

Race to the Top - Early Learning Challenge
Application for Initial Funding
CFDA Number: 84.412A

Supporting Appendices for Colorado's Race to the Top - Early Learning Challenge
Phase 2

Submitted by the State of Colorado
October 26, 2012

Contents

Appendix Summary	3
Appendix A: Colorado READS	4
Appendix B: OEC Director Hire Press Release	23
Appendix C: OEC Press Release.....	25
Appendix D: Office of Early Learning & School Readiness Press Release ...	27
Appendix E: CDE-LG-CDHS MOU	28
Appendix F: 4 year ECE Degree Rule Reversal Press Release.....	34
Appendix G: Core Competencies Table of Contents	36
Appendix H: Early Learning and Development Guidelines Graphic.....	36
Appendix I: Strengthening Families Online training (screen shot).....	39
Appendix J: DHS-Early Learning Ventures MOU.....	40
Appendix K: Early Childhood Outcomes Report to US DOE	42
Appendix L: READ Act (HB12-1238)	43

Appendix Summary

Appendix	Name of Document
A	Colorado READS
B	OEC Director Hire Press Release
C	OEC Press Release
D	Office of Early Learning and School Readiness Press Release
E	CDE-LG-CDHS MOU
F	4 year ECE Degree Rule Reversal Press Release
G	Core Competencies Table of Contents
H	Early Learning and Development Guidelines Graphic
I	Strengthening Families Online training (screen shot)
J	DHS-Early Learning Ventures MOU
K	EC Outcomes Report to US DOE
L	READ Act (HB12-1238)

Appendix A: Colorado READS

Colorado Reads:
The Early Literacy Initiative
Spring 2012

The Lieutenant Governor, the head of the Mile High United Way, the head of Rocky Mountain Public Broadcasting Systems, the head of the Colorado Education Association, and the head of the Colorado State Library System are all on a bus...

Sound like the start of a bad joke?

Not at all. What this group of leaders in business, civic advocacy, and education began when they joined a state-wide bus tour last fall was no joke. What they did was embark on the start of a journey we believe will have important consequences for the future of Colorado's kids.

At stops in towns and cities across Colorado, we learned that 26 percent of our third graders are not reading at grade level. Clearly, that's not a laughing matter.

That sobering statistic translates into 26 percent of Colorado's kids failing to graduate from high school. And that puts their future—and ours—at great risk in an ever more competitive world.

We already know that if children are not reading in the third grade their prospect of graduation is low. Not to mention, their likelihood of ending up hungry or homeless is higher than their peers who do graduate.

The Colorado *Early Literacy Initiative* is not a new idea. It builds on efforts that have been underway in Colorado for more than a decade. It reinforces and renews a commitment by business leaders, the foundation community, and our public sectors, to bring greater attention to the problem of illiteracy.

If we ignore this issue, the consequences are clear.

The consequences can be seen in our prisons. We see it in our homeless shelters. We see it in our unemployment lines. And we also know that the status quo is unacceptable.

This is a goal that transcends party affiliation, ideology and geography.

It resonated in every community we visited during our literacy tour.

We heard from hundreds of Coloradans. We heard from grandparents, parents, community members and teachers—all of whom expressed their concerns and shared their ideas.

We know there is widespread public interest in this issue.

We know because of the 8-year old in Fruita who waited eagerly to meet us and thank us for making the time to read to his friends at his school. We know because of the librarians we met in Mesa County who traveled several hours to talk about their successful reading programs and how to take them statewide. We know because of business leaders we met in Colorado Springs who testified with unbridled enthusiasm on the importance of early childhood education to our economy. We know because of the work underway at the Denver Metro

Chamber of Commerce and the Telluride Foundation.

Our bus tour logged more than a thousand miles. We traveled through a snowstorm on Rabbit Ears Pass and saw the brilliant autumn foliage on Wolf Creek Pass.

We returned to Denver, not in agreement on every policy solution, but with a sense of hope that if we started rowing in the same direction, big things could happen.

The early literacy bus tour reminded us how important it is that as we drive this, and other public policy priorities forward, we do so in a way that brings communities together.

Colorado Reads: The Early Literacy Initiative is our attempt to capture the best ideas we heard about during our tour. It also identifies tools we will need to ensure that every child can read and succeed in life.

Our office is working closely with the Colorado Department of Education (CDE) as it develops a state literacy plan that will serve as a roadmap for the implementation of literacy-related policies and programs, content standards, and assessments. The department's plan will guide its support of school districts and educators to

ensure the best educational outcomes for children. Our vision is to see that the *Early Literacy Initiative* and the *Colorado Department of Education's Strategic Literacy Plan* work together as part of a statewide effort to ensure all of Colorado's children are reading at grade level.

More than anything else, the *Early Literacy Initiative* is a call to action. It is a call to get involved in some way—large or small—and to make a difference in the lives of Colorado's children. This document describes examples of the good work already underway in communities across the state to improve early literacy.

It also outlines the work in progress at the state level to improve early learning supports and services. By leveraging and expanding successful programs and inspiring community involvement and civic engagement, we will continue to find ways to come together to increase early literacy in Colorado.

For those who were on the bus ride with us, and for those who participated in the communities we visited, we wish to express our deep appreciation.

For every Coloradan, we commend this report to you and thank you for your interest in Colorado's children and our future.



John W. Hickenlooper
Governor



Joseph A. Garcia
Lieutenant Governor

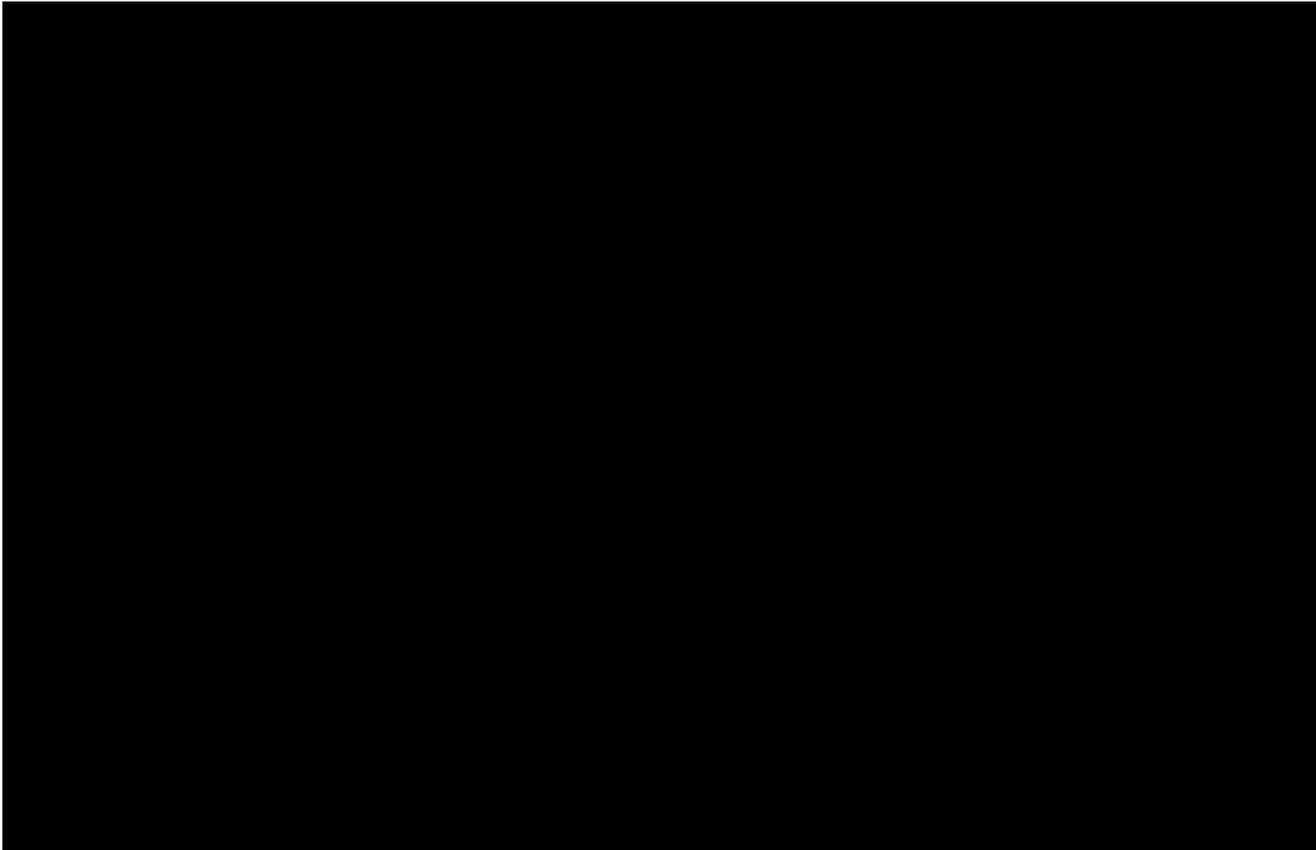


Table of Contents

Introduction	07
Colorado’s Children	08
Colorado’s Path to Success.....	10
The Issues.....	11
Health and Development Risks	11
Early Childhood Program Quality.....	12
The Early Childhood Workforce.....	13
Access to High-Quality Preschool Programs	14
Access to Full-day Kindergarten	15
Working Together	16
The Work of the State.....	17
Legislative Priorities.....	18
Community-Based Initiatives.....	19
Conclusion.....	21

Glossary of Acronyms

CAP4K	Colorado Achievement Plan for Kids
CBLA	Colorado Basic Literacy Act
CCCAP	Colorado Child Care Assistance Program
CDE	Colorado Department of Education
CDHS	Colorado Department of Human Services
CDPHE	Colorado Department of Public Health and Environment
CPP	Colorado Preschool Program
CSAP	Colorado Student Assessment Program
ECLC	Early Childhood Leadership Commission
ELC	Education Leadership Council
ELV	Early Learning Ventures
HCPF	Health Care Policy and Financing
IDEA	Individuals with Disabilities Education Act
K-12	Kindergarten – 12th grade
P-20	Preschool – Grade 20
P-3	Prenatal – Age 3

Thank You to the Literacy Advocates Who Have Informed and Advised the Initiative

Colorado Department of Education
Early Childhood Leadership Commission
Head Start State Collaboration Office Mile
High United Way
pre-K now, a campaign of the pew Center on the States
Serve Colorado

Accenture Foundation
Adams County
Adams State College
Alamosa County
Alamosa County School District RE-11J
AmeriCorps, VISTA
Arapahoe County
Aspen Community Foundation
The Aspen Foundation
Aspen School District
Ball Corporation
BASE Camp Bennett
Library Bennett School District
Boards of Cooperative Educational Services
BookTrust
Boys and Girls Clubs of Northwest Colorado
Burlington Community and Education Center
Burlington Elementary School
Burlington School District
Byers School District
Children's Hospital of Colorado
City of Alamosa
City of Aspen
City of Burlington
City of Colorado Springs
City of Craig
City of Durango City
of Fort Collins City of
Fort Morgan City of
Fruita
City of Glenwood Springs
City of Grand Junction City
of Greeley
City of La Junta
City of Loveland
City of Montrose
City of Pueblo

City of Rifle
City of Steamboat Springs
City Year
Clayton Early Learning Clifford
the Big Red Dog Colorado
African Association Colorado
Association of Funders Colorado
Bright Beginnings Colorado
Children's Campaign
Colorado Council International Reading Association
Colorado Early Childhood Councils
Colorado Education Association
Colorado Head Start Programs
Colorado Libraries for Early Literacy
Colorado Mesa University
Colorado Mountain College
Colorado Municipal League
Colorado Rockies
Colorado Springs School District 11
Colorado State University, Fort Collins
Colorado State University, Pueblo
Comcast
Council Tree Library
David and Laura Merage Foundation
Denver Broncos
Dos Rios Elementary School
Durango School District 9-R
Early Childhood Councils Leadership Alliance
Early Connections Learning Center
Early Learning Ventures East
Otero Primary School East
Otero School District R-1
Education Commission of the States
Education Leadership Council
El Paso County
El Paso First Books
El Pomar Foundation
Entravision Colorado
Executives Partnering to Invest in Children
F.A.S.T. Learning
First Impressions of Routt County
Focal Point
Focus Points
Fort Lewis College

Fort Morgan Family Center
Fort Morgan School District RE-3
Garfield County
Garfield County Library
Garfield County School District RE-2
Gilcrest School
Gilpin County
Grand Valley Center for Family Learning
Greeley Chamber of Commerce
Greeley Community Foundation
Hansjoerg Wyss Foundation
Historic Day Nursery
Kit Carson County
La Plata County
Larimer County
Limon Childhood Development Center
Limon Public Schools
Lincoln County Lincoln
Elementary
Lutheran Family Services of Colorado
Marsico Family Foundation
Marsico Institute for Early Learning and Literacy
Martinez Elementary, Colorado Springs
Martinez Elementary, Greeley
Mesa County
Mesa County Libraries
Mesa County Valley School District
Moffat County
Moffat County School District
Montrose County
Montrose County School District RE-1J
Montrose Regional Library District
Morgan County
Morgan County Early Childhood Council
Motherread/Fatheread Colorado Needham
Elementary
Ortega Middle School
Otero County
Ouray County
Ouray School District
Pathways Past Poverty
Peak Vista Community Health Centers
Pearson Foundation Pikes
Peak United Way Pioneer
Elementary School Pitkin
County
The Piton Foundation
Poudre River Public Library District

Poudre School District
Prairie Family Center
Project Learning Tree
Providers Advancing School Outcomes
Pueblo City-County Library District
Pueblo County
Pueblo Hispanic Education Foundation
Pueblo School District D60
Raising a Reader
Reach Out and Read Colorado
Reading Recovery
Red Rocks Community College
Right to Read, Weld County, Inc.
Rim Rock Elementary School
Roaring Fork School District
Rocky Ford School District
Rocky Mountain PBS
Routt County
Rural Communities Resource Center
Scholastic
Sopris Elementary School
Southern Colorado Higher Education Consortium
State Farm
Steamboat Springs School District RE-2
Strawberry Park Elementary School
Target
Temple Buell Foundation
Thompson Education Association, Inc.
Thompson School District
TIAA-CREF
Town of Bennett
Town of Byers
Town of Flagler
Town of Gilcrest
Town of Limon
Town of Ouray
United Launch Alliance
United Way of Larimer County
United Way of Southwest Colorado
United Way of Weld County
University of Colorado, Denver
University of Northern Colorado
Volunteers of America Foster Grandparent Program
Washington County
Weld County
Weld County School District 6
Weld County School District RE-1

Introduction

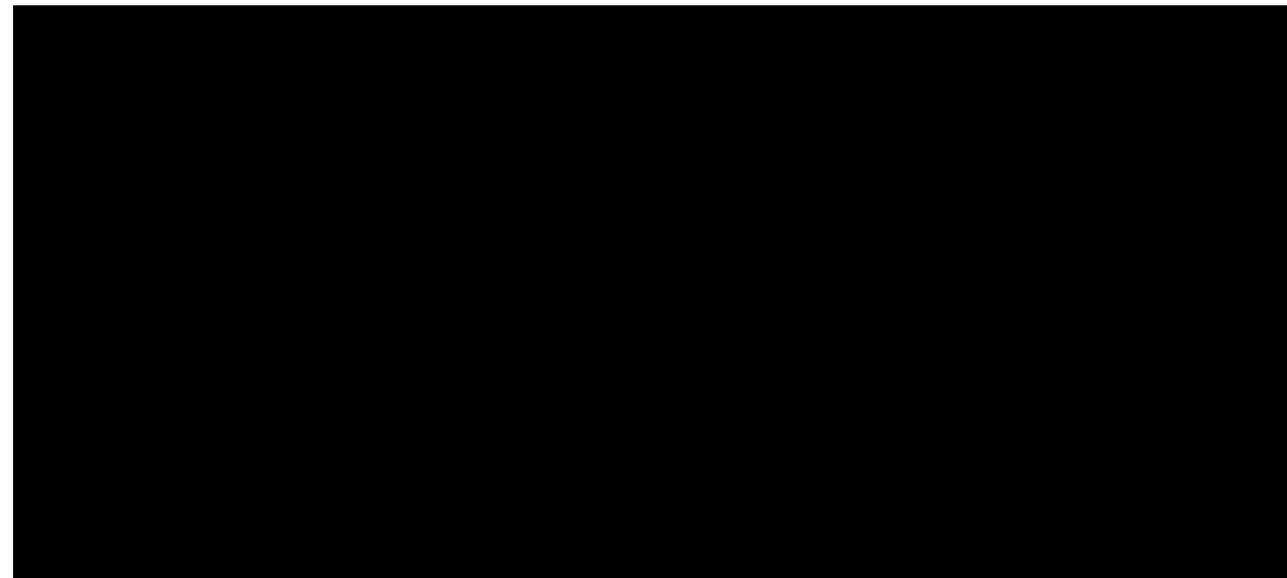
From the moment a child is born, language and literacy skills begin to develop. These early years of life lay a foundation for a child's future success in school and in life. Providing opportunities for children to develop these skills at an early age cements the path to higher academic achievement and increases their potential to become active members of Colorado's workforce.

Failure to prepare children with strong language and literacy skills comes with both individual and societal costs. The Center for Labor Market Studies estimates that each American student who fails to graduate from high school costs the economy \$360,000 in lost earnings, taxes, and productivity compared to their peers who graduate.¹ Non-graduates are likely to perpetuate a cycle of intergenerational poverty and under-employment. Research from the McKinsey Global Institute suggests that underperforming American schools "deprived the United States economy of as much as \$2.3 trillion in economic output in 2008."² The Alliance for Excellent Education reports that if half of Colorado's 17,300 dropouts from the class of 2010 had stayed in school and earned a diploma, the state would see \$92 million in increased earnings, 650 new jobs, and \$6.3 million in increased state tax revenue.³

Unlike Mama Llama who is "always near, even if she's not right here..." our non-llama babies always need us in the here-and-now and, when policies and budgets and other complicated adult matters get in the way of our children's excellence, a will and a way needs to prevail on their behalf. That is what is so great about (this initiative). The collaborative literacy effort you are designing has tremendous power, to lift Colorado's children and help them fly— all of them.

- Victoria Beck, Expeditions to Excellence

The stakes for Colorado and its children are high. Language and literacy development begin at birth and the best way to ensure children read proficiently by third grade is to provide them with the highest level of health assessments, early care programming, and interventions before they reach the kindergarten classroom. During the first three years of life, the brain undergoes its most dramatic development. Children acquire the ability to think, speak, learn, and reason during these years.⁴



¹"The Dropout Problem: Dropping Out for Cash Often Leads to Poverty," AllBusiness.com, October 24, 2010, <http://www.allbusiness.com/labor-employment/compensation-benefits-wages-salaries/15229150-1.html>.

²Byron G. Augustine, Bryan Hancock, and Martha Laboissière, "The economic cost of the US education gap," *McKinsey Quarterly*, June 2009, url: http://www.mckinseyquarterly.com/The_economic_cost_of_the_US_education_gap_2388.

³"The Economic Benefits of Helping High School Dropouts Earn Both High School Diplomas and College Degrees," Alliance for Excellent Education, last modified December 2011, http://www.all4ed.org/files/Colorado_sebps.pdf.

⁴"A Window to the World: Early Language and Literacy Development," Zero to Three, last modified 2011, <http://www.zerotothree.org/public-policy/policy-toolkit/early-literacywebmarch1-6.pdf>.

This document begins to lay out a blueprint for achieving reading success for every child growing up in Colorado. Many efforts are already underway and this early literacy initiative aims to leverage the work of the Colorado Department of Education and its *Strategic Literacy Plan*, the P-20 Education Coordinating Council, the Colorado Basic Literacy Act, the current Educator Effectiveness Initiatives, the Education Leadership Council, the Early Childhood Leadership Commission, Mile High United Way's *Literacy Matters* initiative, and the numerous other state, local, public, and private efforts taking place in Colorado.

Some of these efforts may take more time to advance and would require a full and robust economic recovery as the state confronts a variety of challenges and competing policy priorities, all of which would benefit from an investment of more resources. Full-day kindergarten and universal preschool, for instance, represent long-term priorities that will be difficult to fund until revenues for existing state education obligations stabilize.

Because early literacy is a priority for this administration, limited resources will not deter the State's work to collaborate with partners and key stakeholders to find innovative solutions for ensuring that every child will read at grade level. The administration is supporting legislation in 2012 designed to help all children who face challenges and barriers in learning to read. The legislation will help diagnose, intervene, and remediate early; increase parental involvement in intervention strategies; promote research-based practices among schools and teachers; increase accountability for districts and schools; and, where necessary and appropriate, retain students. This blueprint is built on the thoughts, ideas, local initiatives and strategic partnerships that already exist.

The *Early Literacy Initiative* is designed to bring attention to the work underway in communities across Colorado. It is both a call to greater awareness and action. It challenges all of us. One day every child in Colorado will read, but it will take a shared vision and a commitment to working together.

Colorado's Children

Colorado is a great place to raise a family and the numbers speak for themselves: there are nearly 650,000 young children (birth to age 8) in the state right now.⁵ Bright and prosperous futures await most of these children, yet Colorado must also pay attention to the state's growing child poverty rate—the fastest growing rate in the nation. More than 17 percent of the state's children are living in poverty and nearly 8 percent live in extreme poverty.⁶ Twenty-two percent of Colorado's third graders are English learners; of those 88 percent speak Spanish as a first language.⁷

Colorado tracks student literacy achievement through the Colorado Student Assessment Program (CSAP). In 2011, more than a quarter (26 percent) of Colorado's third graders scored partially proficient or unsatisfactory on the Colorado Student Assessment Program (CSAP) literacy test. Children who are economically disadvantaged and/or English learners tend to fare far worse than their peers.

Third graders fluent in English did well on the CSAP with 91 percent of those children scoring proficient or advanced. Only 48 percent of children with Limited English Proficiency scored at a proficient level on the assessment. Of those children who were Not English Proficient, 63 percent scored unsatisfactory and 25 percent scored partially proficient. Only 9 percent of the children in this population were found to be reading at grade level.

⁵ "Colorado Early Childhood Needs Assessment," Early Childhood Leadership Commission, November 2011, <http://www.ecllc.org/cp/uploads/ECLCNeedsAssessmentFinal.pdf>.

⁶ Ibid.

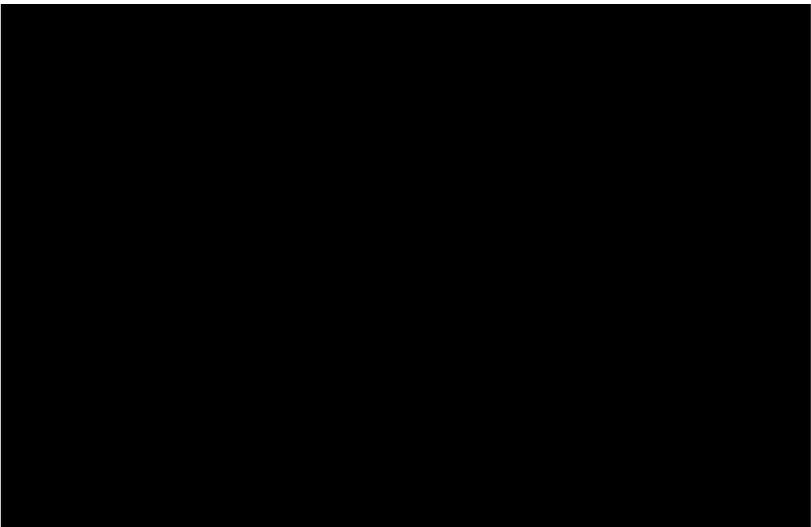
⁷ "CSAP Summary Data—2011 CSAP State Summary Results: Reading, Grades 3–10," Colorado Department of Education, last modified August 3, 2011, http://www.cde.state.co.us/cdeassess/documents/csap/csap_summary.html#211.

