circumstances of, the local education provider.

Can per-pupil funding be used to pay for the evidence-based training in teaching reading?

Yes, evidence-based training in teaching reading is an allowable use of per-pupil funding, as described in statute 22- 7-1210.5 (4)(g).

Our district has been researching core programming and is considering a program that is not on the current advisory list, but we feel it is evidence-based. Can we use per pupil intervention funds to purchase this program?

Per pupil intervention funds may only be used to purchase core programming that is on the advisory list. Our office reviews all currently approved core, supplemental, and intervention programs and professional development, as well as any programs not currently on the advisory list that are submitted to the department for review. To ensure the program you are considering goes through the review process to be considered for addition to the advisory list, please be in contact with the vendor to ensure they submit the program to be reviewed at the appropriate time.

Districts are now allowed to carry over 15% of per pupil intervention funds from one budget year to the next. How is this percentage calculated? Does it include carryover from prior budget years?

Statute (C.R.S. 22-7-1210.5(6)(b)) specifies that carryover funds are limited of per-pupil intervention money is limited to 15% of funds received in a budget year. The additional carryover funds must be spent in the subsequent school year. If a local education provider retains more than the allowable 15%, the remainder over that amount will be deducted from the subsequent year allocation. This provision began with funds received during the 2019-2020 school year.