English Learner CSAP Scores 2011					
	Unsatisfactory	Partially Proficient	Proficient	Advanced	Not Scored
Not English Proficient	63%	25%	9%	0%	2%
Limited English Proficiency	12%	38%	48%	0%	1%
Fluent English Proficiency	2%	6%	84%	7%	0%

Colorado’s low-income children are also at risk of academic failure. Of children eligible for free/reduced cost lunch (FRL), 43 percent were reading below grade level, while only 14 percent of middle- and high-income children were found to be at the same level.

As Colorado aims to improve third grade literacy rates, research-based strategies must be used to reach all children. Quality early instruction is critical for all children and attends to the specific needs of students who are economically disadvantaged and English learners.

Providing children with high-quality programs and services early in life can have a profound effect on language development and literacy. Unlike the state’s K-12 system, however, early childhood programming is less formal and can be more difficult to access. Programs such as the Colorado Preschool Program, Head Start, Child Find, home visitation programs, and privately-funded preschool and child care programs exist throughout the state, but the quality of programs varies and those of highest quality serve relatively few children.



Colorado's Path to Success

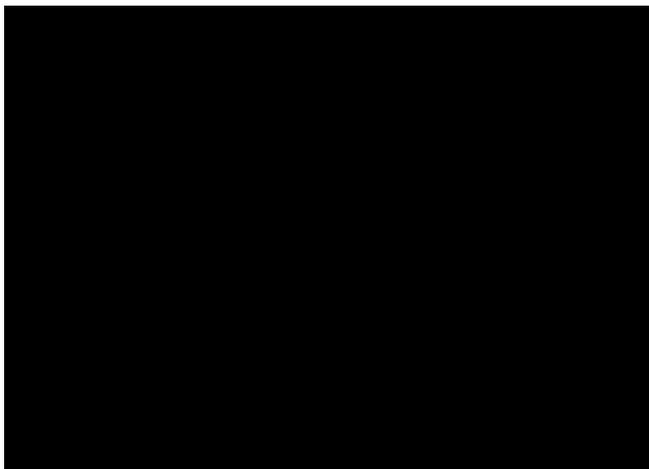
Building on the 1997 Colorado Basic Literacy Act, the Administration and the General Assembly are introducing legislation in the 2012 session—the Colorado Early Literacy Act (HB12-1238). This bill will strengthen the state's approach to early intervention, increase parental engagement, and make schools and districts more accountable for literacy results.

CDE is also implementing new educator effectiveness measures and systematically higher literacy standards. The Department has initiated a strategic literacy plan to serve as a focal point for all of the Department's efforts to support Colorado districts, schools, and communities to ensure all Colorado children are on track to meet the literacy demands of the 21st century.

The *Early Literacy Initiative* builds on the foundational work of two landmark pieces of legislation that reform the system of standards and assessments as well as the system of evaluation of teachers and administrators. Together, these policies aim to deliver a universally-excellent public education for every child in Colorado, regardless of region, ethnicity, or socioeconomic background. SB10-191, known as the educator effectiveness bill, emerged from the belief that great teachers and leaders can and do make a difference in the lives of all children. The law is in the midst of implementation and will provide teachers and principals with a clear set of expectations, based on multiple measures and tied to student learning. SB08-212 created the Colorado Achievement Plan for Kids (CAP4K), which aligns school standards from kindergarten through college to add an unprecedented level of curricular coherence and rigor to schools.

Under CAP4K the State Board of Education adopted the following description of school readiness: "School Readiness describes both the preparedness of a child to engage in and benefit from learning experiences, and the ability of a school to meet the needs of all students in preschool and kindergarten. School Readiness is enhanced when schools work collaboratively with families and community service providers to ensure that every child is ready for higher levels of learning in academic content." (For the full description see <http://earlychildhoodcolorado.org/inc/uploads/CDE%20School%20Readiness%20Description.pdf>.)

The *Early Literacy Initiative* takes guidance from this definition of school readiness by recognizing that a literate child becomes so through many overlapping and complementary efforts beginning at birth. A child becomes literate when parents and families talk, read and sing; when communities build and support libraries; when teachers and school leaders use research-based instructional techniques; when non-profits step up when new needs arise; and when doctors and nurses screen for and identify problems early. These combined efforts, each essential in different ways, help raise children who are healthy and ready to read and learn as they make their way toward productive and meaningful lives.



The Issues: Barriers and Challenges to Early Literacy Success

issue 1: Health and Development risks

School readiness begins with good health. Health and developmental problems—whether physical, emotional, or social—threaten to delay a child’s ability to learn and thrive, and highlight the importance of early identification and intervention. They also highlight the critical role that health care providers must play in any effort to improve language acquisition and literacy.

We need to address (literacy) problems when kids are young, identifying families in crisis and work with them. The child needs to be healthy mentally and physically and avoid problems at the stage where they are very young.

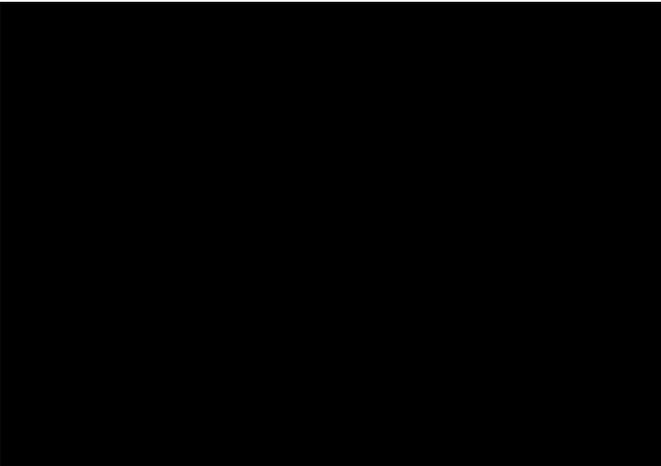
**- Chief District Judge Dennis Maes,
10th Judicial District**

The American Academy of Pediatrics (AAP) recommends 10 well-child visits with a health provider between birth and age 2, when development is observed as part of a routine checkup. Ideally, checkups would occur in primary care medical homes that facilitate discussions among the many providers that see a single child patient. Early identification of potential developmental delays is critical to the well-being of children and their families. The AAP also recommends that the health provider complete a comprehensive, standardized, developmental

screening at 9-, 18-, and 30-month well-child visits, allowing for timely and effective interventions when developmental concerns arise.

In Colorado, comprehensive health and development assessment systems lay the groundwork for healthy development and higher rates of literacy. For example, the Assuring Better Child Health and Development project (ABCD) encourages pediatric healthcare providers to use standardized developmental screening tools to facilitate early identification and referrals. Expanding this system of coordinated and integrated screenings will likely improve literacy outcomes when children served reach third grade. Another pioneering group is Reach Out and Read Colorado, which has drawn a direct connection between health and literacy by enlisting health care providers to give books and information on the importance of literacy to low-income parents at each well-child visit.

Throughout Colorado, communities are working to improve health outcomes for young children. In Montrose, two health care centers were placed inside local schools, allowing health professionals to reach children and engage families in health care discussions. A DVD was distributed to parents/families to support learning at home. Montrose is also partnering with the Mexican Consulate to provide literacy programs, English as a Second Language classes, and GED classes for local Spanish speakers. As more parents acquire literacy skills and English fluency, they can better assist their children in learning these same skills.



The Nurse Family Partnership and other home visitor programs, such as Early Head Start, Parents as Teachers (PAT), and Home Instruction for Parents of Preschool Youngsters (HIPPI), provide training and education to parents, families, and caregivers about child health and development in their homes. Home visitation programs strengthen the ability of parents, families, and caregivers to play their role as their child’s first and most important teachers by ensuring that they understand the importance of language rich environments for children. Home visitation programs can also support families and caregivers who are English learners and provide resources to increase family literacy, such

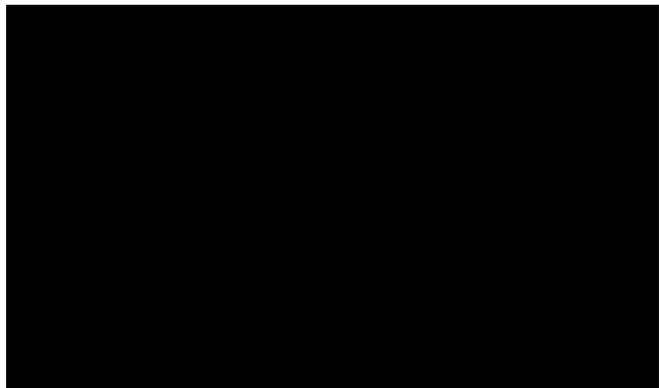
as books and materials in the language used in the home. Families looking for support in learning English can be referred to English as a Second Language classes.

As health care providers and groups offer the necessary medical guidance and intervention, it is also critical that parents and caregivers work at home to provide language rich experiences in order to promote early literacy development. Research indicates the immense potential parents, families, and caregivers have to encourage literacy in their children, both at home and at school. Parent, family and caregiver attitudes toward literacy and learning, engagement in children's schooling, and support of reading at home all contribute to a child's academic success. Resources exist to help parents build their capacities, including programming that promotes access to books and literacy activities during the summer to curb loss of reading skills outside the school setting.

When health and development risks are identified early, interventions can be implemented and children can avoid further delays to their language and literacy skills.

issue 2: Early Childhood program Quality

Improving the quality of early learning programs for children from birth through third grade can help to ensure that Colorado's children receive all possible supports for literacy success. Currently programs such as Head Start and the Colorado Preschool Program provide children with supports and skills that improve their chances of developing language and literacy skills that result in grade-level reading. Expanding resources and quality standards into child care settings, such as in-home child care and summer reading programs, can improve educational experiences for children before they enter the public school system.



Many efforts to improve program quality exist in Colorado. Qualistar Colorado is the state's Quality Rating and Improvement System which provides ratings of child care or school setting quality. Qualistar Colorado rates child care centers, homes, and schools with a one-, two-, three- or four-star rating indicating whether the setting is high quality or working on quality. Qualistar also provides training and technical assistance to improve program quality.

Head Start programs across the state have begun using the CLASS tool. CLASS looks at three domains of teacher-child interaction: emotional support, classroom organization, and instructional support. Research demonstrates that children in classrooms with high CLASS scores have more positive social and early academic development.⁸

Early Childhood is the foundation to many of the preventative strategies that need to be the focus of policy makers... If anything can be done for this country and state in education it would be providing every child a fair opportunity to a free and appropriate early childhood program.

- Amy Buford, Poudre School District

Colorado also has 30 Early Childhood Councils that coordinate activities and support programs across most of the state. Early Childhood Councils across Colorado bring together partners to coordinate, increase, and improve the education, health, social/emotional, and parent and family engagement opportunities available to all young children and their families. Additionally, Early Childhood Councils attempt to share best practices between communities and bring feedback and ideas to the state.

⁸ "Understanding and Using the CLASS for Program Improvement," The National Center on Quality Teaching and Learning, last accessed February 22, 2012, <http://eclkc.ohs.acf.hhs.gov/hslc/tta-system/teaching/docs/CLASS.pdf>

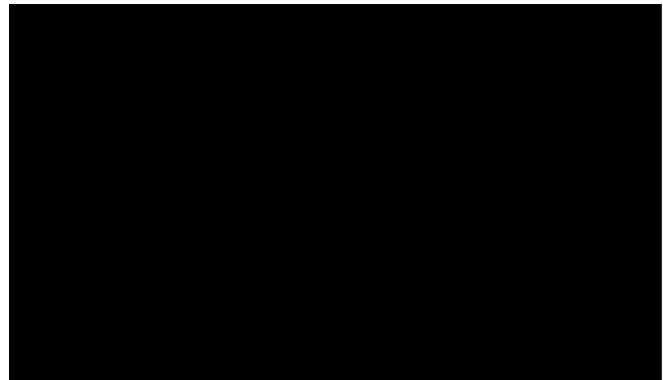
Early Learning Ventures (ELV), an initiative of the David and Laura Merage Foundation, is an innovative approach engaging the public, private, and philanthropic sectors to address the operational challenges facing early care and education in Colorado. The ELV network of Alliances or hubs, which are made up of independent child care providers in a particular area of the state can reduce provider costs by sharing administrative functions with other organizations. This allows child care providers to improve the strength of management and focus on increasing program quality.

High-quality early childhood programs can have a significant impact on a child’s language and literacy development. According to the National Institute on Early Education Research, high-quality preschool experiences can substantially increase a child’s likelihood of succeeding in school and later in life. “Children who attend high quality preschool programs are less likely to be held back a grade, less likely to need special education and more likely to graduate high school. They are less involved in crime and delinquency. They also earn more as adults and are less likely to become dependent on welfare.”⁹

issue 3: The Early Childhood Workforce

How does Colorado teach teachers and child care providers to teach children to read? This question is critical to the success of young readers. Colorado is committed to improving educator effectiveness and has already begun work to define a knowledge and competency framework to establish universal performance measurements for early childhood professionals.

Research indicates that teacher ability has a significant impact on students’ reading achievement. Some studies indicate that the individual teacher working with a child and his or her professional experience and personal characteristics are the most important factors contributing to a child’s success. Improving and strengthening professional development experiences for the early childhood workforce can ensure that the adults who are caring for children have the tools they need to ensure that children are receiving effective instruction for language and literacy development.



Professional development initiatives exist throughout Colorado. The Temple Hoyne Buell Foundation has made a significant investment in early childhood professional development throughout the state. Without this investment many early childhood professionals would have far fewer opportunities to improve their teaching skills. Durango schools utilize the LETRS (Language Essentials for Teachers of Reading and Spelling) professional development and literacy specialists to increase the effectiveness of their teachers and have created Durango’s Professional Learning community, which allows teachers to collaborate and share best practices. Other professional learning programs and opportunities include AmeriCorps’ and City Year’s army of trained literacy tutors to support classroom teachers and students who are not reading at grade level and Denver Academy’s F.A.S.T (FUNDamental Applications for Successful Teaching) program that trains teachers how to teach literacy using research-based reading instruction.

⁹ “Frequently Asked Questions,” National Institute on Early Education Research, last accessed February 22, 2012, <http://nieer.org/faq/index.php?TAid=131>.

issue 4: Access to High-Quality preschool programs

Children who participate in high-quality preschool programs do better in school and in life. A recent study by the Center for Public Education shows the power of universal preschool programming. This study shows that children who attend high-quality preschool prior to kindergarten score significantly higher on reading tests than children who attend full-day kindergarten without preschool.¹⁰ The benefits of preschool are even more pronounced for minority and low-income children who can start kindergarten 12 to 14 months behind their peers.¹¹ High-quality preschool is an important tool for closing the achievement gap. Beyond the direct benefits for children, high-quality preschool is an important tool for saving taxpayer dollars. Children who attend high-quality preschool are less likely to be placed in special education programs, less likely to be retained, and more likely to graduate from high school.

Colorado has already made significant investments in preschool programming throughout the state. In 1988, the Colorado General Assembly created the Colorado Preschool Program (CPP) to serve the young children in Colorado who were experiencing poverty, disability, or another circumstance making them vulnerable to starting grade school unprepared. The Legislature recognized that providing high-quality early childhood education would ultimately curb dropout rates, help children achieve their full potential, reduce dependence on public assistance, and decrease susceptibility to criminal activities. The state currently funds 20,160 CPP slots. To broaden the reach of this important program, some local communities are creating partnerships between Head Start and CPP; however, nearly 6,500 more children qualify for the program, but can't be served by either CPP or Head Start because of funding constraints.

Local governments have also made significant investments in preschool programming. The Denver Preschool Program (DPP) is a voter-approved tax initiative to give parents tuition credits to help pay for high-quality preschool or home child care. DPP also provides quality improvement resources to preschool classrooms and professional development opportunities for early childhood professionals. DPP is open and voluntary for all Denver children the year before they start kindergarten. The City of Aspen, Summit County, and the Boulder School District also dedicate funds generated through voter-approved tax or mill levy increases to fund high-quality early childhood programs by giving financial assistance to parents and families, as well as support for quality improvement efforts.

Two children entering Kindergarten can be like different jigsaw puzzles. The child who attended preschool has the border built and all the pieces turned face up. This child is well-prepared for school and ready to start making connections. The other child, who did not attend preschool, still has all the pieces in the box.

**- Debbie Becker,
United Way of Weld County**

Additionally, local programs such as Raising a Reader are making an impact. Raising a Reader's vision is that one day all children will enter kindergarten in love with the printed page and ready to learn to read. Twenty independent evaluations have indicated that the program significantly increases the time families spend reading together and child language and literacy outcomes across diverse cultural and language demographics. Raising a Reader's mission is to engage parents in a routine of daily "book cuddling" with their children from birth to age 5 to foster healthy brain development, parent-child bonding, and early literacy skills critical for school success. It also includes receiving four books a week via a "book bag".

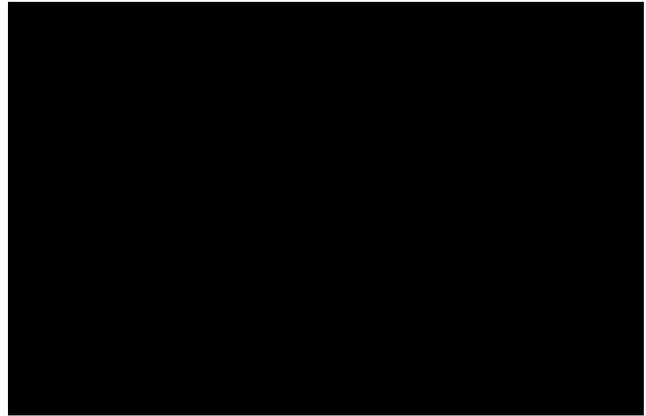
Children who participate in high-quality preschool programs score significantly higher on reading tests than children who do not have the opportunity to attend. Efforts to increase the number of high-quality opportunities available to children and families will be a critical part of Colorado's efforts to improve third grade literacy rates.

¹⁰ "Starting out right: pre-k and kindergarten: full report," The Center for Public Education, last modified February 2012, <http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Starting-Out-Right-Pre-K-and-Kindergarten/Starting-Out-Right-Pre-K-and-Kindergarten-full-report.html>.

¹¹ Ibid.

issue 5: Access to Full-day Kindergarten

Gains made when a child attends high-quality preschool may diminish over time if the intensity of schooling is not maintained through elementary school. Quality full-day kindergarten sustains the progress that students make in preschool. Because the ability to regain lost ground after first grade is rare, experts advise that for 90-95 percent of poor readers, early detection and intervention is crucial.¹² Quality full-day kindergarten programs contribute to school readiness, literacy achievement in later grades, and a reduction in the achievement gap for students of low socioeconomic status.¹³



Full-day kindergarten programs exist throughout Colorado. Some school districts fund full-day programs while others require parents to pay for part of the day. Often students identified as at-risk or needing additional preparation for first grade are prioritized for full-day kindergarten programs. Quality full-day kindergarten sustains the progress that children make in preschool. Because gaining lost ground after first-grade is extremely difficult, continuing the intensity of schooling during kindergarten is important.

As increasing access to full-day kindergarten will improve language and literacy outcomes for Colorado's children, so too will fully implementing kindergarten assessments. The 2008 CAP4K legislation requires development and implementation of a statewide school readiness assessment by December 2013. The purpose of the multi-domain, ongoing school readiness assessment is to inform instruction and intervention in order to assure that young children are on track for success in school and beyond. In the Results Matter program, more than 30,000 preschoolers are now being assessed with *Teaching Strategies GOLD*[®], a valid and reliable research based early childhood assessment system that yields child, program, and state level information. As of this fall, CDE is piloting *Teaching Strategies GOLD*[®] for its utility as the state's school readiness assessment. This assessment will allow teachers to identify and address a child's individual educational needs.

The community of Trinidad wanted to fund all-day kindergarten and they have done so now for 10 years. It has been a huge success—82% tested at or above grade level for reading.

In addition to child-level in-school assessments, local communities could implement community-level assessments such as the Early Development Instrument (EDI). The EDI is an assessment tool that measures the health and development of populations of children and then maps the results to other community indicators. The EDI is a useful tool to engage communities in data-driven processes to inform and improve early childhood service systems. This kind of tool helps communities best support their children and ensure they receive the services they need to succeed in kindergarten.

¹⁰ G. Reid Lyon, "Overview of Reading and Literacy Research," in *Keys to Literacy*, eds. Susannah Patton and Madelyn Holmes (Washington, D.C.: Council for Basic Education, 1998), 1–15.

¹³ "Full Day Kindergarten: Moving Ontario Forward," Elementary Teachers' Federation of Ontario, 2008, <http://www.etfo.ca/Publications/PositionPapers/Documents/Full-Day%20Kindergarten%20-%20Moving%20Ontario%20Forward.pdf>.

Working Together: How Colorado is Driving Early Literacy Success

Just as the benefits of early literacy reveal themselves throughout a child’s life, an integrated community-based approach reinforces childhood achievement through a child’s social surroundings. This *Early Literacy Initiative* relies on a statewide collaboration between parents, families, caregivers, educators, local school districts, businesses, and community groups. Each member of a community can—and should—play an active role in educating Colorado’s children.

The Office of the Lieutenant Governor is working closely with the Colorado Department of Education (CDE) as it develops a statewide plan—called the *Strategic Literacy Plan*—that will serve as a roadmap within the department for the implementation of literacy-related policies and programs, academic standards, and assessments.

While the *Early Literacy Initiative* outlines the primary issues related to early literacy facing Colorado, it is also important to note the work being done statewide to engage parents, families and caregivers to promote volunteerism and to educate communities about the importance of providing Colorado’s children with opportunities to develop language and literacy skills.

Research indicates that reading programs that utilize tutors with basic training are effective in raising the reading scores of young children.¹⁴ This research supports one-on-one reading instruction as opposed to group instruction. In collaboration with Mile High

United Way, the Hickenlooper-Garcia Administration has begun efforts to promote volunteer tutoring programs as a tool to improve language and literacy skills. This effort will include a multi-faceted recruitment effort that will place volunteers in schools as well as a partnership with Serve Colorado that will allow 20 AmeriCorps members to reach over 400 students throughout Colorado.

A public awareness language and literacy campaign is also under development. This statewide campaign will educate parents, families, and caregivers about the importance of early language development and literacy as well as promote volunteerism for the general public.

Many local-level collaborations already exist in the state. For instance, the Grand Valley Center for Family Learning was created from the school district’s long-term goal to have one center where all young children could attend high-quality early childhood programs and parents and families could access educational services and support. Community organizations such as Rotary, Optimist, and Kiwanis Clubs in many communities support literacy programs by providing books and dictionaries and monetary support, among other things. Libraries throughout the state have many established programs to reach out to the community to engage parents and youth and increase access to books. One example is the Colorado Baby Library card, which will be a statewide campaign designed to encourage parents to develop a habit of reading and engaging with their children from birth.

State, local, public, and private initiatives are happening throughout Colorado. As the state continues forward with this effort to increase third-grade reading rates, this document will be continually updated. This will be a living, breathing initiative that will have the flexibility to grow and change as opportunities arise and more is known about the way children develop, learn and grow.

Success in school begins way before a child enters kindergarten. By investing in early care and education we are preparing our children for the future. And the future of our children is in the hands of all of us. Education is always your way up.

**- David Merage, President and CEO,
Consolidated Investment Group**

¹⁴ Batya Elbaum, Sharon Vaughn, Marie Tejero Hughes, and Sally Watson Moody, “How effective are one-to-one tutoring programs in reading for elementary students at risk for reading failure? A meta-analysis of the intervention research,” *Journal of Educational Psychology* 92, no. 4 (2000): 605-619.

The Work of the State

1. Identify and Eliminate Health and Development Barriers to Literacy

Encouraging and supporting physical, oral, and social-emotional health programming in all early childhood settings is a significant step towards eliminating health and development barriers to early literacy. To ensure consistent and uniform standards across all child care settings, the Early Childhood Leadership Commission, the Department of Human Services, and the Department of Education plan to implement a statewide set of early learning and development guidelines for children from birth to third grade. These guidelines will promote quality preventative health services and help ensure early interventions for those children at greatest risk of developmental delays. Additionally, by increasing and integrating high-quality health, wellness, and safety strategies in all early learning settings, children will have more immediate access to better health, nutrition and developmental services.

State agencies are actively engaged in promoting early intervention, home visitation, and medical home resources. By working in partnership with healthcare providers, the State is helping to provide additional support for early literacy through medical home initiatives.

ACTION: We will help to ensure more children have greater access to health, nutrition, and education opportunities. Together, state agencies will increase the number of children served by early interventions and home visitation programs and increase the number of medical and dental homes.

2. Educate and Empower parents to Engage their Children in Language and Literacy Activities

Parents and families play the most critical role in early childhood development. As a child's first and most important teachers, parents and families need access to tools to help them succeed. Home visitation programs are one way to reach parents and families to educate them about the importance of language and literacy development. State agencies will continue to grow and strengthen home visitation services by taking advantage of opportunities, such as the federal Maternal Infant Early Childhood Home Visitation program, to provide support and education to families and caregivers. Through the early literacy public awareness campaign, the Office of the Lieutenant Governor, Department of Education, and the Department of Human Services will strive to increase parent, family, community, and volunteer engagement in language and literacy activities.

ACTION: We will increase the number of families served through home visitation programs and create greater awareness of the critical role parents and families play as teachers to their children.

3. Maximize Access to preschool programs

Current economic conditions and limited resources are not deterring the State's work to collaborate with key stakeholders to find innovative solutions for ensuring that every child reads at grade level. This includes steps to increase the number of children who attend preschool programs by exploring how current resources can be most efficiently and effectively combined to maximize current opportunities. For example, many programs combine funding sources such as Head Start, CPP, and CCCAP to increase the number of children served. Additionally, the Early Childhood Leadership Commission is developing a cost-model that will allow early childhood stakeholders to analyze the efficiencies of early childhood programming.

ACTION: We will explore every option to maximize preschool enrollment opportunities including expanding partnerships with federal programs and supporting local initiatives to expand preschool programming.

4. Improve Early Learning program Quality (Birth to Age 8)

High-quality child care and early learning opportunities are essential to improving early literacy. The State will continue to drive excellence in the broad spectrum of early learning programs by incentivizing child care providers through national TEACH scholarships, school readiness supports, and infant/toddler training programs.

Numerous other efforts are helping to advance the level of language and literacy instruction children receive within licensed child care settings. The State is working to create a system of quality support hubs to provide training and technical assistance to child care providers. Colorado is also enhancing the current shared services system to provide back-office support in order to allow small center administrators to focus more attention on high-quality learning experiences for children.

Program quality hinges on setting and adhering to high standards and expectations for early learning. The newly created position for a state Literacy Specialist within the Department of Education will steer the delivery of research-based early literacy instruction and provide guidance and support to early literacy educators throughout the state. By creating the next generation of the Tiered Quality Rating and Improvement System standards and including these in child care licensing rules, the State will not only increase the number of high-quality preschool programs, but ensure child care professionals meet the industry's highest expectations.

ACTION: State agencies will increase both the number of high-quality child care settings and the number of children receiving high-quality early childhood services.

5. Strengthen the Early Childhood Workforce

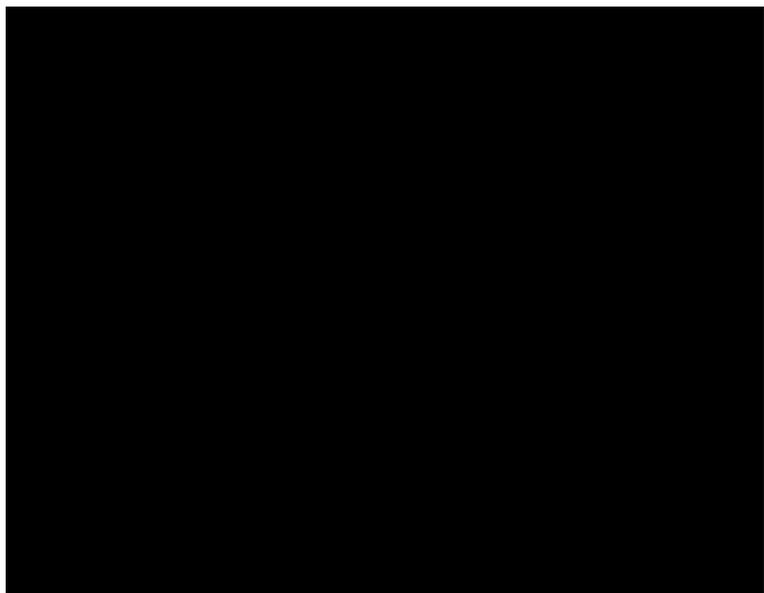
Great teachers make a significant difference in student learning. In alignment with Educator Effectiveness efforts (SB10-191), the Early Childhood Leadership Commission and the P-3 Professional Development Task Force are creating and implementing an early childhood workforce knowledge and competency framework that can be used across all early childhood settings. Additionally, the Department of Human Services, the Department of Education, and the Department of Higher Education are streamlining licensing systems so teachers and administrators can easily navigate between requirements for school-based and other early childhood settings. Steps to provide more in-state education opportunities include creating pathways for an Early Childhood Education bachelor's degree in Colorado.

ACTION: We will establish high expectations, rigorous standards, and exceptional educational opportunities for early childhood workforce professionals.

Legislative Priorities

1. Effectively Merge Early Childhood Programs into one Office of Early Childhood

The early childhood governance proposal was developed through a collaborative process with leaders from the Early Childhood Leadership Commission, the Governor's and Lieutenant Governor's Offices, the Department of Human Services, the Department of Public Health and Environment, and the Department of Health Care Policy and Financing, along with input from the Department of Education. The Office of Early Childhood proposal (SB12-130), unanimously endorsed by the agencies listed above, includes the co-location of many programs and the strengthening of interagency partnerships and collaboration in order to improve the efficiency, effectiveness, and quality of childhood and youth supports, services, and programs in Colorado.



ACTION: We will work together to more effectively, efficiently, and elegantly guide us in our efforts to address early literacy.

2. Strengthen Early Literacy policy

The proposed Colorado Early Literacy Act (HB12-1238) strives to reinforce early literacy policy and education in kindergarten through third grade in a variety of ways. This legislation promotes more frequent and early use of formative and criterion-based assessments to diagnose reading problems and to provide immediate and responsive interventions to specific literacy deficiencies. Parents will now be invited into the process earlier to assist with tailoring specific remedies to address student needs. When necessary and appropriate, the bill provides for the retention of students.

ACTION: We will support the enactment of a stronger statewide early literacy policy.

3. Fully Fund & implement SB10-191

The quality of teachers and principals in schools matters. In 2010, the state of Colorado enacted the *Ensuring Quality Instruction Through Educator Effectiveness Act* (SB10-191), which made sweeping reform to how school districts evaluate educators for effectiveness and requires districts to use data on educator effectiveness to make key human capital management decisions. If Colorado can better attract, prepare and support educators, the state will significantly improve students' academic growth and mastery of standards. Fully funding the measures called for within this legislation will allow districts to ensure that teachers have the tools they need to improve language and literacy programming in their classrooms. Additionally, with the recent passage of the *Rule Review Evaluation of Educator Effectiveness* (HB12-1001) Colorado is ready to move forward with full implementation. The rules cover the quality standards school districts must adopt in their educator evaluation systems, teacher content knowledge standards, the structure of performance evaluations, definitions of performance evaluations and consequences, and the role of the Colorado Department of Education.

ACTION: We will work together to fully fund SB10-191 in 2012 – 2013. This effort begins with a \$7.7 million request in the fiscal year 2012-13 budget.

Community-Based Initiatives

1. Expand & grow Summer reading programs

Summer reading programs in public libraries encourage readers to continue engaging in books, magazines and other reading materials when school is not in session. These programs reduce summer reading loss and help children stay on target with their reading efforts. Research indicates that about two-thirds of the ninth-grade achievement gap between students living in poverty and their more advantaged peers can be attributed to summer learning loss.¹⁵ Libraries across Colorado provide free summer reading programs that can be accessed by children of all ages.

ACTION: We will work together to increase the number of pages read by children in 2012 to 1.25 million.

2. Integrate One Congregation – One Family into Literacy Efforts

One Congregation – One Family, the statewide initiative, demonstrates the power of collaboration between the government, faith communities, non-profits, local leaders, and businesses, as well as the results achieved by working together. A Statewide Clergy Council, representing diverse faith community leaders, will be convened by the Denver Leadership Foundation to guide the One Congregation – One Family model through development and implementation in each community. The One Congregation – One Family Statewide Initiative will encompass hunger, literacy, and homelessness.

ACTION: We will work to expand One Congregation - One Family statewide to address hunger, housing, and literacy.

¹⁵“Summer Can Set Kids on the Right—or Wrong—Course,” National Summer Learning Association, last modified November 24, 2009, http://www.summerlearning.org/resource/collection/CB94AEC5-9C97-496F-B230-1BECDFC2DF8B/Research_Brief_02_-_Alexander.pdf.

3. Facilitate Distribution of \$3.6 million for literacy programming into local communities through Mile High United Way

During the summer of 2011, Mile High United Way was awarded \$3.6 million from the Corporation for National and Community Service's Social Innovation Fund. Mile High United Way will fund sub-grantee programs that leverage community volunteers to collectively improve third grade literacy rates by 25% in up to 15 rural and urban areas across Colorado, serving an estimated 2,000 students per year.

ACTION: We will work together to deploy and match these funds statewide.

4. Develop Model Colorado reading Corps

Based on the Minnesota Reading Corps, the Colorado Reading Corps will be a statewide initiative to help every Colorado child become a successful reader by the end of third grade. AmeriCorps members will be trained in research-based instruction to help students catch up to their peers. Target and AmeriCorps have invested \$150,000 and \$300,000, respectively, to jump-start this effort.

ACTION: We will work together to develop the framework for a Colorado Reading Corps.

5. One Book 4 Colorado

In an effort to promote reading to our children at an early age, the private sector, foundation community, the State Library, public libraries, and Reach Out and Read Colorado are teaming up to make sure that every four-year-old reads the same book. A four-year-old in San Luis will have something in common with a four-year-old in Craig! Modeled after and in collaboration with One Book One Denver, this effort activates volunteers, supports parents, and promotes reading by distributing the same book to more than 70,000 four-year-olds statewide. The book will be available in Spanish and English and will also be accessible to children with special needs.

ACTION: We will distribute more than 70,000 books statewide through Reach Out and Read and public libraries and activate volunteers in our communities to ensure that every four-year-old has the opportunity to read the same book.

6. Coordinate Annual Colorado Literacy Week

The first annual Literacy Week will kick off on Monday, February 27, 2012 with a proclamation from Governor Hickenlooper. Literacy week will help inform the people of Colorado about how they can become involved in the literacy movement. From press events to visiting and recognizing some of the top literacy organizations in the state, this week will highlight successes of the literacy movement and work to educate, empower, and inform all Coloradans.

Many of the items identified above in this section will be launched during the 2012 Colorado Literacy Week. The week culminates with Colorado Education Association's "Read Across America Day" activities on March 2. Governor Hickenlooper, Lieutenant Governor Garcia, Cabinet Members, members of the General Assembly, and business and community leaders will be joining children in classrooms all around the state to celebrate the importance of early reading.

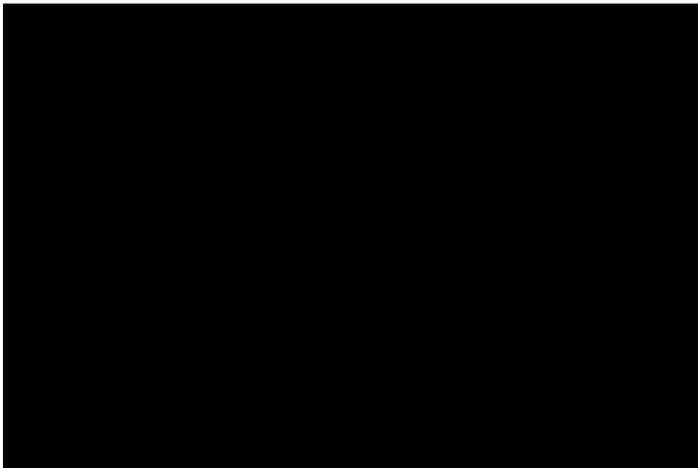
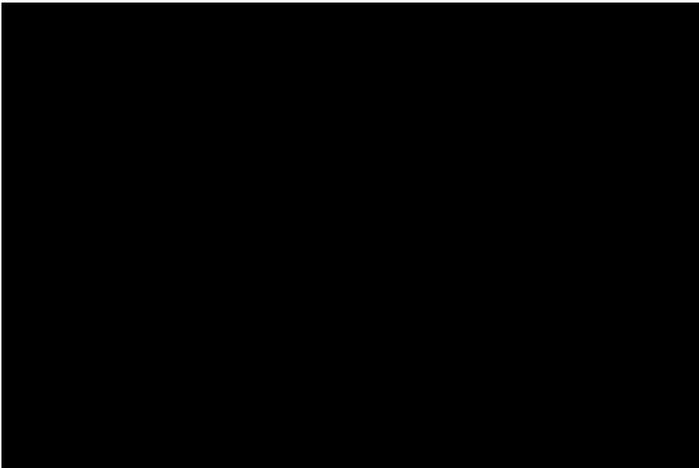
ACTION: We will work together to engage the public, private, and non-profit sectors in an annual week of community awareness, education and action to showcase our focus on literacy.

Conclusion

By joining efforts, policy makers, community members, parents, families, and caregivers can all contribute to an increase in third grade literacy rates among all children. A unified approach aligns the strengths of many communities toward the statewide goal of improving early childhood literacy. Together, these recommendations will yield gains in third grade literacy, which will in turn improve the lives of all Coloradans and the health of Colorado's economy.

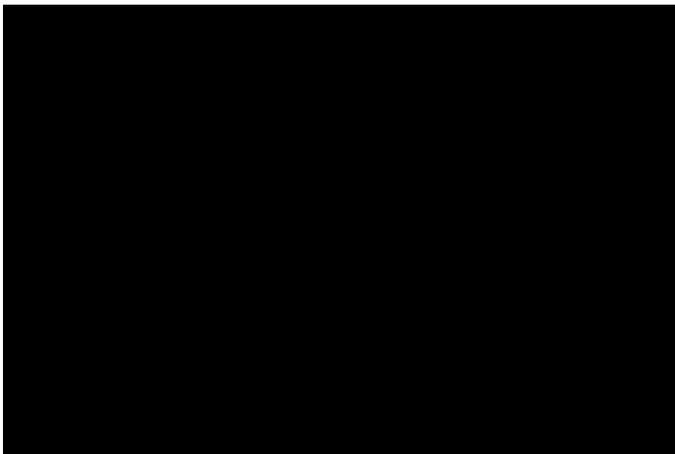
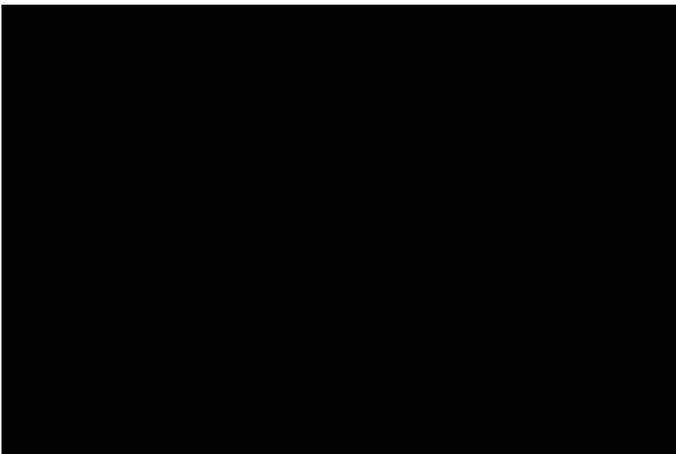
The improvements to the system recommended for exploration in this document contemplate impacting children at birth and encouraging literacy through parental and social interaction and continue through a child's third grade education. Simultaneously, high-quality programming and effective teaching methods will be the everyday practice of education professionals throughout the state, and will provide continued support of early literacy.

This effort is not only about third grade literacy rates. It is about ongoing success for children, for communities, and for the future of Colorado. Efforts to increase early literacy enhance the educational, cultural, and economic vitality of our state. This commitment to the state's youngest children should continue to grow and evolve. Our goal is that Colorado becomes a place where all children have the resources and opportunities to read, learn, and improve their lives.



***“The more you read, the more things you will know.
The more you learn, the more places you’ll go.”***

- Dr. Seuss, I Can Read with My Eyes Shut!



Appendix B: OEC Director Hire Press Release



NEWS RELEASE



FOR IMMEDIATE RELEASE

October 11, 2012

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***Mary Anne Snyder to join Colorado Department of Human Services as
Director of Office of Early Childhood***

Colorado Department of Human Services Executive Director Reggie Bicha announced today that Mary Anne Snyder has been appointed the Director of the Office of Early Childhood.

Snyder brings a wealth of knowledge and experience in early childhood education and development to the new Office. She is the founding President of the Celebrate Children Foundation which focuses on helping communities create the most effective early learning systems for children from birth to age five.

Snyder has dedicated her career to ensuring that all children experience optimal childhood development in a safe and secure environment in order to reach their full potential. She serves on the Board of Directors for the National Alliance of Children's Trust and Prevention Funds, and is the immediate past president.

She received the 1998 Commissioner's Award from the U.S. Department of Health and Human Services, Administration for Children and Families for her leadership and service in the prevention of child abuse and neglect.

Snyder currently works as the Executive Director for the Wisconsin Children's Trust Fund, a position she has held since 2001.

Governor John Hickenlooper announced in June the creation of the Office of Early Childhood in the Department of Human Services. The Office includes Child Care Licensing; Child Care Quality Initiatives; Colorado Child Care Assistance Program; Early Childhood Councils; Early Childhood Mental Health Consultation; Early Intervention Colorado Program (Part C/Early Intervention); and the Promoting Safe and Stable Families program.

The goals of the new Office include:

- Working with local communities and families to ensure they have access to the necessary information and resources for healthy early childhood development;
- Ensuring that families and early childhood professionals across the state have access to necessary supports so that all Colorado children are ready for kindergarten and reading by third grade;
- Providing a coordinated system of early identification of children who may be at risk of not achieving academic outcomes;
- Increasing access to quality early learning experiences for all children birth to age five;
- Working with partners to build a connected and coordinated system for service delivery; and
- Supporting continuous quality improvement in child care environments.

In her role as Director, Snyder will work collaboratively with early childhood partners across the state as well as existing programs at the Colorado Lt. Governor's Office, the Department of Public Health and Environment and the Department of Education. In addition, along with her staff of 40 employees, she will oversee the fulfillment of the Memorandum of Understanding recently signed by Lt. Governor Joe Garcia, Education Commissioner Robert Hammond and Executive Director Bicha.

Snyder will begin her work in the Office November 7.

Appendix C: OEC Press Release

Gov. Hickenlooper announces Office of Early Childhood

DENVER — Thursday, June 7, 2012 — Gov. John Hickenlooper today announced the creation of an Office of Early Childhood (OEC) to consolidate and better administer early childhood programs in Colorado. This consolidation of programs and services in the Colorado Department of Human Services (CDHS) will support parents by strengthening collaboration and coordination between the state-level early childhood system and local delivery systems.

“Colorado families and children deserve the opportunity for a fair start,” Hickenlooper said. “This change will create a high-quality early childhood system that streamlines early childhood services to help ensure all children are healthy, valued and thriving.”

The new office will bring together seven programs that currently exist in four divisions within CDHS:

- Child Care Licensing
- Child Care Quality Initiatives
- Colorado Child Care Assistance Program
- Early Childhood Councils
- Early Childhood Mental Health Consultation
- Early Intervention Colorado Program (Part C/Early Intervention)
- Promoting Safe and Stable Families

The move will maximize available resources without incurring additional expenses. Additionally, the OEC will continue to work with many partners, including parents, schools, child care, early intervention, businesses, community organizations and other stakeholders to provide high-quality early childhood programs and effective prevention strategies.

“Colorado’s future depends on our shared commitment to create opportunities for every child to succeed,” said Lt. Gov. Joe Garcia. “Our goal is to provide a path toward success for all Colorado families and children, including those who face challenges as a result of environment, economics, health, language or other circumstances.”

This unified approach will reduce red-tape, streamline the offering of early childhood services, aid local program administration, ensure programs share similar high standards and remove barriers to information and needed supports.

Under the direction of the Lieutenant Governor's Office, the Head Start State Collaboration Office and Early Childhood Leadership Commission will help support this reorganization by physically relocating to DHS.

“The importance of accessible, high-quality early childhood services has been well-documented and cannot be overstated,” said CDHS Executive Director Reggie Bicha. “Bringing these services together will ensure a more coordinated and collaborative approach to meeting the needs of Colorado families with young children.”

Last year, a proposal was initiated by the Early Childhood Leadership Commission in partnership with the executive directors of the Colorado Departments of Human Services, Public Health and Environment and Health Care Policy and Financing.

This proposal was proposed through SB12-130 this spring by the bipartisan legislative Early Childhood and School Readiness Commission and received broad stakeholder support. While SB12-130 was postponed indefinitely during the legislative session, there is still strong commitment from the administration and stakeholders to advance and improve early childhood supports and services, particularly for Colorado's at-risk populations.

CDHS has begun the process of hiring a director with the goal of opening the office in August.

<http://www.colorado.gov/cs/Satellite?c=Page&childpagename=GovHickenlooper%2FCBONLayout&cid=1251623513753&pagename=CBONWrapper>

Appendix D: Office of Early Learning and School Readiness Press Release

New Name for CDE's Early Childhood Office *Office of Early Learning and School Readiness*

The Colorado Department of Education is pleased to announce that the early childhood initiatives office at CDE has been renamed, *The Office of Early Learning and School Readiness*. We believe that the new name more accurately represents the mission and work of our early childhood team and reflects the crucial role that early education plays in fostering the learning and development necessary for child success in school and beyond.

The Office of Early Learning and School Readiness oversees the implementation of several essential early education initiatives including the Colorado Preschool Program, Preschool Special Education Services and the Expanding Quality in Infant/Toddler Care (EQ) program. The Office coordinates work on the professional development and credentialing system for adults working with our youngest learners and manages Results Matter, a national model for statewide early childhood assessment and outcomes reporting.

The Office of Early Learning and School Readiness is part of the Teaching and Learning Unit at CDE where it plays an integral role in supporting Departmental goals and priorities. Team members from the Office will continue to work collaboratively with numerous state system partners including the newly formed Office of Early Childhood at the Colorado Department of Human Services.

Appendix E: CDE-Lt. Governor-DHS MOU

Memorandum of Understanding:

A Working Partnership for Colorado Children and Families

Colorado Department of Human Services

Colorado Department of Education

Office of the Lieutenant Governor of Colorado



Our Premise: A seamless system of support from birth through third grade is necessary to support school readiness and success.

Colorado is a prosperous state and a great place to raise a family. But Colorado families do face challenges: more than 17 percent of children live in poverty and one in five third graders (22%) are English language learners. These challenges can impact optimal child development and academic success. In fact, while 91 percent of Colorado third graders fluent in English are at or above grade level in literacy, less than half (48%) with Limited English Proficiency read at grade level. Furthermore, of 3rd grade children in poverty (those eligible for free/reduced lunch) 43% read below grade level.

Through this Memorandum of Understanding (MOU), the Colorado Department of Human Services and the Colorado Department of Education and the Office of the Lieutenant Governor are taking steps to build on Colorado’s history as a national model of interagency coordination and collaboration in order to provide better developmental and academic outcomes for all children. For twenty years, the Colorado Department of Human Services and Colorado Department of Education have had a collaborative relationship codified through an interagency agreement for shared services to families and young children. The purpose of establishing this MOU is to articulate how to build on and elevate our work together related to: (1) early learning, (2) family support and parent education, (3) social, emotional, and mental health, and (4) health to establish a “common vision and commitment to advancing school readiness” (*Confronting the Quiet Crisis: How Chief State School Officers Are Advancing Quality Early Childhood Opportunities*, Council of Chief State School Officers, 2012, p. 58).

It is incumbent upon Colorado’s state agencies that support young children and families to ensure programs and services are coordinated and focused on the Colorado Early Childhood Framework vision of “All children are valued, healthy and thriving.” The recommendations articulated within this document are informed by the Framework. Overall, we seek to improve our state early childhood system through a unified approach to the building blocks of strong child development and academic achievement: common early learning and development standards, developmentally appropriate assessment, comprehensive professional development, and relevant data to support continuous quality improvement at the local and state level. All elements will contribute to an aligned and integrated early childhood system and improved child outcomes.

The evidence is clear: children develop most optimally when they experience strong, nurturing relationships with parents and other caregivers and when their daily lives are filled with rich learning environments experiences at home, in care and education settings, and in their communities. When children have these experiences in their early years the likelihood they will be on track for success throughout their school years and beyond increases exponentially. Making sure that all children have access to the supports they need in order to become healthy, thriving, successful individuals requires the responsible adults, schools, communities and agencies in their lives to come together and agree on how they will collaborate to create a seamless, coordinated early childhood system of services and supports.

Such a focus on a system of supports also makes economic sense. Nobel Prize winning University of Chicago Economics Professor James Heckman has proven that investment in early childhood supports saves money and results in better outcomes for children. He summarized his findings in *The Heckman Equation*. As stated in the Colorado Early Childhood Leadership Commission report, “Better outcomes for children result when health, education, and human service systems are better coordinated, increasing the effectiveness, efficiency and availability of services” (2012 Annual Report of the Early Childhood Leadership Commission, p. 2).

The Colorado Department of Human Services, the Colorado Department of Education and the Office of the Lieutenant Governor of Colorado are committed to capitalizing on the leadership, expertise, and resources unique to each agency in order to improve outcomes for all children. We recognize that the foundation for success in school and in life is built during the crucial developmental period between birth and age eight. Goals and objectives have been developed to guide the joint efforts and to help all stakeholders better understand the partnership and the roles of each agency.

Our Shared Early Childhood Goals

Together we will:

- Provide families with information about healthy development and proven strategies for supporting their child’s developmental and academic progress.
- Ensure all families and early childhood professionals have access to necessary supports so that all Colorado children are reading by third grade.

The Heckman Equation

Invest in educational and developmental resources for disadvantaged families to provide equal access to successful early human development
+ **Develop** cognitive skills and social skills in children early
+ **Sustain** early development with effective education through adulthood
= **Gain** more capable, productive and valuable citizens that pay dividends to America for generations to come.

Schools, Skills, and Synapses, a presentation by James Heckma
<http://www.heckmanequation.org/content/resource/presenting-heckman-equation>

- Provide a coordinated system of early identification of children who may be at risk of not achieving developmental or academic outcomes or who may have developmental disabilities.
- Increase access to quality early learning experiences for all children birth to age eight, especially for those most at-risk.
- Prepare early care and education providers to effectively support the developmental and academic needs and progress of all children.
- With other state partners, build a purposefully connected and coordinated system of early childhood services and programs that includes (1) early learning, (2) family support and parent education, (3) social, emotional, and mental health, and (4) health for children and families in need.
- Support continuous quality improvement activities in our programs and service models including the use of data to drive decision-making.
- Intentionally identify and seek out additional resources and partnerships that have the potential to support the early childhood system's work.

Objectives:

- Strengthen the bridge between CDE, DHS, and the Lieutenant Governor's Office to support of the ongoing development for children and families.
- Jointly leverage existing and potential resources to better serve the families and children of Colorado.
- Build and maintain an early childhood system that advances continuous, outcomes-based improvement of programs and services that increase the likelihood of school readiness and early academic success by supporting:
 - the use of data from a variety of sources to inform decision making;
 - early identification of children who may need additional supports and services;
 - the implementation of birth-grade 3 early learning and development guidelines that are aligned to the P – 20 educational system;
 - a unified system of continuous improvement through tiered quality ratings and school and district performance frameworks supporting all early learning programs; and
 - ongoing authentic child assessment.
- Establish a coherent and aligned system of professional career ladders for early childhood providers and educators centered on research-based practices for young children.
- Ensure that pre-service training and ongoing professional development prepares early childhood educators to advance early development and learning including social and emotional, language and literacy, mathematics and science skills of young children.
- Develop and communicate foundational literacy guidelines and use research-based strategies in support of the literacy development of children through grade 3.

- Articulate a coordinated and collaborative system of supports among the CDHS, CDE, and the Lt. Governor's Office to achieve quality outcomes for families and children.
- Ensure effective and ongoing collaboration with the Early Childhood Leadership Commission and other state and local partners.

Deliverables for 2012-2013

- A written plan for rolling out articulated learning and developmental guidelines for birth through grade 3 as well as resources to help families and early educators use them appropriately and effectively
- A framework for early childhood assessment to guide the implementation of school readiness assessments in preschool and Kindergarten pursuant to SB 08-212
- Identified strategies for leveraging current agency programs for improving literacy achievement included in the Colorado Department of Education Strategic Literacy Plan
- A written framework for how the Department of Human Services and the Department of Education early childhood professional development activities will be carried out, including:
 - How activities will be aligned with initiatives and recommendations from the Early Childhood Leadership Commission, including the Early Childhood Professional Development Task Force
 - A plan for continued implementation of the Expanding Quality in Infant Toddler Care (EQ) Initiative
 - Support of the 4-year Early Childhood Education bachelor's degree
 - Support for the continued development of the Early Childhood Professional credentialing system
 - Alignment of professional development activities with the Quality Rating and Improvement System (QRIS)
 - Inclusion of professional development opportunities for early childhood special education and related service providers
- A shared state-wide plan for implementation of the Race to the Top Early Learning Challenge Fund
- An interagency agreement that formalizes the working relationship between the two agencies
- A joint report to respective boards
- Identified opportunities for collaboratively developed project budgets
- A communication plan for relaying the details, goals, roles and vision for this agreement
- A dedicated liaison to facilitate communication and collaboration between CDE, CDHS, and the Lt. Governor's Office

Role of Colorado Department of Education (CDE)

Office of Early Learning and School Readiness

The primary role of CDE in this MOU is to support early development and learning of young children so that they are on track for success in school and beyond. CDE will:

- Support the development of an effective, efficient, early childhood system in Colorado.
- Articulate and support the implementation of comprehensive academic standards that reflect current research and widely-held age expectations.
- Implement professional development that supports the alignment of Colorado's Early Learning and Development Guidelines and Colorado Academic Standards for teachers and providers serving children from birth – grade three.
- Develop a system of assessment that supports school readiness of all state education funded preschoolers and kindergarteners pursuant to the Preschool to Postsecondary Alignment Act (Senate Bill 08-212).
- Continue to advance the implementation of high quality preschool programming for children identified as at risk and effective services and supports for preschoolers with disabilities.
- Coordinate, through its Child Find mandate, a system for the early identification of children who may be at risk or have developmental delays or disabilities.
- Continue to advance the implementation of ongoing assessment and outcomes measurement and reporting through Results Matter.
- Participate in the collaborative development and implementation of a professional development system that ensures early childhood professionals work effectively with children and their families.

Role of the Colorado Department of Human Services

Office of Early Childhood

The primary role of CDHS in this MOU is to achieve optimal outcomes for children and families through the delivery of effective, efficient, and elegant state and local level programs and services. CDHS will:

- Support the development of an effective, efficient, early childhood system in Colorado.
- Collaborate with multiple state and local stakeholders in the continued growth and development of Colorado's Early Childhood Councils.
- Maintain and grow partnerships across all early childhood domains to develop meaningful programs and practices to enhance children's social and emotional development.
- Continue to partner with stakeholders to ensure young children, their families and caregivers are effectively engaged in practices that promote healthy growth and development.
- Provide ongoing support for, and participation in, the collaborative development and implementation of an effective and highly utilized professional development system for early childhood professionals.
- Manage and oversee a child care subsidy program for low-income and working families.

Role of the Office of the Lieutenant Governor

- Support the development of an effective, efficient, early childhood system in Colorado.
- Promote statewide the Early Childhood Colorado Framework.
- Support efforts to enhance early childhood system collaboration and coordination across state agencies and programs, including Head Start.
- Facilitate the development and implementation of core elements of the early childhood system including early learning and development guidelines and the development of core workforce competencies for early childhood professionals.
- Spearhead Colorado's Race to the Top Early Learning Challenge Fund Round 2 grant application.
- Evaluate barriers to coordination and collaboration and engage the executive branch on relevant legislative action.
- Provide leadership on the implementation of Colorado Reads: Early Literacy Initiative, including efforts to expand access to quality early learning programs for those children most at-risk.

Collaboration with Other State Agencies and Entities

Assuring that all children are on track for success in school and in life requires a coordinated, effective, and efficient early childhood system. When local and state agencies work together, services and supports can be aligned, redundancies eliminated, gaps discovered, resources leveraged and common goals reached. It is crucial, therefore, that the Colorado Department of Human Services, the Colorado Department of Education, and the Office of the Lieutenant Governor work in partnership with other state entities that support families and children such as the Colorado Department of Public Health and Environment, the Colorado Department of Health Care Policy and Finance, the Head Start State Collaboration Director, and the Early Childhood Leadership Commission, the Early Childhood State Partners Network, and the Early Childhood Councils Leadership Alliance.

Signatures

Robert Hammond
Commissioner, Colorado
Department of Education

Executive Director,
Colorado Department
Human Services

Executive Director,
Colorado Department of
Higher Education

Lt. Governor, Joseph A.
Garcia

Reggie Bicha

Appendix F: 4 year ECE Degree Rule Reversal Press Release

STATE OF COLORADO

DEPARTMENT OF HIGHER EDUCATION



PRESS RELEASE

John Hickenlooper
Governor
Lt. Gov. Joseph A. Garcia
Executive Director

For Immediate Release *Contact: Chad Marturano*
April 6, 2012 (303) 866-2060

COLORADO COMMISSION ON HIGER EDUCATION REVERSES 1986 PROHIBITION ON EARLY CHILDHOOD DEGREES

DENVER, CO – The Colorado Commission on Higher Education reversed part of a 1986 ruling prohibiting colleges and universities from offering bachelor’s degrees in early childhood education. The Commission’s reversal will allow institutions to offer four-year early childhood education degrees with the goal of improving teacher quality in early childhood settings.

“Opening the door to a four-year bachelor’s degree in early childhood education is a significant step toward elevating Colorado’s early childhood professionals,” said Lt. Gov. Joe Garcia. “We know teachers with the right professional credentials are much more likely to make significant and lasting impact in their classrooms. Effective educators in early childhood settings will help ensure more of Colorado’s children are school-ready when they arrive at kindergarten.”

The decision is a noteworthy step for strengthening Colorado’s early childhood workforce as defined in the state’s early literacy initiative released last month.

While the reversal of the decision does not in itself create an early childhood degree, it creates a pathway for institutions to begin this work. Colleges and universities will now be able to offer a wider range of classes and accept more students transferring from two-year institutions. Under the 1986 ruling, many students transferring from a two-year college to a four-year institution could not receive credit for some courses completed at the two-year or community college.

Today's decision helps Colorado meet the new federal Head Start regulations requiring that 50% of early childhood teachers nationwide have bachelor's degrees in early childhood education or a related field by 2013. Colorado follows in the footsteps of other states like Nebraska and Kansas whose higher education programs offer early childhood education bachelor's programs.

Those four-year institutions currently offering early childhood education programs support the opportunity to offer an early childhood bachelor's degree. The P-3 Professional Development Task Force, the Head Start State Collaboration Office, the Early Childhood Leadership Commission and the Department of Higher Education also voiced support for the Commission's decision.

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1560 Broadway, Suite 1600, Denver, Colorado 80202 • (303) 866-2723 • fax (303) 866-4266 <http://highered.colorado.gov>

Table of Contents

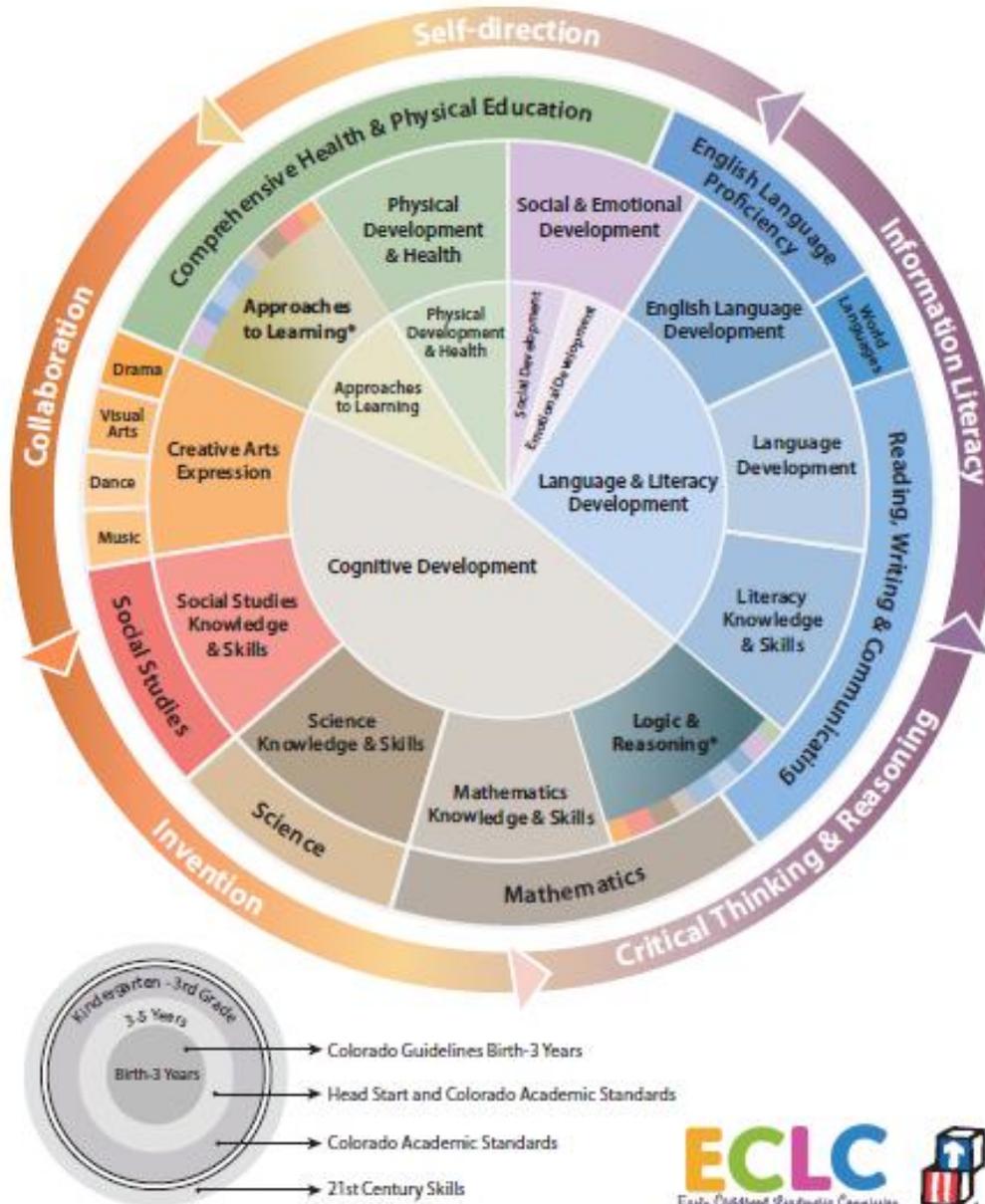
Core Competencies Overview....	6
◆ CORE COMPETENCY DOMAIN: Child Growth & Development....	10
Knowledge of Developmental Domains....	10
Developmental Changes & Milestones....	11
Development through Play....	11
Individual Needs & Differences....	12
Identified Special Needs....	13
Fostering Healthy Attachment & Relationships....	14
◆ CORE COMPETENCY DOMAIN: Child Observation & Assessment....	15
Principles....	15
Gathering & Documenting....	16
Summarizing & Interpreting....	17
Sharing & Reporting....	18
◆ CORE COMPETENCY DOMAIN: Family & Community Partnerships....	20
Valuing Families....	20
Effective Communication....	21
Building Reciprocal Relationships with Families....	22
Resources that Support Children & Families....	23
Respect for Diversity....	24
◆ CORE COMPETENCY DOMAIN: Guidance....	26
Positive Interactions & Relationships with Individual Children....	26
Child Guidance: Discipline & Communication....	27
Guidance: The Role of Staff & Other Adults....	29
Enhancing Group Experiences....	30
◆ CORE COMPETENCY DOMAIN: Health, Safety, & Nutrition....	32
Knowledge of Regulations....	32
Health....	33
Safety....	35
Nutrition....	36
◆ CORE COMPETENCY DOMAIN: Professional Development & Leadership....	39
Ethics & Codes of Conduct....	39
Reflective & Continuous Professional Development....	40
Advocacy....	42

Table of Contents Continued...

◆ CORE COMPETENCY DOMAIN: Program Planning & Development....	44
Program Planning & Evaluation....	44
Personnel Management....	45
Resource Management....	46
◆ CORE COMPETENCY DOMAIN: Teaching & Learning....	48
Planning Framework for Curricula & Learning Environment....	48
Physical Health Promotion....	49
Language & Literacy Promotion....	51
Cognitive Development Promotion....	52
Social-Emotional Development Promotion....	55
Fostering Creativity....	57
Alignment with other Colorado Initiatives....	59
Glossary....	66
References....	

Colorado Early Learning and Development Guidelines: Birth-3rd Grade

This graphic illustrates the essential domains of learning within the Colorado Early Learning and Development Guidelines. It represents the progression of these domains across ages, rather than the relative importance of each domain within any one age group. The complex connections within and among domains are more fully explored throughout the guidelines.



* are embedded within **all** content areas of the PK-3 Standards and **emphasized** within the 21st Century Skills.

Appendix J: Strengthening Families Online training (screen shot)

The screenshot shows a web browser window with the address bar displaying "www.ctfalliance.org/online/training.htm". The page header features the logo for the National Alliance of Children's Trust & Prevention Funds, with navigation links for "ABOUT US", "OUR WORK", "OUR MEMBERS", "ONLINE TRAINING COURSES", and "RESOURCE LIBRARY".

The main content area is titled "ONLINE TRAINING COURSE" and includes a call to action: "GO TO THE ONLINE TRAINING COURSE" and "GO TO RESOURCES FOR ACTION". A search bar is present with a "Search" button, a "Results per page:" dropdown set to "10", and radio button options for "any search words" (selected) and "all search words".

The central text reads: "The National Alliance of Children's Trust and Prevention Funds (Alliance) is pleased to make available a series of online training courses to support implementation of the Strengthening Families™ Protective Factors Framework in multiple settings." Below this text is a link: "Click here to start a course now."

A section titled "BRINGING THE PROTECTIVE FACTORS FRAMEWORK TO LIFE IN YOUR WORK - A RESOURCE FOR ACTION" describes a curriculum: "This curriculum includes new materials on partnering with parents and addresses promising strategies to strengthen families for practitioners in multiple settings. There are 7 courses: Introduction to the...". To the right of this text is a thumbnail image of a document titled "A Resource for Action: Implementing the Strengthening Families Protective Factors Framework".

The Windows taskbar at the bottom shows the "start" button, an open "Online Training Cours..." window, and the system clock displaying "11:59 AM".

STATE OF COLORADO



Colorado Department of Human Services
people who help people

OFFICE OF CHILDREN, YOUTH AND FAMILIES
Julie Krow, MA, LPC, Director

DIVISION OF CHILD CARE
David A. Collins, Interim Director
1575 Sherman Street, 1st Floor
Denver, Colorado 80203-1714
Phone: 303-866-5958
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John W. Hickenlooper
Governor

Reggie Bicha
Executive Director

Memorandum of Understanding
Division of Child Care, Colorado Department of Human Services (CDHS)
And
Early Learning Ventures

Purpose

This document constitutes a Memorandum of Understanding (MOU) between the Division of Child Care, Colorado Department of Human Services (CDHS), and Early Learning Ventures (hereinafter "ELV") for the purpose of defining the working relationship, roles and responsibilities of both parties in reference to Child Care Licensing Specialist working with ELV Alliances and their affiliates; utilizing the ELV infrastructure to track and regulate CDHS licensing rules and regulations. This MOU shall be known as the ELV-CDHS Child Care Licensing Project.

Background

Early Learning Ventures, a non-profit founded by the David and Laura Merage Foundation, is spearheading an effort to launch ELV Alliances-- an innovative, community-based partnership model comprised of small child care provider affiliates working together to deliver services in a more streamlined and efficient way than the current system allows.

ELV provides an operational infrastructure for early care and education providers to work collaboratively to realize savings in time and costs that can then be used to improve the quality of services to the children. ELV utilizes a web-based IT platform (ELV Platform and CORE-child management system) to serve as a portal for each ELV Alliance and their affiliates to access information, track on-site operations, track license compliance, and to streamline business practices such as purchasing, e-trainings, marketing, and tuition billing, collection, and reconciliation. ELV CORE Technology has been customized, with input from CDHS, to enable child care licensing specialist to pull reports on rules and regulation requirements of licensed childcare centers and homes.

The overarching goal of this effort is to improve early education outcomes for children in Colorado. Accountability for high quality services to very young children is embedded in the Division of Child Care Licensing. The Alliances present a unique opportunity to test new ways to better serve children through closer collaboration. In the long term, optimizing the relationship between the Division of Child Care Licensing will yield the best results for children and their early care and education providers.

Our Mission is to Design and Deliver Quality Human Services that Improve the Safety and Independence of the People of Colorado

Objectives

The Objectives of the MOU are:

1. Improve efficiencies and streamline licensing compliance for childcare providers and CDHS childcare licensing specialist. CDHS child care licensing specialist assigned to ELV Alliance affiliates will utilize the ELV Platform to conduct licensing visits to review child and staff record keeping compliance.
2. ELV will provide CDHS staff (designated to work with ELV Alliances) access to the ELV Platform and CORE with onboard training.
3. Facilitate communication of information between CDHS and ELV Alliances.
4. Analyze the effectiveness of ELV Technology and capture ideas for system enhancements.

Term and Conditions

1. The term of this MOU is August 1, 2012 through June 30, 2014, or can be terminated at any time for cause or convenience by either party with thirty (30) days written notification to the other.
2. The Division of Child Care, Colorado Department of Human Services (CDHS) and the ELV will make every effort to utilize the ELV Platform and CORE in an effort to reduce overall burden on child care providers in managing licensing compliance and related record-keeping .
3. ELV Alliances shall request additional access in writing and receive approval from the Division of Child care for:
 - a. New ELV Alliances utilizing CORE to be assigned to ELV Licensing Specialist
 - b. New Affiliates (child care providers) who join the Alliances to be assigned to ELV designated Licensing Specialist

Indemnification

CDHS and ELV each shall indemnify, defend and hold and save the other, their respective successors, assigns, officers, directors, employees and agents, their heirs, administrators and executors and each of them (collectively "the indemnified party") harmless from any and all actions and causes of actions, claims, demands, liabilities, losses, judgments, damages or expenses, of whatsoever kind and nature, including interest and attorneys' fees and all other reasonable costs, expenses and charges that the indemnified party shall or may at any time, subsequent to the date of this MOU, sustain or incur, or become subject to by reason of any claim or claims for any reason resulting from carrying out or failing to carry out the terms and conditions of this MOU, or the negligence, gross negligence, intentional misconduct or criminal acts or omissions resulting from the action or inaction of the other party, provided that the indemnified party notifies within a reasonable time the other of such adverse claims, or threatened or actual lawsuits. Each party as appropriate shall provide complete cooperation to the other, its attorneys and agents.

The undersigned hereby agree to abide by the terms and conditions contained in this Memorandum of Understanding.

SIGNED:


Nikki Hatch
Deputy Executive Director of Operations
Colorado Department of Human Services (CDHS)
State of Colorado


Judy Williams
Program Director
Early Learning Ventures

Appendix K: EC Outcomes Report to US DOE



The Early Childhood Outcomes Center

Outcomes for Children Served Through IDEA's Early Childhood Programs: 2010–11



In 2010–11, children with delays or disabilities who received services under the Individuals with Disabilities Education Act (IDEA) showed greater than expected developmental progress. Many children exited the program functioning within age expectations, and most made progress.

State Part C and Part B preschool programs report data annually on three outcomes:

1. Social relationships, which include getting along with other children and relating well with adults;
2. Use of knowledge and skills, which refers to thinking, reasoning, problem-solving, and early literacy and math skills; and
3. Taking action to meet needs, which includes feeding, dressing, self-care, and following rules related to health and safety.

In 2010–11, for Part C (birth through age 2),

- The percentage of children who showed greater than expected growth was between 68% and 73% across the three outcomes. These children were acquiring skills at a faster rate when they left the program than when they began it.
- The percentage of children who exited the program functioning within age expectations ranged from 55% for knowledge and skills to 61% for social relationships.

In 2010–11, for Part B Preschool (ages 3 through 5),

- 61% of children showed greater than expected growth for each outcome area.
- The percentage of preschool children who exited within age expectations ranged from 53% for knowledge and skills to 66% for taking action to meet needs.

2010–11: Part C—Early Intervention (birth through age 2)		
	Shows greater than expected growth	Exited the program within age expectations
Social relationships	68%	61%
Knowledge and skills	73%	55%
Action to meet needs	73%	59%
2010–11: Part B—Preschool (ages 3 through 5)		
	Shows greater than expected growth	Exited the program within age expectations
Social relationships	61%	66%
Knowledge and skills	61%	53%
Action to meet needs	61%	66%

Note: Data for Part C are based on 23 states and 10 territories. Data for Part B Preschool are based on 26 states only. Data are reported in the table.

IDEA-funded programs serve young children with the full range of delays and disabilities, including children with severe disabilities and degenerative conditions. Individualized goals are established for each child. For children with severe disabilities, skill acquisition will proceed slowly; some children may even lose skills. For other children, the interventions help them catch up with other children their age. Until these data were collected, it was not known that such a high percentage of children in both programs were showing greater than expected growth during their time in the program and that a substantial percentage were within age expectations when they left it. Additional data reported by states showed that nearly all children acquired new skills during their time in the programs (nearly all children made developmental gains—98% for all outcomes for both programs). As states move to use these data to plan activities to improve these programs, we can expect even better results in the future.



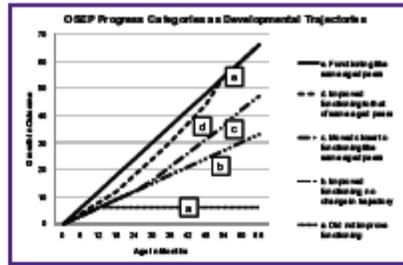
The ECO Center is funded by the Office of Special Education Programs, U.S. Department of Education under cooperative agreement H326L00001-06.



Office of Special Education Programs
U.S. Department of Education

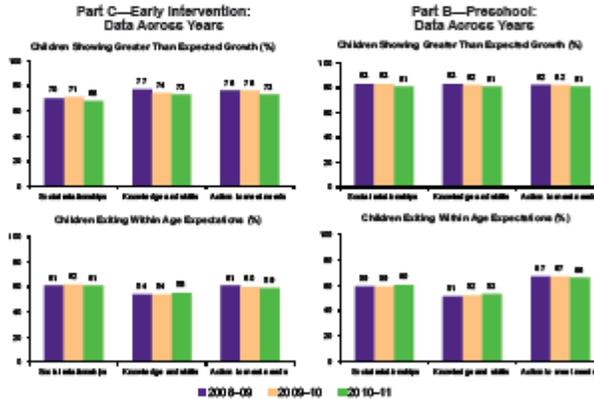
What is Greater than Expected Growth?

Developmental science has provided information about the skills children master at different ages. Knowledge of what is expected for each age enables us to identify children who are developing too slowly. Children who are substantially behind their peers are referred to as having a developmental delay. The solid line on the graph opposite (line e) illustrates typical development. All the other lines represent some kind of delay in the early years. If Angela is 12 months old with the skills of a 6-month-old, without intervention it is likely that she will continue to grow at the same rate and have the skills of a 9-month-old at 18 months of age. We provide intervention services because Angela is acquiring skills at about half the rate she should be and will continue to fall further behind her peers. This pattern of growth is illustrated in the b line in the graph. The purpose of intervening early in life is to change the child's rate of skill acquisition. The c and d lines illustrate children whose growth was greater than expected because their growth rate with intervention was greater than their growth rate before intervention. The children with growth pattern d catch up to what is expected for their age. States report the percentage of children in each of the five growth trajectories to the U.S. Department of Education. The percentages of children showing greater than expected growth and exiting within age expectations are computed from these five percentages.



Trends Over Time

The national data have shown slight year-to-year fluctuations. States are still building their capacity to collect valid and reliable data (see "Quality of the Data"). Until all states have procedures in place for reporting accurate data, it is difficult to know whether slight year-to-year changes are due to programmatic differences or reporting of higher quality data.



Quality of the Data

Collecting data on outcomes for young children with disabilities is a complex undertaking and is a new activity for states. States are at various stages in implementing procedures for measuring child outcomes data. The first year that any state had child outcomes data for a full cohort of children was 2008-09. States have made varying degrees of progress toward having reliable statewide data. The number of states that met the criteria for quality data for inclusion in the national analyses has increased over time for both Part C and Part B Preschool (from 19 for 2008-09 to 29 for 2009-10 to 39 for 2010-11 for Part C; from 15 for 2008-09 to 33 for 2009-10 to 36 for 2010-11 for Part B Preschool). Data quality is expected to continue to increase in future years as states focus on improving the quality of data for all children and using the data for program improvement.



Additional information about the measurement of child outcomes is available from the Early Childhood Outcomes Center at www.ecc-center.org.

July 2012

Appendix L: READ Act (HB12-1238)

NOTE: The governor signed this measure on 5/17/2012.



HOUSE BILL 12-1238

BY REPRESENTATIVE(S) Massey and Hamner, Fields, Priola, Pabon, Casso, Gerou, Lee, Murray, Pace, Swerdfeger, Barker, Beezley, Brown, Gardner B., Holbert, Joshi, Kerr J., Liston, Looper, Nikkel, Summers, Szabo, Vigil, Wilson, McNulty, Court, Duran, Ferrandino, Fischer, Kefalas, Kerr A., Labuda, Schafer S., Singer, Stephens, Todd, Tyler, Young; also SENATOR(S) Johnston and Spence, Bacon, Giron, Jahn, Newell, Aguilar, Boyd, Brophy, Cadman, Foster, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, King K., King S., Mitchell, Morse, Nicholson, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Williams S., Shaffer B.

CONCERNING LITERACY EDUCATION FOR STUDENTS ENROLLED IN KINDERGARTEN THROUGH THIRD GRADE, AND, IN CONNECTION THEREWITH, CREATING THE "COLORADO EARLY LITERACY ACT" AND MAKING AND REDUCING APPROPRIATIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 22-7-508 as follows:

22-7-508. Repeal of part. THIS PART 5 IS REPEALED, EFFECTIVE JULY 1, 2013.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. In Colorado Revised Statutes, **add** part 12 of article 7 of title 22 as follows:

PART 12

COLORADO READ ACT

22-7-1201. Short title. THIS PART 12 IS KNOWN AND MAY BE CITED AS THE "COLORADO READING TO ENSURE ACADEMIC DEVELOPMENT ACT" OR "COLORADO READ ACT".

22-7-1202. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) ALL STUDENTS CAN SUCCEED IN SCHOOL IF THEY HAVE THE FOUNDATIONAL SKILLS NECESSARY FOR ACADEMIC SUCCESS. WHILE FOUNDATIONAL SKILLS GO BEYOND ACADEMIC SKILLS TO INCLUDE SUCH SKILLS AS SOCIAL COMPETENCE AND SELF-DISCIPLINE, THEY MUST ALSO INCLUDE THE ABILITY TO READ, UNDERSTAND, INTERPRET, AND APPLY INFORMATION.

(b) COLORADO HAS PRIORITIZED EARLY LEARNING THROUGH ITS INVESTMENTS IN THE COLORADO PRESCHOOL PROGRAM, ESTABLISHED IN 1988, AND FULL-DAY KINDERGARTEN, AND THE GENERAL ASSEMBLY RECOGNIZES THAT THESE INVESTMENTS CAN BEST BE LEVERAGED BY ADOPTING POLICIES THAT SUPPORT A CONTINUUM OF LEARNING FROM PRESCHOOL THROUGH THIRD GRADE AND BEYOND;

(c) IT IS MORE COST-EFFECTIVE TO INVEST IN EFFECTIVE EARLY LITERACY EDUCATION RATHER THAN TO ABSORB COSTS FOR REMEDIATION IN MIDDLE SCHOOL, HIGH SCHOOL, AND BEYOND;

(d) A COMPREHENSIVE APPROACH TO EARLY LITERACY EDUCATION CAN IMPROVE STUDENT ACHIEVEMENT, REDUCE THE NEED FOR COSTLY SPECIAL EDUCATION SERVICES, AND PRODUCE A BETTER EDUCATED, MORE SKILLED, AND MORE COMPETITIVE WORKFORCE;

(e) AN IMPORTANT PARTNERSHIP BETWEEN A PARENT AND CHILD BEGINS BEFORE THE CHILD ENTERS KINDERGARTEN, WHEN THE PARENT HELPS THE CHILD DEVELOP RICH LINGUISTIC EXPERIENCES, INCLUDING

LISTENING COMPREHENSION AND SPEAKING, THAT HELP FORM THE FOUNDATION FOR READING AND WRITING, WHICH ARE THE MAIN VEHICLES FOR CONTENT ACQUISITION;

(f) THE GREATEST IMPACT FOR ENSURING STUDENT SUCCESS LIES IN A PRODUCTIVE COLLABORATION AMONG PARENTS, TEACHERS, AND SCHOOLS IN PROVIDING A CHILD'S EDUCATION, SO IT IS PARAMOUNT THAT PARENTS ARE INFORMED ABOUT THE STATUS OF THEIR CHILDREN'S EDUCATIONAL PROGRESS AND THAT TEACHERS AND SCHOOLS RECEIVE THE FINANCIAL RESOURCES AND OTHER RESOURCES AND SUPPORT THEY NEED, INCLUDING VALID ASSESSMENTS, INSTRUCTIONAL PROGRAMMING THAT IS PROVEN TO BE EFFECTIVE, AND TRAINING AND PROFESSIONAL DEVELOPMENT PROGRAMS, TO EFFECTIVELY TEACH THE SCIENCE OF READING, ASSESS STUDENTS' ACHIEVEMENT, AND ENABLE EACH STUDENT TO ACHIEVE THE GRADE LEVEL EXPECTATIONS FOR READING; AND

(g) THE STATE RECOGNIZES THAT THE PROVISIONS OF THIS PART 12 ARE NOT A COMPREHENSIVE SOLUTION TO ENSURING THAT ALL STUDENTS GRADUATE FROM HIGH SCHOOL READY TO ENTER THE WORKFORCE OR POSTSECONDARY EDUCATION, BUT THEY ASSIST LOCAL EDUCATION PROVIDERS IN SETTING A SOLID FOUNDATION FOR STUDENTS' ACADEMIC SUCCESS AND WILL REQUIRE THE ONGOING COMMITMENT OF FINANCIAL AND OTHER RESOURCES FROM BOTH THE STATE AND LOCAL LEVELS.

(2) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY THAT EACH LOCAL EDUCATION PROVIDER THAT ENROLLS STUDENTS IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE WILL WORK CLOSELY WITH THE PARENTS AND TEACHERS OF THESE STUDENTS TO PROVIDE THE STUDENTS THE INSTRUCTIONAL PROGRAMMING, INTERVENTION INSTRUCTION, AND SUPPORT, AT HOME AND IN SCHOOL, NECESSARY TO ENSURE THAT STUDENTS, BY THE COMPLETION OF THIRD GRADE, CAN DEMONSTRATE A LEVEL OF COMPETENCY IN READING SKILLS THAT IS NECESSARY TO SUPPORT THEM IN ACHIEVING THE ACADEMIC STANDARDS AND EXPECTATIONS APPLICABLE TO THE FOURTH-GRADE CURRICULUM. IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT EACH LOCAL EDUCATION PROVIDER ADOPT A POLICY WHEREBY, IF A STUDENT HAS A SIGNIFICANT READING DEFICIENCY AT THE END OF ANY SCHOOL YEAR PRIOR TO FOURTH GRADE, THE STUDENT'S PARENT AND TEACHER AND OTHER PERSONNEL OF THE LOCAL EDUCATION PROVIDER DECIDE WHETHER THE STUDENT SHOULD OR SHOULD NOT ADVANCE TO THE NEXT GRADE LEVEL

BASED ON WHETHER THE STUDENT, DESPITE HAVING A SIGNIFICANT READING DEFICIENCY, IS ABLE TO MAINTAIN ADEQUATE ACADEMIC PROGRESS AT THE NEXT GRADE LEVEL.

22-7-1203. Definitions. AS USED IN THIS PART 12, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "BODY OF EVIDENCE" MEANS 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). 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) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(3) "DISTRICT CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE.

(4) "EVIDENCE BASED" MEANS 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.

(5) "INSTITUTE CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

(6) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A BOARD OF COOPERATIVE SERVICES, A DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL.

(7) "MASTER SETTLEMENT AGREEMENT" MEANS THE MASTER SETTLEMENT AGREEMENT, THE SMOKELESS TOBACCO MASTER SETTLEMENT AGREEMENT, AND THE CONSENT DECREE APPROVED AND ENTERED BY THE COURT IN THE CASE DENOMINATED *STATE OF COLORADO, EX REL. GALE A. NORTON, ATTORNEY GENERAL V. R.J. REYNOLDS TOBACCO CO.; AMERICAN TOBACCO CO., INC.; BROWN & WILLIAMSON TOBACCO CORP.; LIGGETT & MYERS, INC.; LORILLARD TOBACCO CO., INC.; PHILIP MORRIS, INC.; UNITED STATES TOBACCO CO.; B.A.T. INDUSTRIES, P.L.C.; THE COUNCIL FOR TOBACCO RESEARCH--U.S.A., INC.; AND TOBACCO INSTITUTE, INC.*, CASE No. 97 CV 3432, IN THE DISTRICT COURT FOR THE CITY AND COUNTY OF DENVER.

(8) (a) "PARENT" MEANS A STUDENT'S BIOLOGICAL OR ADOPTIVE PARENT, STEPPARENT, FOSTER PARENT, OR LEGAL GUARDIAN.

(b) AS PROVIDED IN SECTION 2-4-102, C.R.S., THE SINGULAR USE OF "PARENT" INCLUDES THE PLURAL, AND LOCAL EDUCATION PROVIDERS SHALL, TO THE EXTENT PRACTICABLE, INVOLVE BOTH OF A STUDENT'S PARENTS, AS DEFINED IN THIS SUBSECTION (8), IN IMPLEMENTING THE PROVISIONS OF THIS PART 12.

(9) "PER-PUPIL INTERVENTION MONEYS" MEANS THE MONEYS CALCULATED AND DISTRIBUTED TO LOCAL EDUCATION PROVIDERS PURSUANT TO SECTION 22-7-1210 (5).

(10) "READING COMPETENCY" MEANS A STUDENT MEETS THE GRADE LEVEL EXPECTATIONS IN READING ADOPTED BY THE STATE BOARD.

(11) "READING TO ENSURE ACADEMIC DEVELOPMENT PLAN" OR "READ PLAN" MEANS AN INTERVENTION PLAN CREATED PURSUANT TO SECTION 22-7-1206 TO REMEDIATE A STUDENT'S SIGNIFICANT READING DEFICIENCY.

(12) "RESPONSE TO INTERVENTION FRAMEWORK" MEANS A SYSTEMIC PREVENTIVE APPROACH THAT ADDRESSES THE ACADEMIC AND SOCIAL-EMOTIONAL NEEDS OF ALL STUDENTS AT THE UNIVERSAL, TARGETED, AND INTENSIVE LEVELS. THROUGH THE RESPONSE TO INTERVENTION FRAMEWORK, 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.

(13) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, OTHER THAN A JUNIOR COLLEGE DISTRICT, ORGANIZED AND EXISTING PURSUANT TO LAW.

(14) "SCIENTIFICALLY BASED" MEANS THAT 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.

(15) "SIGNIFICANT READING DEFICIENCY" MEANS THAT 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 PURSUANT TO SECTION 22-7-1209 FOR THE STUDENT'S GRADE LEVEL.

(16) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(17) "TEACHER" MEANS THE EDUCATOR WHO IS THE MAIN INSTRUCTOR FOR A CLASS OF STUDENTS OR AN EDUCATOR WHO PROVIDES SPECIFIC LITERACY INSTRUCTION TO SELECTED STUDENTS.

22-7-1204. Early literacy education. EACH LOCAL EDUCATION PROVIDER THAT ENROLLS STUDENTS IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE SHALL PROVIDE TO THE STUDENTS ENROLLED IN SAID GRADES THE INSTRUCTIONAL PROGRAMMING AND SERVICES NECESSARY TO ENSURE TO THE GREATEST EXTENT POSSIBLE THAT STUDENTS, AS THEY PROGRESS THROUGH KINDERGARTEN, FIRST, SECOND, AND THIRD GRADE, DEVELOP THE NECESSARY READING SKILLS TO ENABLE THEM TO MASTER THE ACADEMIC STANDARDS AND EXPECTATIONS APPLICABLE TO THE FOURTH-GRADE CURRICULUM AND BEYOND.

22-7-1205. Reading competency - assessments - READ plan creation - parental involvement. (1) (a) EACH LOCAL EDUCATION PROVIDER THAT ENROLLS STUDENTS IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE SHALL ENSURE THAT TEACHERS MEASURE EACH STUDENT'S

READING COMPETENCY USING INTERIM READING ASSESSMENTS AT LEAST ONCE DURING THE SPRING SEMESTER OF THE 2012-13 SCHOOL YEAR AND THROUGHOUT THE YEAR IN SUBSEQUENT SCHOOL YEARS. A LOCAL EDUCATION PROVIDER MAY ALSO ADMINISTER A SUMMATIVE ASSESSMENT TO MEASURE STUDENTS' READING COMPETENCY AT THE CONCLUSION OF KINDERGARTEN, FIRST, AND SECOND GRADES. EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM THE LIST OF APPROVED ASSESSMENTS ADOPTED BY RULE OF THE STATE BOARD PURSUANT TO SECTION 22-7-1209 (1) THOSE ASSESSMENTS IT SHALL USE TO MEASURE A STUDENT'S READING COMPETENCY. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE OTHER READING ASSESSMENTS IN ADDITION TO BUT NOT IN LIEU OF THE APPROVED ASSESSMENTS.

(b) IF A TEACHER FINDS, BASED ON A STUDENT'S SCORES ON THE APPROVED READING ASSESSMENTS, THAT THE STUDENT MAY HAVE A SIGNIFICANT READING DEFICIENCY, THE TEACHER SHALL ADMINISTER TO THE STUDENT ONE OR MORE DIAGNOSTIC ASSESSMENTS TO DETERMINE THE STUDENT'S SPECIFIC READING SKILL DEFICIENCIES. EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM THE LIST OF APPROVED ASSESSMENTS ADOPTED BY RULE OF THE STATE BOARD PURSUANT TO SECTION 22-7-1209 (1) THOSE ASSESSMENTS IT SHALL USE TO DETERMINE A STUDENT'S SPECIFIC READING SKILL DEFICIENCIES. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE OTHER DIAGNOSTIC READING ASSESSMENTS IN ADDITION TO BUT NOT IN LIEU OF THE APPROVED ASSESSMENTS.

(c) BEGINNING WITH THE 2012-13 SCHOOL YEAR, EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY REPORT TO THE DEPARTMENT THE STATE-ASSIGNED STUDENT IDENTIFIER FOR EACH STUDENT WHO IS IDENTIFIED PURSUANT TO THIS SUBSECTION (1) AS HAVING A SIGNIFICANT READING DEFICIENCY.

(2) (a) BEGINNING NO LATER THAN THE 2013-14 SCHOOL YEAR, UPON FINDING THAT A STUDENT HAS A SIGNIFICANT READING DEFICIENCY, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT RECEIVES A READ PLAN, AS DESCRIBED IN SECTION 22-7-1206. THE TEACHER AND ANY OTHER SKILLED SCHOOL PROFESSIONALS THE LOCAL EDUCATION PROVIDER MAY CHOOSE TO SELECT SHALL, IF POSSIBLE, MEET WITH THE STUDENT'S PARENT TO COMMUNICATE AND DISCUSS THE INFORMATION SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2) AND JOINTLY CREATE THE STUDENT'S READ PLAN. UPON COMPLETION OF THE MEETING OR AS

SOON AS POSSIBLE THEREAFTER, THE TEACHER OR OTHER PERSONNEL OF THE LOCAL EDUCATION PROVIDER SHALL GIVE THE PARENT A WRITTEN EXPLANATION OF THE INFORMATION SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2) AND A COPY OF THE STUDENT'S READ PLAN. TO THE EXTENT PRACTICABLE, THE TEACHER AND OTHER PERSONNEL SHALL COMMUNICATE WITH THE PARENT, ORALLY AND IN WRITING, IN A LANGUAGE THE PARENT UNDERSTANDS.

(b) THE TEACHER AND THE OTHER PERSONNEL SHALL COMMUNICATE AND DISCUSS WITH THE PARENT THE FOLLOWING INFORMATION:

(I) 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 THIRD GRADE IS A CRITICAL MILESTONE IN ACHIEVING THIS GOAL;

(II) 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;

(III) 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.

(IV) 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 BASED 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;

(V) THE STUDENT'S READ PLAN WILL INCLUDE TARGETED, SCIENTIFICALLY BASED OR EVIDENCE-BASED INTERVENTION INSTRUCTION TO ADDRESS AND REMEDIATE THE STUDENT'S SPECIFIC, DIAGNOSED READING SKILL DEFICIENCIES;

(VI) 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; AND

(VII) 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, 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.

(c) IN ADDITION TO THE INFORMATION SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2), THE TEACHER AND THE OTHER PERSONNEL OF THE LOCAL EDUCATION PROVIDER ARE ENCOURAGED TO COMMUNICATE AND DISCUSS INFORMATION CONCERNING RESOURCES THAT ARE AVAILABLE THROUGH THE LOCAL EDUCATION PROVIDER OR THROUGH OTHER ENTITIES WITHIN THE COMMUNITY THAT MAY SUPPORT THE STUDENT IN ACHIEVING READING COMPETENCY.

(3) (a) IF, AFTER MAKING DOCUMENTED ATTEMPTS, THE TEACHER IS UNABLE TO MEET WITH THE STUDENT'S PARENT TO CREATE THE READ PLAN, THE TEACHER AND ANY OTHER SKILLED SCHOOL PROFESSIONALS THE LOCAL EDUCATION PROVIDER MAY CHOOSE TO SELECT SHALL CREATE THE STUDENT'S READ PLAN AND ENSURE THAT THE STUDENT'S PARENT RECEIVES THE FOLLOWING INFORMATION IN A LANGUAGE THE PARENT UNDERSTANDS, IF PRACTICABLE:

(I) A WRITTEN COPY OF THE READ PLAN WITH A CLEAR, WRITTEN

EXPLANATION OF THE SCIENTIFICALLY BASED OR EVIDENCE-BASED READING INSTRUCTIONAL PROGRAMMING AND OTHER READING-RELATED SERVICES THE STUDENT WILL RECEIVE UNDER THE PLAN AND THE STRATEGIES THAT THE PARENT IS ENCOURAGED TO APPLY IN ASSISTING THE STUDENT IN ACHIEVING READING COMPETENCY; AND

(II) A WRITTEN EXPLANATION OF THE INFORMATION SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

(b) AT A PARENT'S REQUEST, THE TEACHER AND ANY OTHER SKILLED SCHOOL PROFESSIONALS THE LOCAL EDUCATION PROVIDER MAY CHOOSE TO SELECT SHALL MEET WITH THE PARENT TO PROVIDE A VERBAL EXPLANATION OF THE ELEMENTS OF THE READ PLAN.

(4) THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE PARENT OF EACH STUDENT WHO HAS A READ PLAN RECEIVES ONGOING, REGULAR UPDATES FROM THE STUDENT'S TEACHER, WHICH MAY OCCUR THROUGH EXISTING METHODS OF COMMUNICATION, CONCERNING THE RESULTS OF THE INTERVENTION INSTRUCTION DESCRIBED IN THE PLAN AND THE STUDENT'S PROGRESS IN ACHIEVING READING COMPETENCY. THE STUDENT'S TEACHER IS ENCOURAGED TO COMMUNICATE WITH THE PARENT CONCERNING THE PARENT'S PROGRESS IN IMPLEMENTING THE HOME READING STRATEGIES IDENTIFIED IN THE STUDENT'S READ PLAN. TO THE EXTENT PRACTICABLE, THE TEACHER SHALL COMMUNICATE WITH THE PARENT IN A LANGUAGE THE PARENT UNDERSTANDS.

22-7-1206. Reading to ensure academic development plan - contents - implementation. (1) (a) A TEACHER, AND OTHER SKILLED SCHOOL PROFESSIONALS THAT THE LOCAL EDUCATION PROVIDER MAY CHOOSE TO SELECT, SHALL CREATE A READ PLAN FOR EACH STUDENT WHO HAS A SIGNIFICANT READING DEFICIENCY. THE TEACHER AND ANY OTHER PERSONNEL SHALL CREATE THE PLAN IN COLLABORATION WITH THE STUDENT'S PARENT, IF POSSIBLE, AND AS SOON AS POSSIBLE AFTER THE STUDENT'S SIGNIFICANT READING DEFICIENCY IS IDENTIFIED. THE STUDENT, THE STUDENT'S TEACHER, AND THE STUDENT'S PARENT SHALL CONTINUE IMPLEMENTING THE STUDENT'S READ PLAN UNTIL THE STUDENT DEMONSTRATES READING COMPETENCY. THE STUDENT'S TEACHER SHALL REVIEW THE STUDENT'S READ PLAN AT LEAST ANNUALLY AND UPDATE OR REVISE THE READ PLAN AS APPROPRIATE TO FACILITATE THE STUDENT'S PROGRESS IN DEMONSTRATING READING COMPETENCY.

(b) EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT A STUDENT'S CURRENT **READ** PLAN, ANY EARLIER VERSIONS OF THE **READ** PLAN, AND ANY SUPPORTING DOCUMENTATION FOR THE PLAN AND THE BODY OF EVIDENCE THAT DEMONSTRATES A STUDENT'S PROGRESS IN IMPLEMENTING THE PLAN ARE INCLUDED IN THE STUDENT'S PERMANENT ACADEMIC RECORD AND ARE TRANSFERRED IF THE STUDENT SUBSEQUENTLY ENROLLS IN ANOTHER SCHOOL.

(2) (a) IF A STUDENT'S READING SKILLS ARE BELOW GRADE LEVEL EXPECTATIONS, AS ADOPTED BY THE STATE BOARD, BUT THE STUDENT DOES NOT HAVE A SIGNIFICANT READING DEFICIENCY, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT RECEIVES APPROPRIATE INTERVENTIONS THROUGH THE RESPONSE TO INTERVENTION FRAMEWORK OR A COMPARABLE INTERVENTION SYSTEM IMPLEMENTED BY THE LOCAL EDUCATION PROVIDER.

(b) IF A STUDENT HAS A SIGNIFICANT READING DEFICIENCY, THE STUDENT'S **READ** PLAN SHALL INCLUDE THE INTERVENTION INSTRUCTION THAT THE LOCAL EDUCATION PROVIDER PROVIDES THROUGH THE RESPONSE TO INTERVENTION FRAMEWORK OR A COMPARABLE INTERVENTION SYSTEM IMPLEMENTED BY THE LOCAL EDUCATION PROVIDER.

(3) NOTWITHSTANDING ANY PROVISION OF THIS PART 12 TO THE CONTRARY, IF A STUDENT IS IDENTIFIED AS HAVING A DISABILITY THAT IMPACTS THE STUDENT'S PROGRESS IN DEVELOPING READING SKILLS, THE LOCAL EDUCATION PROVIDER SHALL, AS APPROPRIATE, INTEGRATE INTO THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM CREATED PURSUANT TO SECTION 22-20-108 INTERVENTION INSTRUCTION AND STRATEGIES TO ADDRESS THE STUDENT'S READING ISSUES IN LIEU OF A **READ** PLAN.

(4) IF A STUDENT ENROLLED IN KINDERGARTEN IS IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY, THE LOCAL EDUCATION PROVIDER SHALL CREATE THE STUDENT'S **READ** PLAN AS A COMPONENT OF THE STUDENT'S INDIVIDUALIZED READINESS PLAN CREATED PURSUANT TO SECTION 22-7-1014.

(5) EACH **READ** PLAN SHALL INCLUDE, AT A MINIMUM:

(a) THE STUDENT'S SPECIFIC, DIAGNOSED READING SKILL DEFICIENCIES THAT NEED TO BE REMEDIATED IN ORDER FOR THE STUDENT TO

ATTAIN READING COMPETENCY;

(b) THE GOALS AND BENCHMARKS FOR THE STUDENT'S GROWTH IN ATTAINING READING COMPETENCY;

(c) THE TYPE OF ADDITIONAL INSTRUCTIONAL SERVICES AND INTERVENTIONS THE STUDENT WILL RECEIVE IN READING;

(d) THE SCIENTIFICALLY BASED OR EVIDENCE-BASED READING INSTRUCTIONAL PROGRAMMING THE TEACHER WILL USE TO PROVIDE TO THE STUDENT DAILY READING APPROACHES, STRATEGIES, INTERVENTIONS, AND INSTRUCTION, WHICH PROGRAMS AT A MINIMUM SHALL ADDRESS THE AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY, INCLUDING ORAL SKILLS, AND READING COMPREHENSION. THE LOCAL EDUCATION PROVIDER MAY CHOOSE TO SELECT THE PROGRAMS FROM AMONG THOSE INCLUDED ON THE ADVISORY LIST PREPARED BY THE DEPARTMENT PURSUANT TO SECTION 22-7-1209;

(e) THE MANNER IN WHICH THE LOCAL EDUCATION PROVIDER WILL MONITOR AND EVALUATE THE STUDENT'S PROGRESS;

(f) THE STRATEGIES THE STUDENT'S PARENT IS ENCOURAGED TO USE IN ASSISTING THE STUDENT TO ACHIEVE READING COMPETENCY THAT ARE DESIGNED TO SUPPLEMENT THE PROGRAMMING DESCRIBED IN PARAGRAPH (d) OF THIS SUBSECTION (5); AND

(g) ANY ADDITIONAL SERVICES THE TEACHER DEEMS AVAILABLE AND APPROPRIATE TO ACCELERATE THE STUDENT'S READING SKILL DEVELOPMENT.

(6) EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT A TEACHER CONTINUES TO REVISE AND IMPLEMENT A STUDENT'S READ PLAN UNTIL THE STUDENT ATTAINS READING COMPETENCY, REGARDLESS OF THE STUDENT'S GRADE LEVEL AND REGARDLESS OF WHETHER THE STUDENT WAS ENROLLED WITH THE LOCAL EDUCATION PROVIDER WHEN THE READ PLAN WAS ORIGINALLY CREATED OR THE STUDENT TRANSFERRED ENROLLMENT TO THE LOCAL EDUCATION PROVIDER AFTER THE READ PLAN WAS CREATED.

(7) (a) IF A STUDENT IS IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY FOR A SECOND OR SUBSEQUENT CONSECUTIVE SCHOOL

YEAR, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT, IN THE SECOND OR SUBSEQUENT CONSECUTIVE SCHOOL YEAR:

(I) THE STUDENT'S TEACHER REVISES THE STUDENT'S READ PLAN TO INCLUDE ADDITIONAL, MORE RIGOROUS STRATEGIES AND INTERVENTION INSTRUCTION TO ASSIST THE STUDENT IN ATTAINING READING COMPETENCY, INCLUDING INCREASED DAILY TIME IN SCHOOL FOR READING INSTRUCTION;

(II) THE PRINCIPAL OF THE SCHOOL IN WHICH THE STUDENT IS ENROLLED ENSURES THAT THE STUDENT RECEIVES READING INSTRUCTION IN CONJUNCTION WITH AND SUPPORTED THROUGH THE OTHER SUBJECTS IN WHICH THE STUDENT RECEIVES INSTRUCTION DURING THE SCHOOL DAY; AND

(III) IF PRACTICABLE, THE STUDENT RECEIVES READING INSTRUCTION FROM A TEACHER WHO IS IDENTIFIED AS EFFECTIVE OR HIGHLY EFFECTIVE IN HIS OR HER MOST RECENT PERFORMANCE EVALUATION AND HAS EXPERTISE IN TEACHING READING.

(b) IN ADDITION, WITH THE APPROVAL OF THE STUDENT'S PARENT, THE LOCAL EDUCATION PROVIDER MAY PROVIDE TO THE STUDENT MENTAL HEALTH SUPPORT FROM THE SCHOOL PSYCHOLOGIST, SCHOOL SOCIAL WORKER, OR SCHOOL COUNSELOR.

22-7-1207. Advancement - decision - parental involvement.

(1) BEGINNING NO LATER THAN THE 2013-14 SCHOOL YEAR, IF, WITHIN FORTY-FIVE DAYS BEFORE THE END OF ANY SCHOOL YEAR PRIOR TO A STUDENT'S FOURTH-GRADE YEAR, A TEACHER FINDS THAT A STUDENT HAS A SIGNIFICANT READING DEFICIENCY, PERSONNEL OF THE LOCAL EDUCATION PROVIDER SHALL PROVIDE TO THE STUDENT'S PARENT THE WRITTEN NOTICE DESCRIBED IN SUBSECTION (2) OF THIS SECTION; EXCEPT THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY IF:

(a) THE STUDENT IS A STUDENT WITH A DISABILITY WHO IS ELIGIBLE TO TAKE THE ALTERNATIVE STATEWIDE ASSESSMENT, OR THE STUDENT IS IDENTIFIED AS HAVING A DISABILITY THAT SUBSTANTIALLY IMPACTS THE STUDENT'S PROGRESS IN DEVELOPING READING SKILLS, RESULTING IN THE STUDENT'S SIGNIFICANT READING DEFICIENCY;

(b) THE STUDENT IS A STUDENT WITH LIMITED ENGLISH PROFICIENCY, AS DEFINED IN SECTION 22-24-103, AND THE STUDENT'S SIGNIFICANT

READING DEFICIENCY IS DUE PRIMARILY TO THE STUDENT'S LANGUAGE SKILLS; OR

(c) THE STUDENT IS COMPLETING THE SECOND SCHOOL YEAR AT THE SAME GRADE LEVEL.

(2) THE WRITTEN NOTICE THAT THE PERSONNEL PROVIDES TO A PARENT PURSUANT TO SUBSECTION (1) OF THIS SECTION AT A MINIMUM SHALL STATE THAT:

(a) THERE ARE SERIOUS IMPLICATIONS TO A STUDENT ENTERING FOURTH GRADE WITH A SIGNIFICANT READING DEFICIENCY AND, THEREFORE, 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;

(b) PERSONNEL OF THE STUDENT'S SCHOOL WILL WORK WITH THE PARENT TO SCHEDULE A DATE, TIME, AND PLACE FOR THE MEETING; AND

(c) IF THE PARENT DOES NOT ATTEND THE MEETING, THE TEACHER AND PERSONNEL OF THE LOCAL EDUCATION PROVIDER WILL DECIDE WHETHER THE STUDENT WILL ADVANCE TO THE NEXT GRADE LEVEL IN THE NEXT SCHOOL YEAR.

(3) AFTER SENDING THE WRITTEN NOTICE, PERSONNEL OF THE STUDENT'S SCHOOL SHALL CONTACT THE PARENT TO SCHEDULE THE MEETING TO DECIDE WHETHER THE STUDENT WILL ADVANCE TO THE NEXT GRADE LEVEL. IF, AFTER MAKING DOCUMENTED ATTEMPTS TO SCHEDULE THE MEETING WITH THE PARENT, PERSONNEL OF THE STUDENT'S SCHOOL ARE UNABLE TO SCHEDULE THE MEETING, OR IF THE PARENT DOES NOT ATTEND THE SCHEDULED MEETING, THE TEACHER AND PERSONNEL SELECTED BY THE LOCAL EDUCATION PROVIDER SHALL DECIDE, BASED ON THE STUDENT'S BODY OF EVIDENCE, WHETHER THE STUDENT WILL ADVANCE TO THE NEXT GRADE LEVEL FOR THE NEXT SCHOOL YEAR.

(4) (a) AT THE MEETING REQUIRED BY THIS SECTION, THE TEACHER AND ANY OTHER PERSONNEL SELECTED BY THE LOCAL EDUCATION PROVIDER

SHALL, AT A MINIMUM, COMMUNICATE TO AND DISCUSS WITH THE PARENT THE FOLLOWING INFORMATION:

(I) THAT THERE ARE SERIOUS IMPLICATIONS TO A STUDENT ENTERING FOURTH GRADE WITH A SIGNIFICANT READING DEFICIENCY AND, THEREFORE, 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;

(II) THE IMPORTANCE OF ACHIEVING READING COMPETENCY BY THE END OF THIRD GRADE, BECAUSE STUDENTS WHO ACHIEVE READING COMPETENCY BY THE END OF THIRD GRADE ARE MORE LIKELY TO GRADUATE FROM HIGH SCHOOL AND ATTAIN A POSTSECONDARY CREDENTIAL;

(III) THE STUDENT'S BODY OF EVIDENCE AND THE LIKELIHOOD THAT THE STUDENT, DESPITE HAVING A SIGNIFICANT READING DEFICIENCY, WILL BE ABLE TO MAINTAIN ADEQUATE ACADEMIC PROGRESS AT THE NEXT GRADE LEVEL;

(IV) THE INCREASED LEVEL OF INTERVENTION INSTRUCTION THE STUDENT WILL RECEIVE IN THE NEXT SCHOOL YEAR REGARDLESS OF WHETHER THE STUDENT ADVANCES TO THE NEXT GRADE LEVEL; AND

(V) THE POTENTIAL EFFECTS ON THE STUDENT IF HE OR SHE DOES NOT ADVANCE TO THE NEXT GRADE LEVEL.

(b) AFTER DISCUSSING THE ISSUES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (4), THE PARENT, THE TEACHER, AND THE OTHER PERSONNEL SHALL DECIDE WHETHER THE STUDENT WILL ADVANCE TO THE NEXT GRADE LEVEL IN THE NEXT SCHOOL YEAR. IF THE PARENT, TEACHER, AND OTHER PERSONNEL ARE NOT IN AGREEMENT, THE PARENT SHALL DECIDE WHETHER THE STUDENT WILL ADVANCE TO THE NEXT GRADE LEVEL UNLESS OTHERWISE SPECIFIED IN THE POLICY ADOPTED BY THE LOCAL EDUCATION PROVIDER.

(5) AS SOON AS POSSIBLE AFTER THE DECISION IS MADE PURSUANT TO SUBSECTION (3) OF THIS SECTION OR AT THE CONCLUSION OF THE

MEETING DESCRIBED IN SUBSECTION (4) OF THIS SECTION, THE PERSONNEL OF THE LOCAL EDUCATION PROVIDER SHALL PROVIDE TO THE PARENT A WRITTEN STATEMENT THAT THE STUDENT WILL OR WILL NOT ADVANCE TO THE NEXT GRADE LEVEL IN THE NEXT SCHOOL YEAR AND THE BASIS FOR THE DECISION. THE PERSONNEL SHALL ALSO PROVIDE A COPY OF THE STATEMENT TO THE SCHOOL DISTRICT SUPERINTENDENT, IF THE STUDENT IS ENROLLED IN A PUBLIC SCHOOL OF A SCHOOL DISTRICT THAT IS NOT A CHARTER SCHOOL, OR TO THE SCHOOL PRINCIPAL, IF THE STUDENT IS ENROLLED IN A DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, OR A PUBLIC SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES. THE LOCAL EDUCATION PROVIDER SHALL INCLUDE THE STATEMENT IN THE STUDENT'S PERMANENT ACADEMIC RECORD AND SHALL REMOVE THE STATEMENT FROM THE STUDENT'S PERMANENT ACADEMIC RECORD WHEN THE STUDENT ACHIEVES READING COMPETENCY.

(6) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) SUBSECTION (4) OF THIS SECTION TO THE CONTRARY, BEGINNING WITH THE 2016-17 SCHOOL YEAR, IF A STUDENT IS COMPLETING THIRD GRADE AND THE STUDENT'S TEACHER AND OTHER PERSONNEL DECIDE PURSUANT TO SUBSECTION (3) OF THIS SECTION OR THE STUDENT'S PARENT DECIDES PURSUANT TO SUBSECTION (4) OF THIS SECTION THAT THE STUDENT WILL ADVANCE TO FOURTH GRADE EVEN THOUGH THE STUDENT HAS A SIGNIFICANT READING DEFICIENCY, THE DECISION TO ADVANCE THE STUDENT IS SUBJECT TO APPROVAL OF THE SCHOOL DISTRICT SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE, IF THE STUDENT IS ENROLLED IN A PUBLIC SCHOOL OF A SCHOOL DISTRICT THAT IS NOT A CHARTER SCHOOL, OR SUBJECT TO APPROVAL OF THE SCHOOL PRINCIPAL, IF THE STUDENT IS ENROLLED IN A DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, OR A PUBLIC SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES. IF THE SUPERINTENDENT, OR HIS OR HER DESIGNEE, OR THE PRINCIPAL, WHICHEVER IS APPLICABLE, DOES NOT APPROVE THE DECISION TO ADVANCE THE STUDENT, THE STUDENT SHALL NOT ADVANCE TO FOURTH GRADE IN THE NEXT SCHOOL YEAR. AS SOON AS POSSIBLE, THE LOCAL EDUCATION PROVIDER SHALL PROVIDE A WRITTEN STATEMENT TO THE PARENT CONCERNING THE DECISION OF THE SUPERINTENDENT OR DESIGNEE OR THE PRINCIPAL AND THE BASIS FOR THE DECISION. THE LOCAL EDUCATION PROVIDER SHALL INCLUDE THE STATEMENT IN THE STUDENT'S PERMANENT ACADEMIC RECORD AND SHALL REMOVE THE STATEMENT FROM THE STUDENT'S PERMANENT ACADEMIC RECORD WHEN THE STUDENT ACHIEVES READING COMPETENCY.

(7) EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT, TO THE EXTENT PRACTICABLE, ALL OF THE ORAL AND WRITTEN COMMUNICATIONS TO A PARENT THAT ARE REQUIRED IN THIS SECTION ARE DELIVERED IN A LANGUAGE THE PARENT UNDERSTANDS.

(8) THE PROVISIONS OF THIS SECTION SPECIFY THE CIRCUMSTANCES UNDER WHICH A LOCAL EDUCATION PROVIDER, IN COLLABORATION WITH A STUDENT'S TEACHER AND PARENT, IS REQUIRED TO DECIDE WHETHER A STUDENT WHO HAS A SIGNIFICANT READING DEFICIENCY SHOULD ADVANCE TO THE NEXT GRADE LEVEL. THE PROVISIONS OF THIS PART 12 DO NOT LIMIT THE ABILITY OF A LOCAL EDUCATION PROVIDER TO DECIDE, IN ACCORDANCE WITH POLICIES AND PROCEDURES OF THE LOCAL EDUCATION PROVIDER, THAT A STUDENT AT ANY GRADE LEVEL SHOULD NOT ADVANCE TO THE NEXT GRADE LEVEL FOR ANY REASON DEEMED SUFFICIENT BY THE LOCAL EDUCATION PROVIDER.

22-7-1208. Local education providers - procedures. (1) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT THE PROCEDURES NECESSARY TO COMPLY WITH THE REQUIREMENTS SPECIFIED IN THIS PART 12. IN ADOPTING PROCEDURES, A LOCAL EDUCATION PROVIDER SHALL COMPLY WITH AND MAY EXCEED THE REQUIREMENTS OF THIS PART 12. PROCEDURES MAY INCLUDE, BUT NEED NOT BE LIMITED TO, PROCEDURES FOR:

- (a) CREATING A READ PLAN AND THE CONTENTS OF A READ PLAN;
- (b) EFFECTIVELY COMMUNICATING WITH PARENTS CONCERNING THE CREATION, CONTENTS, AND IMPLEMENTATION OF READ PLANS; AND
- (c) DETERMINING WHETHER A STUDENT WHO HAS A SIGNIFICANT READING DEFICIENCY WILL ADVANCE TO THE NEXT GRADE LEVEL.

(2) A LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO START A READ PLAN OR CONVERT AN INDIVIDUAL LITERACY PLAN TO A READ PLAN FOR A STUDENT WHO IS ENROLLED IN FOURTH GRADE OR HIGHER AS OF THE 2013-14 SCHOOL YEAR.

(3) EACH LOCAL EDUCATION PROVIDER IS ENCOURAGED TO REPORT TO THE DEPARTMENT THE STRATEGIES AND INTERVENTION INSTRUCTION THAT THE LOCAL EDUCATION PROVIDER FINDS EFFECTIVE IN ASSISTING STUDENTS TO ATTAIN READING COMPETENCY AND TO PROVIDE COPIES OF

EFFECTIVE MATERIALS TO THE DEPARTMENT TO ASSIST THE DEPARTMENT IN SHARING WITH LOCAL EDUCATION PROVIDERS BEST PRACTICES IN ASSISTING STUDENTS TO ATTAIN READING COMPETENCY.

(4) LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO PROVIDE PARENTS OPPORTUNITIES TO PARTICIPATE IN PARENT READING WORKSHOPS THROUGHOUT THE SCHOOL YEAR TO ASSIST PARENTS IN DEVELOPING THEIR OWN READING SKILLS AND IN DEVELOPING THE SKILLS NECESSARY TO ASSIST THEIR CHILDREN IN READING.

22-7-1209. State board - rules - department - duties. (1) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., AS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS PART 12, WHICH RULES SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) THE MINIMUM READING COMPETENCY SKILL LEVELS IN THE AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY, INCLUDING ORAL SKILLS, AND READING COMPREHENSION FOR KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES. THE STATE BOARD SHALL BASE THE MINIMUM SKILL LEVELS FOR SECOND AND THIRD GRADES PRIMARILY ON SCORES ATTAINED ON THE ASSESSMENTS APPROVED BY THE STATE BOARD PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (1). THE STATE BOARD SHALL DESCRIBE THE MINIMUM SKILL LEVELS FOR STUDENTS AS THEY COMPLETE KINDERGARTEN AND FIRST GRADE USING MATRICES OF APPROPRIATE INDICATORS, WHICH INDICATORS MAY INCLUDE MEASURES OF STUDENTS' SOCIAL AND EMOTIONAL DEVELOPMENT, PHYSICAL DEVELOPMENT, LANGUAGE AND COMPREHENSION DEVELOPMENT, AND COGNITION AND GENERAL KNOWLEDGE. THE STATE BOARD SHALL ADOPT THE RULES DESCRIBED IN THIS PARAGRAPH (a) BY MARCH 31, 2013.

(b) THE LIST OF APPROVED READING ASSESSMENTS, BASED ON THE RECOMMENDATIONS OF THE DEPARTMENT, THAT LOCAL EDUCATION PROVIDERS MAY USE TO MEET THE REQUIREMENTS SPECIFIED IN SECTION 22-7-1205. THE STATE BOARD SHALL ADOPT THE LIST OF APPROVED READING ASSESSMENTS BY MARCH 31, 2013.

(c) RULES FOR APPROVING ONE OR MORE INDEPENDENT THIRD-PARTY EVALUATORS TO REVIEW READING ASSESSMENTS FOR INCLUSION ON THE APPROVED LIST OF ASSESSMENTS AND TO REVIEW INSTRUCTIONAL

PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS FOR INCLUSION ON THE ADVISORY LISTS CREATED BY THE DEPARTMENT PURSUANT TO SUBSECTIONS (2) AND (3) OF THIS SECTION;

(d) RULES TO PROVIDE NOTICE AND AN APPEALS PROCESS, WHICH MAY BE A PROCESS FOR WRITTEN APPEALS, FOR PUBLISHERS WHO SUBMIT MATERIALS FOR INCLUSION ON THE LIST OF APPROVED ASSESSMENTS AND THE ADVISORY LISTS OF INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS;

(e) THE TIME FRAMES AND PROCEDURES FOR REPORTING INFORMATION CONCERNING STUDENTS' READING SKILLS AS DESCRIBED IN SECTION 22-7-1213; AND

(f) RULES FOR IMPLEMENTING THE EARLY LITERACY GRANT PROGRAM PURSUANT TO SECTION 22-7-1211.

(2) (a) (I) USING THE PROCEDURE DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT SHALL REVIEW AND RECOMMEND TO THE STATE BOARD READING ASSESSMENTS, INCLUDING INTERIM, SUMMATIVE, AND DIAGNOSTIC ASSESSMENTS, FOR KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES THAT, AT A MINIMUM, MEET THE CRITERIA SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a). FOLLOWING ACTION BY THE STATE BOARD TO APPROVE READING ASSESSMENTS PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT SHALL CREATE A LIST OF THE APPROVED READING ASSESSMENTS FOR KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES FOR USE BY LOCAL EDUCATION PROVIDERS.

(II) THE DEPARTMENT SHALL ENSURE THAT:

(A) EACH OF THE RECOMMENDED READING ASSESSMENTS IS SCIENTIFICALLY BASED; EXCEPT THAT THE DEPARTMENT MAY RECOMMEND AND THE STATE BOARD MAY, UNTIL JULY 1, 2016, INCLUDE ON THE APPROVED LIST OF ASSESSMENTS ANY READING ASSESSMENT APPROVED BY THE STATE BOARD PRIOR TO JULY 1, 2012, REGARDLESS OF WHETHER IT IS SCIENTIFICALLY BASED;

(B) EACH OF THE RECOMMENDED READING ASSESSMENTS IS VALID AND RELIABLE AND PROVEN TO EFFECTIVELY AND ACCURATELY MEASURE

STUDENTS' READING SKILLS IN THE AREAS OF PHONEMIC AWARENESS; PHONICS; VOCABULARY DEVELOPMENT; READING FLUENCY, INCLUDING ORAL SKILLS; AND READING COMPREHENSION;

(C) EACH OF THE RECOMMENDED READING DIAGNOSTICS IS PROVEN TO ACCURATELY IDENTIFY STUDENTS' SPECIFIC READING SKILL DEFICIENCIES; AND

(D) AT LEAST ONE OF THE RECOMMENDED READING ASSESSMENTS FOR KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IS NORMED FOR THE PERFORMANCE OF STUDENTS WHO SPEAK SPANISH AS THEIR NATIVE LANGUAGE, WHICH ASSESSMENT IS AVAILABLE IN BOTH ENGLISH AND SPANISH.

(b) USING THE PROCEDURE DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT SHALL CREATE AN ADVISORY LIST OF SCIENTIFICALLY BASED OR EVIDENCE-BASED INSTRUCTIONAL PROGRAMMING IN READING THAT LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO USE. THE ADVISORY LIST SHALL INCLUDE ONLY PROGRAMMING THAT, AT A MINIMUM:

(I) HAS BEEN PROVEN TO ACCELERATE STUDENT PROGRESS IN ATTAINING READING COMPETENCY;

(II) PROVIDES EXPLICIT AND SYSTEMATIC SKILL DEVELOPMENT IN THE AREAS OF PHONEMIC AWARENESS; PHONICS; VOCABULARY DEVELOPMENT; READING FLUENCY, INCLUDING ORAL SKILLS; AND READING COMPREHENSION;

(III) INCLUDES SCIENTIFICALLY BASED AND RELIABLE ASSESSMENTS;

(IV) PROVIDES INITIAL AND ONGOING ANALYSIS OF THE STUDENT'S PROGRESS IN ATTAINING READING COMPETENCY; AND

(V) INCLUDES TEXTS ON CORE ACADEMIC CONTENT TO ASSIST THE STUDENT IN MAINTAINING OR MEETING GRADE-APPROPRIATE PROFICIENCY LEVELS IN ACADEMIC SUBJECTS IN ADDITION TO READING.

(c) USING THE PROCEDURE DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT SHALL CREATE AN ADVISORY LIST OF

PROFESSIONAL DEVELOPMENT PROGRAMS THAT ARE RELATED TO ADDRESSING SIGNIFICANT READING DEFICIENCIES AND TO APPLYING INTERVENTION INSTRUCTION AND STRATEGIES, IN ADDITION TO PROGRAMS RELATED TO TEACHING GENERAL LITERACY, THAT LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO USE.

(d) THE DEPARTMENT SHALL MAKE THE APPROVED LIST OF ASSESSMENTS AVAILABLE ON THE DEPARTMENT WEB SITE ON OR BEFORE APRIL 1, 2013, AND THE ADVISORY LISTS OF INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS AVAILABLE ON THE DEPARTMENT WEB SITE ON OR BEFORE JULY 1, 2013. THE DEPARTMENT IS NOT REQUIRED TO PROVIDE COPIES OF ANY READING ASSESSMENTS, INSTRUCTIONAL PROGRAMMING, OR PROFESSIONAL DEVELOPMENT PROGRAMS THAT ARE INCLUDED ON THE LISTS. IF THE DEPARTMENT DOES PROVIDE COPIES OF ANY MATERIALS THAT IT ACQUIRES BY PURCHASE OF A LICENSE FOR USE BY LOCAL EDUCATION PROVIDERS, SAID MATERIALS MAY BE USED ONLY IN ACCORDANCE WITH THE LICENSE.

(e) EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM THE LIST OF APPROVED READING ASSESSMENTS THOSE READING ASSESSMENTS THAT IT WILL ADMINISTER TO STUDENTS IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES. EACH LOCAL EDUCATION PROVIDER IS ENCOURAGED TO USE THE INSTRUCTIONAL PROGRAMMING IN READING AND PROFESSIONAL DEVELOPMENT PROGRAMS INCLUDED ON THE ADVISORY LISTS. THE DEPARTMENT AND EACH LOCAL EDUCATION PROVIDER, IN USING THE ASSESSMENTS, INSTRUCTIONAL PROGRAMMING IN READING, AND PROFESSIONAL DEVELOPMENT PROGRAMS THAT ARE INCLUDED ON THE LISTS SHALL COMPLY WITH THE FEDERAL COPYRIGHT LAWS, 17 U.S.C. SEC. 101 ET SEQ.

(3) THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A PROCEDURE FOR IDENTIFYING THE READING ASSESSMENTS IT RECOMMENDS TO THE STATE BOARD FOR THE APPROVED LIST OF READING ASSESSMENTS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION AND FOR CREATING THE ADVISORY LISTS OF INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS DESCRIBED IN PARAGRAPHS (b) AND (c) OF SUBSECTION (2) OF THIS SECTION. AT A MINIMUM, THE PROCEDURE SHALL INCLUDE:

(a) PERIODICALLY SOLICITING THROUGH PUBLIC NOTICE, ACCEPTING,

AND PROMPTLY REVIEWING ASSESSMENTS, INSTRUCTIONAL PROGRAMMING, AND PROFESSIONAL DEVELOPMENT PROGRAMS FROM EACH LOCAL EDUCATION PROVIDER AND FROM PUBLISHERS;

(b) EVALUATING THE ASSESSMENTS, INSTRUCTIONAL PROGRAMMING, AND PROFESSIONAL DEVELOPMENT PROGRAMS THAT THE DEPARTMENT IDENTIFIES OR RECEIVES, WHICH EVALUATION IS BASED ON THE CRITERIA SPECIFIED IN SUBSECTION (2) OF THIS SECTION AND ANY ADDITIONAL CRITERIA THE STATE BOARD MAY ADOPT BY RULE. THE DEPARTMENT MAY CONTRACT WITH AN INDEPENDENT, THIRD-PARTY EVALUATOR APPROVED BY THE STATE BOARD TO EVALUATE THE MATERIALS. THE DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD THE READING ASSESSMENTS THAT MEET THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION.

(c) PERIODICALLY REVIEWING THE LIST OF APPROVED ASSESSMENTS AND THE ADVISORY LISTS TO UPDATE THE LISTS AND ADD ADDITIONAL ITEMS, WHEN APPROPRIATE; AND

(d) PUBLISHING ON THE DEPARTMENT'S WEBSITE THE INITIAL AND UPDATED APPROVED LIST OF READING ASSESSMENTS AND ADVISORY LISTS OF INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS.

(4) THE DEPARTMENT SHALL SPECIFY THE INFORMATION THAT LOCAL EDUCATION PROVIDERS SHALL SUBMIT PURSUANT TO SECTION 22-7-1213 AND SHALL ANALYZE THE INFORMATION AS NECESSARY TO MAKE THE DETERMINATIONS SPECIFIED IN SECTION 22-7-1213. IF ANOTHER RULE OR STATUTE REQUIRES LOCAL EDUCATION PROVIDERS TO SUBMIT ANY PORTION OF THE SPECIFIED INFORMATION, THE DEPARTMENT SHALL NOT REQUIRE LOCAL EDUCATION PROVIDERS TO RESUBMIT THE INFORMATION, BUT SHALL APPLY THE INFORMATION RECEIVED PURSUANT TO THE OTHER RULE OR STATUTE IN PREPARING THE ANALYSIS REQUIRED IN SECTION 22-7-1213.

(5) THE DEPARTMENT SHALL MAKE AVAILABLE TO LOCAL EDUCATION PROVIDERS ANY INFORMATION AND MATERIALS IT RECEIVES PURSUANT TO SECTION 22-7-1208 (3) CONCERNING STRATEGIES AND INTERVENTION INSTRUCTION THAT LOCAL EDUCATION PROVIDERS FIND EFFECTIVE IN ASSISTING STUDENTS TO ACHIEVE READING COMPETENCY, INCLUDING COPIES OF ANY EFFECTIVE MATERIALS THAT THE DEPARTMENT

RECEIVES.

(6) THE DEPARTMENT, UPON REQUEST, MAY PROVIDE TECHNICAL ASSISTANCE TO A LOCAL EDUCATION PROVIDER IN IMPLEMENTING THE PROVISIONS OF THIS PART 12.

22-7-1210. Early literacy fund - created - repeal. (1) THE EARLY LITERACY FUND IS HEREBY CREATED IN THE STATE TREASURY AND IS REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF:

(a) ANY MONEYS REMAINING IN THE READ-TO-ACHIEVE CASH FUND AS OF JUNE 30, 2012;

(b) MONEYS TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (3) OF THIS SECTION;

(c) MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 22-41-102 (3) (c); AND

(d) ANY OTHER MONEYS THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(2) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES SPECIFIED IN SUBSECTION (4) OF THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY AMOUNT REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR TO ANY OTHER FUND.

(3) EXCEPT AS OTHERWISE PROVIDED IN SECTION 24-75-1104.5 (1) (h) AND (5), C.R.S., BEGINNING WITH THE 2012-13 FISCAL YEAR, AND FOR EACH FISCAL YEAR THEREAFTER SO LONG AS THE STATE RECEIVES MONEYS PURSUANT TO THE MASTER SETTLEMENT AGREEMENT, THE STATE TREASURER SHALL ANNUALLY TRANSFER TO THE FUND FIVE PERCENT OF THE AMOUNT OF MONEYS RECEIVED BY THE STATE IN ACCORDANCE WITH THE MASTER SETTLEMENT AGREEMENT, OTHER THAN ATTORNEY FEES AND COSTS, FOR THE PRECEDING FISCAL YEAR; EXCEPT THAT THE AMOUNT SO TRANSFERRED TO THE FUND IN ANY FISCAL YEAR SHALL NOT EXCEED EIGHT

MILLION DOLLARS. THE STATE TREASURER SHALL TRANSFER THE AMOUNT SPECIFIED IN THIS SUBSECTION (3) FROM MONEYS CREDITED TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION 24-22-115, C.R.S.

(4) THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT. THE DEPARTMENT SHALL ANNUALLY EXPEND THE MONEYS IN THE FUND AS FOLLOWS:

(a) (I) FOR THE 2012-13 BUDGET YEAR:

(A) THE DEPARTMENT SHALL USE THE MONEYS IN THE FUND TO PAY THE GRANTS THAT WERE AWARDED FROM THE READ-TO-ACHIEVE CASH FUND PURSUANT TO PART 9 OF THIS ARTICLE AS IT EXISTED PRIOR TO JULY 1, 2012, AND ARE NOT FULLY DISTRIBUTED AS OF JUNE 30, 2012; EXCEPT THAT ANY PORTION OF ANY OF SAID GRANTS THAT THE GRANTEE IS REQUIRED TO USE IN PAYMENT FOR DEPARTMENT CONSULTANTS IS RESCINDED, EFFECTIVE JULY 1, 2012; AND

(B) THE DEPARTMENT MAY USE ANY AMOUNT REMAINING AFTER THE PAYMENTS DESCRIBED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I) TO PROVIDE LITERACY SUPPORT ON A REGIONAL BASIS TO LOCAL EDUCATION PROVIDERS TO ASSIST THEM IN IMPLEMENTING THE REQUIREMENTS OF THIS PART 12.

(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2013.

(b) BEGINNING IN THE 2013-14 BUDGET YEAR AND FOR BUDGET YEARS THEREAFTER:

(I) THE DEPARTMENT SHALL USE ONE MILLION DOLLARS TO PROVIDE LITERACY SUPPORT IN THE FORM OF PROFESSIONAL DEVELOPMENT DELIVERED BY EXPERTS IN LITERACY ON A REGIONAL BASIS TO LOCAL EDUCATION PROVIDERS TO ASSIST THEM IN IMPLEMENTING THE REQUIREMENTS OF THIS PART 12;

(II) THE DEPARTMENT SHALL USE FOUR MILLION DOLLARS FOR GRANTS AWARDED THROUGH THE EARLY LITERACY GRANT PROGRAM CREATED IN SECTION 22-7-1211;

(III) THE DEPARTMENT MAY USE UP TO ONE PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE COSTS OF ADMINISTERING THIS PART 12; AND

(IV) THE DEPARTMENT SHALL ALLOCATE THE REMAINING MONEYS ANNUALLY CREDITED TO THE FUND TO THE LOCAL EDUCATION PROVIDERS AS PER-PUPIL INTERVENTION MONEYS CALCULATED PURSUANT TO SUBSECTION (5) OF THIS SECTION.

(5) (a) (I) THE DEPARTMENT SHALL ALLOCATE THE PER-PUPIL INTERVENTION MONEYS TO THE LOCAL EDUCATION PROVIDERS AS REQUIRED IN SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION BY FIRST DIVIDING THE AMOUNT OF MONEYS AVAILABLE BY THE TOTAL NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS IN THE STATE 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 MONEYS ARE ALLOCATED. THE DEPARTMENT SHALL THEN ALLOCATE TO EACH LOCAL EDUCATION PROVIDER AN AMOUNT EQUAL TO SAID PER-PUPIL AMOUNT MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER 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 MONEYS ARE ALLOCATED.

(II) (A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), FOR THE 2013-14 BUDGET YEAR, THE DEPARTMENT SHALL ALLOCATE THE PER-PUPIL INTERVENTION MONEYS TO THE LOCAL EDUCATION PROVIDERS AS REQUIRED IN SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION BY FIRST DIVIDING THE AMOUNT OF MONEYS AVAILABLE BY THE TOTAL NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS IN THE STATE WHO ARE IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES IN THE 2012-13 BUDGET YEAR. THE DEPARTMENT SHALL THEN ALLOCATE TO EACH LOCAL EDUCATION PROVIDER AN AMOUNT EQUAL TO SAID PER-PUPIL AMOUNT MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER WHO ARE

IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES IN THE 2012-13 BUDGET YEAR.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2014.

(b) A LOCAL EDUCATION PROVIDER MAY USE THE PER-PUPIL INTERVENTION MONEYS ONLY AS FOLLOWS:

(I) TO PROVIDE FULL-DAY KINDERGARTEN SERVICES TO STUDENTS ENROLLED IN ONE OR MORE OF THE PUBLIC SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER;

(II) TO OPERATE A SUMMER SCHOOL LITERACY PROGRAM AS DESCRIBED IN SECTION 22-7-1212;

(III) TO PURCHASE TUTORING SERVICES IN READING FOR STUDENTS WITH SIGNIFICANT READING DEFICIENCIES; OR

(IV) TO PROVIDE OTHER TARGETED, SCIENTIFICALLY BASED OR EVIDENCE-BASED INTERVENTION SERVICES TO STUDENTS WITH SIGNIFICANT READING DEFICIENCIES, WHICH SERVICES ARE APPROVED BY THE DEPARTMENT.

(c) EACH BUDGET YEAR, PRIOR TO RECEIVING PER-PUPIL INTERVENTION MONEYS, EACH LOCAL EDUCATION PROVIDER SHALL SUBMIT TO THE DEPARTMENT, FOR INFORMATIONAL PURPOSES, AN EXPLANATION OF THE MANNER IN WHICH IT WILL USE THE MONEYS IN THE COMING BUDGET YEAR AND THE NUMBER OF STUDENTS FOR WHICH THE LOCAL EDUCATION PROVIDER MAY RECEIVE PER-PUPIL INTERVENTION MONEYS. IF THE LOCAL EDUCATION PROVIDER INTENDS TO PROVIDE A SERVICE DESCRIBED IN SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF THIS SUBSECTION (5), THE DEPARTMENT SHALL REVIEW THE SERVICE AND PROVIDE THE PER-PUPIL INTERVENTION MONEYS FOR THE SERVICE ONLY IF THE SERVICE MEETS THE REQUIREMENTS SPECIFIED IN SAID SUBPARAGRAPH (IV).

(d) IN USING THE PER-PUPIL INTERVENTION MONEYS ALLOCATED PURSUANT TO THIS SUBSECTION (5), EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT SOME TYPE OF INTERVENTION, AS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (5), IS AVAILABLE TO EACH STUDENT WHO IS IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY AND

WHO IS ENROLLED IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE IN A SCHOOL OPERATED BY THE LOCAL EDUCATION PROVIDER.

22-7-1211. Early literacy grant program - created. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE EARLY LITERACY GRANT PROGRAM TO PROVIDE MONEYS TO LOCAL EDUCATION PROVIDERS TO IMPLEMENT LITERACY SUPPORT AND INTERVENTION INSTRUCTION PROGRAMS, INCLUDING BUT NOT LIMITED TO RELATED PROFESSIONAL DEVELOPMENT PROGRAMS, TO ASSIST STUDENTS IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES TO ACHIEVE READING COMPETENCY. THE STATE BOARD BY RULE SHALL ESTABLISH THE APPLICATION TIMELINES AND THE INFORMATION TO BE INCLUDED IN EACH GRANT APPLICATION. A LOCAL EDUCATION PROVIDER MAY APPLY INDIVIDUALLY OR AS PART OF A GROUP OF LOCAL EDUCATION PROVIDERS. A RURAL SCHOOL DISTRICT THAT IS A MEMBER OF A BOARD OF COOPERATIVE SERVICES MAY SEEK ASSISTANCE IN WRITING THE GRANT APPLICATION FROM THE BOARD OF COOPERATIVE SERVICES.

(2) THE DEPARTMENT SHALL REVIEW EACH GRANT APPLICATION RECEIVED AND RECOMMEND TO THE STATE BOARD WHETHER TO AWARD THE GRANT AND THE DURATION AND AMOUNT OF EACH GRANT. IN MAKING RECOMMENDATIONS, THE DEPARTMENT SHALL CONSIDER THE FOLLOWING FACTORS:

(a) THE PERCENTAGE OF KINDERGARTEN AND FIRST-, SECOND-, AND THIRD-GRADE STUDENTS ENROLLED BY THE APPLYING LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS WHO HAVE SIGNIFICANT READING DEFICIENCIES;

(b) THE INSTRUCTIONAL PROGRAM THAT THE APPLYING LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS PLANS TO IMPLEMENT USING THE GRANT MONEYS AND WHETHER IT IS AN EVIDENCE-BASED PROGRAM THAT IS PROVEN TO BE SUCCESSFUL IN OTHER PUBLIC SCHOOLS IN THE COUNTRY;

(c) THE COST OF THE INSTRUCTIONAL PROGRAM THAT THE APPLYING LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS PLANS TO IMPLEMENT USING THE GRANT MONEYS; AND

(d) ANY ADDITIONAL FACTORS THE STATE BOARD MAY REQUIRE BY

RULE.

(3) BASED ON THE RECOMMENDATIONS OF THE DEPARTMENT, THE STATE BOARD SHALL AWARD GRANTS TO APPLYING LOCAL EDUCATION PROVIDERS OR GROUPS OF LOCAL EDUCATION PROVIDERS, WHICH GRANTS ARE PAID FROM MONEYS IN THE EARLY LITERACY FUND CREATED IN SECTION 22-7-1210.

22-7-1212. Summer school literacy programs. (1) A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE PER-PUPIL INTERVENTION MONEYS TO PROVIDE AN EVIDENCE-BASED SUMMER SCHOOL LITERACY PROGRAM TO ASSIST STUDENTS WHO ARE ENROLLED IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE AND WHO HAVE SIGNIFICANT READING DEFICIENCIES TO ACHIEVE READING COMPETENCY. A LOCAL EDUCATION PROVIDER MAY ALLOW STUDENTS WHO ARE BELOW GRADE LEVEL EXPECTATIONS IN READING, BUT WHO DO NOT HAVE SIGNIFICANT READING DEFICIENCIES, TO PARTICIPATE IN A SUMMER SCHOOL LITERACY PROGRAM OPERATED PURSUANT TO THIS SECTION IF CAPACITY REMAINS AFTER SERVING ALL OF THE STUDENTS WITH SIGNIFICANT READING DEFICIENCIES WHO CHOOSE TO PARTICIPATE.

(2) A LOCAL EDUCATION PROVIDER THAT INTENDS TO USE PER-PUPIL INTERVENTION MONEYS TO OPERATE A SUMMER SCHOOL LITERACY PROGRAM SHALL ANNUALLY PROVIDE TO THE DEPARTMENT INFORMATION CONCERNING THE SUMMER SCHOOL LITERACY PROGRAM THE LOCAL EDUCATION PROVIDER INTENDS TO OPERATE. THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE PROGRAM:

(a) SERVES ONLY STUDENTS ENROLLED IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE WHO HAVE SIGNIFICANT READING DEFICIENCIES, EXCEPT AS SPECIFICALLY ALLOWED IN SUBSECTION (1) OF THIS SECTION FOR STUDENTS WHO ARE BELOW GRADE LEVEL EXPECTATIONS IN READING; AND

(b) USES SCIENTIFICALLY BASED OR EVIDENCE-BASED INSTRUCTIONAL PROGRAMMING IN READING THAT:

(I) HAS BEEN PROVEN TO ACCELERATE STUDENT PROGRESS IN ATTAINING READING COMPETENCY;

(II) PROVIDES EXPLICIT AND SYSTEMATIC SKILL DEVELOPMENT IN

THE AREAS OF PHONEMIC AWARENESS; PHONICS; VOCABULARY DEVELOPMENT; READING FLUENCY, INCLUDING ORAL SKILLS; AND READING COMPREHENSION;

(III) INCLUDES SCIENTIFICALLY BASED AND RELIABLE ASSESSMENTS;
AND

(IV) PROVIDES INITIAL AND ON-GOING ANALYSIS OF THE STUDENT'S PROGRESS IN ATTAINING READING COMPETENCY.

22-7-1213. Reporting requirements. (1) EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY REPORT TO THE DEPARTMENT INFORMATION NECESSARY TO DETERMINE:

(a) THE PREVALENCE OF SIGNIFICANT READING DEFICIENCIES AMONG STUDENTS IN KINDERGARTEN AND FIRST THROUGH THIRD GRADES;

(b) WHETHER STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND WHO ADVANCE TO THE NEXT GRADE LEVEL ATTAIN READING COMPETENCY AND, IF SO, AT WHAT GRADE LEVEL;

(c) WHETHER STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND WHO DO NOT ADVANCE TO THE NEXT GRADE LEVEL ATTAIN READING COMPETENCY WITHIN THE SCHOOL YEAR DURING WHICH THEY DO NOT ADVANCE;

(d) WHETHER STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND WHO DO NOT ADVANCE TO THE NEXT GRADE LEVEL ATTAIN READING COMPETENCY AT A LOWER GRADE LEVEL THAN STUDENTS WHO DO ADVANCE; AND

(e) WHETHER STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES CONTINUE TO ADVANCE TO THE NEXT GRADE LEVEL DESPITE HAVING A CONTINUING SIGNIFICANT READING DEFICIENCY AND THE DEGREE TO WHICH LOCAL EDUCATION PROVIDERS ARE RECOMMENDING THAT SAID STUDENTS DO NOT ADVANCE.

(2) EACH LOCAL EDUCATION PROVIDER THAT RECEIVES AN EARLY LITERACY GRANT PURSUANT TO SECTION 22-7-1211 OR PER-PUPIL INTERVENTION MONEYS SHALL, AT THE CONCLUSION OF EACH BUDGET YEAR

IN WHICH IT RECEIVES THE GRANT OR PER-PUPIL INTERVENTION MONEYS, SUBMIT TO THE DEPARTMENT INFORMATION DESCRIBING:

(a) THE INSTRUCTIONAL PROGRAMS, FULL-DAY KINDERGARTEN PROGRAM, SUMMER SCHOOL LITERACY PROGRAM, TUTORING SERVICES, OR OTHER INTERVENTION SERVICES FOR WHICH THE LOCAL EDUCATION PROVIDER USED THE GRANT OR PER-PUPIL INTERVENTION MONEYS;

(b) THE NUMBER AND GRADE LEVELS OF STUDENTS WHO PARTICIPATED IN EACH OF THE TYPES OF PROGRAMS OR SERVICES PROVIDED; AND

(c) THE PROGRESS MADE BY PARTICIPATING STUDENTS IN ACHIEVING READING COMPETENCY.

(3) (a) THE DEPARTMENT SHALL ANNUALLY ANALYZE THE INFORMATION RECEIVED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND MAKE THE DETERMINATIONS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

(b) THE DEPARTMENT SHALL ANNUALLY SUBMIT TO THE STATE BOARD, THE GOVERNOR, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AND SHALL POST ON THE DEPARTMENT WEB SITE A REPORT THAT SUMMARIZES:

(I) THE INFORMATION RECEIVED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND THE DETERMINATIONS MADE BY THE DEPARTMENT BASED ON THE INFORMATION;

(II) THE IMPLEMENTATION OF THE EARLY LITERACY GRANT PROGRAM IN THE PRECEDING BUDGET YEAR, INCLUDING THE NUMBER OF GRANTS, THE LOCAL EDUCATION PROVIDERS THAT RECEIVED GRANTS, AND THE AMOUNT OF EACH GRANT; AND

(III) THE INFORMATION RECEIVED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(c) THE DEPARTMENT MAY PROVIDE THE REPORT DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (3) TO COMMITTEES OF THE GENERAL

ASSEMBLY IN CONJUNCTION WITH THE REPORT REQUIRED IN SECTION 2-7-203, C.R.S.

(4) THE INFORMATION PROVIDED IN THE REPORT DESCRIBED IN THIS SECTION IS INTENDED TO ASSIST THE DEPARTMENT, THE STATE BOARD, THE GOVERNOR, THE GENERAL ASSEMBLY, AND THE PUBLIC IN MONITORING THE IMPLEMENTATION OF AND IDENTIFYING THE RESULTS ACHIEVED IN IMPLEMENTING THIS PART 12.

SECTION 3. In Colorado Revised Statutes, 22-11-202, **add** (2) (c) as follows:

22-11-202. Colorado growth model - technical advisory panel - rules. (2) (c) THE DEPARTMENT AND THE STATE BOARD SHALL CONSULT WITH THE TECHNICAL ADVISORY PANEL CONCERNING:

(I) THE SCORES ON THE KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE READING ASSESSMENTS APPROVED PURSUANT TO SECTION 22-7-1209 (1) (b) THAT WILL IDENTIFY, AS REQUIRED IN SECTION 22-7-1209 (1) (a), THE MINIMUM READING COMPETENCY SKILL LEVELS IN THE AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY, INCLUDING ORAL SKILLS, AND READING COMPREHENSION FOR KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES;

(II) THE AMOUNT OF ADDITIONAL CREDIT TOWARD ACCREDITATION THAT EACH LOCAL EDUCATION PROVIDER MAY RECEIVE PURSUANT TO SECTION 22-11-204 (3) (b); AND

(III) METHODS OF INCLUDING IN THE ACCREDITATION PROCESS CONSIDERATION OF STUDENT PROGRESS IN ATTAINING READING COMPETENCY, AS DEFINED IN SECTION 22-7-1203 (10), IN KINDERGARTEN AND FIRST AND SECOND GRADE.

SECTION 4. In Colorado Revised Statutes, 22-11-204, **amend** (3) as follows:

22-11-204. Performance indicators - measures. (3) (a) The department shall determine the level of attainment of each public school, each school district, the institute, and the state as a whole on the performance indicator that concerns student achievement levels on the

statewide assessments by using the following measures:

~~(a)~~ (I) For each student enrolled in a public school in the state, the department shall determine the student's achievement level in the subjects included in the statewide assessments, as demonstrated by the score achieved by the student on the statewide assessments. The state board shall specify the score ranges that constitute each of the achievement levels.

~~(b)~~ (II) For each public school, the department shall calculate the percentage of students enrolled in the public school at each grade level who score at each of the achievement levels on the statewide assessments in each of the subjects included in the statewide assessments.

~~(c)~~ (III) For each school district and the institute, the department shall calculate the percentage of all students enrolled in the district public schools or in the institute charter schools who score at each of the achievement levels in the subjects included in the statewide assessments.

~~(d)~~ (IV) For the state, the department shall calculate the percentage of all students enrolled in the public schools in the state who score at each of the achievement levels in the subjects included in the statewide assessments.

(b) BEGINNING IN THE 2013-14 SCHOOL YEAR, IN DETERMINING THE LEVEL OF ATTAINMENT OF A PUBLIC SCHOOL THAT INCLUDES THIRD AND FOURTH GRADES, A SCHOOL DISTRICT, THE INSTITUTE, AND THE STATE AS A WHOLE ON THE PERFORMANCE INDICATOR THAT CONCERNS STUDENT ACHIEVEMENT LEVELS, THE DEPARTMENT SHALL CALCULATE THE PERCENTAGES OF STUDENTS ENROLLED IN THIRD AND FOURTH GRADES IN THE PUBLIC SCHOOL, THE SCHOOL DISTRICT, ALL INSTITUTE CHARTER SCHOOLS, AND THE STATE AS A WHOLE WHO WERE AT ONE TIME IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY PURSUANT TO SECTION 22-7-1205 AND WHO SCORE PARTIALLY PROFICIENT, PROFICIENT, OR ADVANCED ON THE STATEWIDE READING ASSESSMENT IN THIRD OR FOURTH GRADE. THE STATE BOARD SHALL ADOPT RULES BY WHICH A PUBLIC SCHOOL, A SCHOOL DISTRICT, AND THE INSTITUTE RECEIVE ADDITIONAL CREDIT TOWARD THEIR ACCREDITATION RATINGS USING THE PERCENTAGES CALCULATED PURSUANT TO THIS PARAGRAPH (b), WHICH ADDITIONAL CREDIT IS INCREASED BASED ON THE LEVEL OF PERFORMANCE.

SECTION 5. In Colorado Revised Statutes, 22-11-303, **add** (3) (a.5) as follows:

22-11-303. Accredited or accredited with distinction - performance plan - school district or institute - contents - adoption.

(3) A district or institute performance plan shall be designed to raise the academic performance of students enrolled in the school district or in the institute charter schools and to ensure that the school district or the institute, following the next annual accreditation review, attains a higher accreditation category or remains in the same accreditation category if the school district or institute is accredited with distinction. At a minimum, each district and institute performance plan shall:

(a.5) IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET, REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER SCHOOLS, SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 6. In Colorado Revised Statutes, 22-11-304, **add** (3) (a.5) as follows:

22-11-304. Accredited with improvement plan - school district or institute - plan contents - adoption. (3) A district improvement plan or an institute improvement plan shall be designed to ensure that the school district or the institute improves its performance to the extent that, following completion of its next annual accreditation review, the school district or the institute attains a higher accreditation category. At a minimum, a district improvement plan or an institute improvement plan shall:

(a.5) IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET OR REVISE, AS

APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER SCHOOLS, SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 7. In Colorado Revised Statutes, 22-11-305, **add** (3) (a.5) as follows:

22-11-305. Accredited with priority improvement plan - school district or institute - plan contents - adoption. (3) A district priority improvement plan or an institute priority improvement plan shall be designed to ensure that the school district or the institute improves its performance to the extent that, following completion of its next annual accreditation review, the school district or the institute attains a higher accreditation category. At a minimum, a district priority improvement plan or an institute priority improvement plan shall:

(a.5) IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER SCHOOLS, SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 8. In Colorado Revised Statutes, 22-11-306, **add** (3) (a.5) as follows:

22-11-306. Accredited with turnaround plan - school district or institute - plan content - adoption. (3) A district turnaround plan or an institute turnaround plan shall be designed to ensure that the school district or the institute improves its performance to the extent that, following completion of its next annual accreditation review, the school district or the institute attains a higher accreditation category. At a minimum, a district turnaround plan or an institute turnaround plan shall:

(a.5) IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER SCHOOLS, SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 9. In Colorado Revised Statutes, 22-11-403, **add** (3) (a.5) as follows:

22-11-403. School performance plan - contents. (3) A school performance plan shall be designed to raise the academic performance of students enrolled in the public school and to ensure that the public school, following the next annual performance review, attains a higher accreditation category or remains in the same accreditation category if the public school is already accredited by the school district or the institute at the highest level. At a minimum, each school performance plan shall:

(a.5) IF THE PUBLIC SCHOOL SERVES STUDENTS IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES, IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET, REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 10. In Colorado Revised Statutes, 22-11-404, **add** (3) (a.5) as follows:

22-11-404. School improvement plan - contents. (3) A school improvement plan shall be designed to raise the academic performance of students enrolled in the public school and to ensure that the public school, following the next annual performance review, attains a higher accreditation

category. At a minimum, each school improvement plan shall:

(a.5) IF THE PUBLIC SCHOOL SERVES STUDENTS IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES, IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 11. In Colorado Revised Statutes, 22-11-405, **add** (4) (a.5) as follows:

22-11-405. School priority improvement plan - contents. (4) A school priority improvement plan shall be designed to ensure that the public school improves its performance to the extent that, following completion of the public school's next annual performance review, the public school attains a higher accreditation category. At a minimum, a school priority improvement plan shall:

(a.5) IF THE PUBLIC SCHOOL SERVES STUDENTS IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES, IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 12. In Colorado Revised Statutes, 22-11-406, **add** (3) (a.5) as follows:

22-11-406. School turnaround plan - contents. (3) A school turnaround plan shall be designed to ensure that the public school improves its performance to the extent that, following completion of the public school's next annual performance review, the public school attains a higher accreditation category. At a minimum, a school turnaround plan shall:

(a.5) IF THE PUBLIC SCHOOL SERVES STUDENTS IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES, IDENTIFY THE STRATEGIES TO BE USED IN ADDRESSING THE NEEDS OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADE WHO ARE IDENTIFIED PURSUANT TO SECTION 22-7-1205 AS HAVING SIGNIFICANT READING DEFICIENCIES AND SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN IN REDUCING THE NUMBER OF STUDENTS WHO HAVE SIGNIFICANT READING DEFICIENCIES AND IN ENSURING THAT EACH STUDENT ACHIEVES GRADE LEVEL EXPECTATIONS IN READING;

SECTION 13. In Colorado Revised Statutes, 22-41-102, **amend** (3) (a); and **add** (3) (c) as follows:

22-41-102. Fund inviolate. (3) (a) Except as provided in paragraph (b) of this subsection (3), for the 2010-11 state fiscal year and each state fiscal year thereafter, the first eleven million dollars of any interest or income earned on the investment of the moneys in the public school fund shall be credited to the state public school fund created in section 22-54-114 for distribution as provided by law. PRIOR TO THE 2013-14 STATE FISCAL YEAR, any amount of such interest and income earned on the investment of the moneys in the state public school fund in excess of eleven million dollars, other than interest and income credited to the public school capital construction assistance fund, created in section 22-43.7-104 (1), pursuant to section 22-43.7-104 (2) (b) (I), shall remain in the fund and shall become part of the principal of the fund.

(c) FOR THE 2013-14 STATE FISCAL YEAR AND FOR EACH STATE FISCAL YEAR THEREAFTER, ANY AMOUNT OF INTEREST OR INCOME EARNED ON THE INVESTMENT OF MONEYS IN THE PUBLIC SCHOOL FUND IN EXCESS OF ELEVEN MILLION DOLLARS, OTHER THAN INTEREST AND INCOME CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE FUND, CREATED IN SECTION 22-43.7-104 (1), PURSUANT TO SECTION 22-43.7-104 (2) (b) (I), SHALL BE CREDITED TO THE EARLY LITERACY FUND CREATED IN SECTION 22-7-1210; EXCEPT THAT THE AMOUNT CREDITED TO THE EARLY LITERACY FUND PURSUANT TO THIS PARAGRAPH (c) SHALL NOT EXCEED SIXTEEN MILLION DOLLARS IN ANY STATE FISCAL YEAR.

SECTION 14. In Colorado Revised Statutes, 22-54-103, **amend** (10) (b) (I) introductory portion as follows:

22-54-103. Definitions - repeal. As used in this article, unless the context otherwise requires:

(10) (b) (I) A pupil enrolled in a kindergarten educational program pursuant to section 22-32-119 (1) shall be counted as not more than a half-day pupil; EXCEPT THAT, IF THE PUPIL DOES NOT ADVANCE TO FIRST GRADE, PURSUANT TO SECTION 22-7-1207, AFTER COMPLETING ONE YEAR OF ENROLLMENT IN A KINDERGARTEN EDUCATIONAL PROGRAM, THE PUPIL SHALL BE COUNTED AS A FULL-DAY PUPIL FOR THE SECOND YEAR IN WHICH HE OR SHE IS ENROLLED IN THE KINDERGARTEN EDUCATIONAL PROGRAM. For the 2005-06 budget year and each budget year thereafter, a district shall count and receive funding only for pupils enrolled in a kindergarten educational program who are:

SECTION 15. In Colorado Revised Statutes, 22-7-908, **amend** (1) as follows:

22-7-908. Read-to-achieve cash fund - created. (1) There is hereby established in the state treasury the read-to-achieve cash fund, referred to in this section as the "cash fund". The cash fund shall consist of moneys transferred thereto pursuant to subsection (3) of this section and any other moneys that may be made available by the general assembly. Subject to appropriation by the general assembly, moneys in the cash fund shall be used to provide grants pursuant to this part 9 and for reimbursements to school districts for educational services provided pursuant to section 22-32-141 to juveniles held in jails or other facilities for the detention of adult offenders. Any moneys not provided as grants may be invested by the state treasurer as provided in section 24-36-113, C.R.S. All interest derived from the deposit and investment of moneys in the cash fund shall be credited to the cash fund. Any amount remaining in the cash fund at the end of any fiscal year shall remain in the cash fund and shall not be credited or transferred to the general fund or to any other fund; EXCEPT THAT ANY MONEYS REMAINING IN THE CASH FUND AS OF JUNE 30, 2012, ARE TRANSFERRED TO THE EARLY LITERACY FUND CREATED IN SECTION 22-7-1210.

SECTION 16. In Colorado Revised Statutes, **amend** 22-7-909 as follows:

22-7-909. Repeal of part. (1) This part 9 is repealed, effective July

1,2014 JULY 1, 2012.

(2) ~~Prior to said repeal, the read-to-achieve board appointed pursuant to section 22-7-904 shall be reviewed as provided for in~~ NOTWITHSTANDING THE PROVISIONS OF section 2-3-1203, C.R.S., THE READ-TO-ACHIEVE BOARD APPOINTED PURSUANT TO SECTION 22-7-904 SHALL NOT BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203, C.R.S.

SECTION 17. In Colorado Revised Statutes, 2-3-1203, **repeal** (3) (aa) (IV) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(aa) July 1, 2014:

(IV) ~~The read-to-achieve board, created pursuant to section 22-7-904, C.R.S.;~~

SECTION 18. In Colorado Revised Statutes, 22-7-613, **repeal** (1) (b) as follows:

22-7-613. Closing the achievement gap cash fund - creation. (1) (b) ~~On July 1, 2009, the state treasurer, pursuant to section 22-7-908 (4) (a), shall transfer from the read to achieve cash fund created in section 22-7-908 to the closing the achievement gap cash fund the amount of one million seven hundred fifty thousand dollars for the purposes of implementing section 22-7-611.~~

SECTION 19. In Colorado Revised Statutes, 22-11-605, **repeal** (3) as follows:

22-11-605. School awards program fund - creation - contributions. (3) ~~On July 1, 2009, the state treasurer, pursuant to section 22-7-908 (4) (b), shall transfer from the read to achieve cash fund created in section 22-7-908 to the school awards program fund the amount of two hundred fifty thousand dollars to be awarded pursuant to section 22-11-603.5 as "Centers of Excellence Awards".~~

SECTION 20. In Colorado Revised Statutes, 24-75-217, **repeal** (3) (c) as follows:

24-75-217. Restoration of funds transferred to augment the general fund for the 2001-02 fiscal year. (3) The funds that shall be restored pursuant to subsection (1) of this section include:

(c) ~~The read-to-achieve cash fund created in section 22-7-908 (1), C.R.S.;~~

SECTION 21. In Colorado Revised Statutes, 24-75-1104.5, **amend** (1) (h) and (3) as follows:

24-75-1104.5. Use of settlement moneys - programs - repeal.

(1) Except as otherwise provided in subsection (5) of this section, for the 2004-05 fiscal year and for each fiscal year thereafter, the following programs, services, or funds shall receive the following specified amounts from the settlement moneys received by the state in the preceding fiscal year; except that fifteen million four hundred thousand dollars of strategic contribution fund moneys and, for the 2010-11 fiscal year and for each fiscal year thereafter only, the lesser of sixty-five million dollars of other settlement moneys or all other settlement moneys shall be allocated in each fiscal year in which they are received by the state and except that, of the other settlement moneys received by the state in the 2009-10 fiscal year, the lesser of sixty-five million dollars or all of such moneys shall be transferred to the general fund on June 30, 2010, and shall not be allocated:

(h) ~~The read-to-achieve grant program created in part 9 of article 7 of title 22, C.R.S.~~ EARLY LITERACY FUND CREATED IN SECTION 22-7-1210, C.R.S., shall receive five percent of the total amount of settlement moneys annually received by the state, not to exceed eight million dollars in any fiscal year, as provided in said section; ~~except that, for the 2004-05 fiscal year, the read-to-achieve grant program shall receive nineteen percent of the total amount of settlement moneys received, not to exceed nineteen million dollars.~~

(3) Notwithstanding the provisions of subsections (1) and (1.5) of this section, for purposes of ~~sections 22-7-908 (3)~~ SECTIONS 22-7-1210 (3), 23-20-136 (3.5) (a), 25-4-1411 (6) (a), 25-4-1415 (2), 25-20.5-201 (2) (c), 25-23-104 (2), 25-31-107 (2) (d) (I), 25.5-6-805 (2), 25.5-8-105 (3),

27-67-106 (2) (b), and 28-5-709 (2) (a), C.R.S., settlement moneys received and allocated by the state pursuant to said subsections (1) and (1.5) during the same fiscal year shall be deemed to be moneys received for or during the preceding fiscal year.

SECTION 22. In Colorado Revised Statutes, 24-77-104.5, **repeal** (3) (a) (VII) as follows:

24-77-104.5. General fund exempt account - appropriations to critical needs fund - specification of uses for health care and education - definitions. (3) (a) Funding for preschool through twelfth grade education, as used in subparagraph (II) of paragraph (b) of subsection (1) of this section, shall be limited to funding for:

(VII) ~~Read-to-achieve programs;~~

SECTION 23. In Colorado Revised Statutes, 22-54-104.2, **add** (3) as follows:

22-54-104.2. Legislative declaration. (3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE REQUIREMENT THAT SCHOOL DISTRICTS PROVIDE EDUCATIONAL SERVICES TO JUVENILES PURSUANT TO SECTION 22-32-141 AND THAT THE SCHOOL DISTRICTS RECEIVE REIMBURSEMENT FOR PROVIDING THE SERVICES PURSUANT TO SECTION 22-54-114(4) (b), IS PART OF PROVIDING ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

SECTION 24. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the early literacy fund created in section 22-7-1210, Colorado Revised Statutes, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2012, the sum of \$5,411,989 and 9.8 FTE, or so much thereof as may be necessary, for allocation to the assistance to public schools division, reading and literacy programs, for the implementation of section 22-7-1210 (4), Colorado Revised Statutes.

(2) In addition to any other appropriation, there is hereby

appropriated, out of any moneys in the state education fund created in section 17 (4) (a) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2012, the sum of \$20,418 and 0.2 FTE, or so much thereof as may be necessary, for allocation to the public school finance division for administrative expenses related to district per pupil reimbursements for juveniles held in jail.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) (a) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2012, the sum of \$100,000, or so much thereof as may be necessary, for allocation to the public school finance division for district per pupil reimbursements for juveniles held in jail.

SECTION 25. Appropriation - adjustments in 2012 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education for the fiscal year beginning July 1, 2012, are adjusted as follows:

(a) The cash funds appropriation for public school finance administration is decreased by \$20,418 and 0.2 FTE. Said sum is from the read-to-achieve cash fund created in section 22-7-908 (1), Colorado Revised Statutes.

(b) The cash funds appropriation for district per pupil reimbursements for juveniles held in jail is decreased by \$100,000. Said sum is from the read-to-achieve cash fund created in section 22-7-908 (1), Colorado Revised Statutes.

(c) The cash funds appropriation for the read-to-achieve grant program is decreased by \$5,242,516 and 1.0 FTE. Said sum is from the read-to-achieve cash fund created in section 22-7-908 (1), Colorado Revised Statutes.

SECTION 26. Effective date. This act takes effect July 1, 2012.

SECTION 27. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Frank McNulty
SPEAKER OF THE HOUSE
REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR