

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 19-0962.01 Julie Pelegrin x2700

**SENATE BILL 19-199**

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**SENATE SPONSORSHIP**

**Todd and Rankin,**

**HOUSE SPONSORSHIP**

**McCluskie and Wilson,**

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO SUPPORT EFFECTIVE IMPLEMENTATION OF**  
102            **THE "COLORADO READING TO ENSURE ACADEMIC**  
103            **DEVELOPMENT ACT" FOR ALL STUDENTS WHO RECEIVE**  
104            **SERVICES PURSUANT TO READ PLANS, AND, IN CONNECTION**  
105            **THEREWITH, MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill makes several changes concerning implementation of the "Colorado Reading to Ensure Academic Development Act" (READ act)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

SENATE  
Amended 2nd Reading  
April 23, 2019

by school districts, charter schools, and boards of cooperative services that operate schools (local education providers) as follows:

- ! Requiring that instructional programming and services for teaching reading be focused on the areas of phonemic awareness, phonics, vocabulary development, reading fluency including oral skills, and reading comprehension (foundational reading skills);
- ! Directing each local education provider to adopt a reading education program plan for each of the schools operated by the local education provider, specifying the minimum contents of each plan, directing the local education provider to report to the department of education (department), and directing the department to monitor implementation of the plan;
- ! Specifying that students with significant reading deficiencies (SRD) and students who read below grade level must receive a specified minimum amount of educator-assisted reading time each day;
- ! Requiring each local education provider to annually post online for public access information concerning the percentage of students who are identified as having SRD, the percentage of students who are not identified as having SRD but are reading below grade level, and the amount and use of money that the local education provider receives as per-pupil intervention money and through the early literacy grant program.

The bill directs the department to develop and implement a public information campaign to emphasize the importance of learning to read by third grade and to highlight the local education providers that achieve high percentages of third-grade students who are reading at grade level. The bill directs the department to contract with one or more entities to independently evaluate whether a local education provider's use of per-pupil intervention money or early literacy grant program money results in students making measurable progress toward reading competency.

The bill changes the distribution of money appropriated from the early literacy fund by reducing the amount distributed as per-pupil intervention money, increasing the amount distributed through the early literacy grant fund, and adding distributions to pay for the public information campaign and the reading certification program.

The bill changes the procedure for distributing the per-pupil intervention money by:

- ! Requiring a local education provider to provide information and meet certain requirements in order to receive the money;

- ! Authorizing the department to monitor and, if necessary, audit the use of the money throughout the budget year;
- ! Expanding the allowable uses of the per-pupil intervention money to include purchasing core reading instructional programs and purchasing technology, including software, to assist in assessing and monitoring student progress; and
- ! Capping the amount of per-pupil intervention money that a local education provider may retain from year to year.

The bill amends the early literacy grant program to provide that, if the department, at the completion of a grant, determines that the program implemented with the grant money was successful in moving students toward reading competency, the state board of education must automatically renew the grant and increase the grant amount if necessary to enable the grant recipient to expand the program.

The bill requires a local education provider to report the scores attained by students on the interim reading assessments if the local education provider uses per-pupil intervention money to purchase instructional programming in reading.

The bill directs the department to create a reading certification program that is focused on the foundational reading skills and must include 3 tiers: Paraprofessional certification; educator certification; and reading coach certification. Each local education provider must obtain reading certifications for their educators at the educator or reading coach level and may obtain reading certifications at the paraprofessional level for other employees and for parents, upper-grade students, and other community members who request training through the local education provider. The reading certifications are free to local education providers and the persons obtaining the certification.

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

2 **SECTION 1. In Colorado Revised Statutes, 22-7-1202, add (1.5)**  
 3 **as follows:**

4 **22-7-1202. Legislative declaration. (1.5) (a) THE GENERAL**  
 5 **ASSEMBLY FURTHER FINDS THAT:**

6 **(I) READING IS A CRITICAL SKILL THAT EVERY CHILD MUST**  
 7 **DEVELOPEARLY IN THE CHILD'S EDUCATIONAL CAREER TO BE SUCCESSFUL;**

8 **(II) RESEARCH SHOWS THAT READING INSTRUCTION THAT IS**  
 9 **FOCUSED AROUND THE FOUNDATIONAL READING SKILLS OF PHONEMIC**

1 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY  
2 INCLUDING ORAL SKILLS, AND READING COMPREHENSION IS HIGHLY  
3 EFFECTIVE IN TEACHING YOUNG CHILDREN TO READ;

4 (III) SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION  
5 GRANTS TO THE ELECTED BOARD OF EDUCATION IN EACH SCHOOL DISTRICT  
6 THE AUTHORITY TO HAVE CONTROL OF INSTRUCTION IN THE PUBLIC  
7 SCHOOLS OF THE SCHOOL DISTRICT, AND SECTION 16 OF ARTICLE IX OF THE  
8 STATE CONSTITUTION PROHIBITS THE GENERAL ASSEMBLY AND THE STATE  
9 BOARD OF EDUCATION FROM PRESCRIBING THE TEXTBOOKS TO BE USED IN  
10 PUBLIC SCHOOLS;

11 (IV) HOWEVER, SECTION 2 OF ARTICLE IX OF THE STATE  
12 CONSTITUTION REQUIRES THE GENERAL ASSEMBLY TO PROVIDE FOR THE  
13 ESTABLISHMENT AND MAINTENANCE OF A THOROUGH AND UNIFORM  
14 SYSTEM OF FREE PUBLIC SCHOOLS THROUGHOUT THE STATE, AND SECTION  
15 1 OF ARTICLE IX OF THE STATE CONSTITUTION VESTS THE GENERAL  
16 SUPERVISION OF THE PUBLIC SCHOOLS OF THE STATE IN THE STATE BOARD  
17 OF EDUCATION;

18 (V) IN INTERPRETING THESE CONSTITUTIONAL PROVISIONS, THE  
19 COLORADO SUPREME COURT HAS FOUND THAT, BECAUSE THEY ARE  
20 COMPETING INTERESTS, NONE ARE ABSOLUTE; THESE INTERESTS MUST BE  
21 BALANCED TO IDENTIFY THE CONTOURS OF THE RESPONSIBILITY ASSIGNED  
22 TO EACH ENTITY; AND

23 (VI) IT IS THE GENERAL ASSEMBLY THAT INITIALLY STRIKES THIS  
24 BALANCE.

25 (b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT ENSURING  
26 THAT EACH CHILD HAS ACCESS THROUGH THE PUBLIC SCHOOLS TO  
27 EVIDENCE-BASED READING INSTRUCTION THAT IS FOCUSED ON

1 DEVELOPING THE FOUNDATIONAL READING SKILLS OF PHONEMIC  
2 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY  
3 INCLUDING ORAL SKILLS, AND READING COMPREHENSION IS A SIGNIFICANT  
4 COMPONENT OF ENSURING THAT THE SYSTEM OF FREE PUBLIC SCHOOLS  
5 THROUGHOUT THE STATE IS THOROUGH AND UNIFORM. IN EXERCISING ITS  
6 AUTHORITY OF GENERAL SUPERVISION OF THE PUBLIC SCHOOLS OF THE  
7 STATE, IT IS APPROPRIATE THAT THE STATE BOARD OF EDUCATION,  
8 SUPPORTED BY THE DEPARTMENT OF EDUCATION, HOLD LOCAL EDUCATION  
9 PROVIDERS ACCOUNTABLE FOR DEMONSTRATING THAT THE READING  
10 INSTRUCTION THEY PROVIDE IS FOCUSED ON THESE FIVE FOUNDATIONAL  
11 READING SKILLS. AND, IN MAINTAINING CONTROL OF THE INSTRUCTION IN  
12 THE CLASSROOMS OF THE PUBLIC SCHOOLS OF THEIR RESPECTIVE SCHOOL  
13 DISTRICTS, IT IS APPROPRIATE THAT EACH SCHOOL DISTRICT BOARD OF  
14 EDUCATION SELECT THE CORE READING INSTRUCTIONAL PROGRAMS AND  
15 READING INTERVENTIONS TO BE USED IN THOSE PUBLIC SCHOOLS, SO LONG  
16 AS THEY ARE FOCUSED ON PHONEMIC AWARENESS, PHONICS, VOCABULARY  
17 DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING  
18 COMPREHENSION TO ENSURE THAT THE STUDENTS EDUCATED IN THE  
19 PUBLIC SCHOOLS THROUGHOUT THE STATE CONSISTENTLY RECEIVE  
20 EVIDENCE-BASED INSTRUCTION THAT IS PROVEN TO EFFECTIVELY TEACH  
21 CHILDREN TO READ.

22 **SECTION 2.** In Colorado Revised Statutes, 22-7-1203, **amend**  
23 **(9); repeal (12); and add (7.5)** as follows:

24 **22-7-1203. Definitions.** As used in this part 12, unless the context  
25 **otherwise requires:**

26 **(7.5) "MULTI-TIERED SYSTEMS OF SUPPORTS" MEANS A SYSTEMIC**  
27 **PREVENTIVE APPROACH THAT ADDRESSES THE ACADEMIC AND**

1 SOCIAL-EMOTIONAL NEEDS OF ALL STUDENTS AT THE UNIVERSAL,  
2 TARGETED, AND INTENSIVE LEVELS. THROUGH THE MULTI-TIERED  
3 SYSTEMS OF SUPPORTS, A TEACHER PROVIDES HIGH-QUALITY,  
4 SCIENTIFICALLY BASED OR EVIDENCE-BASED INSTRUCTION AND  
5 INTERVENTION THAT IS MATCHED TO STUDENT NEEDS; USES A METHOD OF  
6 MONITORING PROGRESS FREQUENTLY TO INFORM DECISIONS ABOUT  
7 INSTRUCTION AND GOALS; AND APPLIES THE STUDENT'S RESPONSE DATA  
8 TO IMPORTANT EDUCATIONAL DECISIONS.

9 (9) "Per-pupil intervention moneys MONEY" means the moneys  
10 MONEY calculated and distributed to local education providers pursuant  
11 to section 22-7-1210 (5) SECTION 22-7-1210.5.

12 (12) "Response to intervention framework" means a systemic  
13 preventive approach that addresses the academic and social-emotional  
14 needs of all students at the universal, targeted, and intensive levels.  
15 Through the response to intervention framework, a teacher provides  
16 high-quality, scientifically based or evidence-based instruction and  
17 intervention that is matched to student needs; uses a method of  
18 monitoring progress frequently to inform decisions about instruction and  
19 goals; and applies the student's response data to important educational  
20 decisions.

21 **SECTION 3.** In Colorado Revised Statutes, **amend 22-7-1204** as  
22 follows:

23 **22-7-1204. Early literacy education.** Each local education  
24 provider that enrolls students in kindergarten or first, second, or third  
25 grade shall provide to the students enrolled in said grades the instructional  
26 programming and services necessary to ensure to the greatest extent  
27 possible that students, as they progress through kindergarten, first,

1 second, and third grade, develop the necessary reading skills to enable  
2 them to master the academic standards and expectations applicable to the  
3 fourth-grade curriculum and beyond. THE INSTRUCTIONAL PROGRAMMING  
4 AND SERVICES FOR TEACHING STUDENTS TO READ MUST BE EVIDENCE  
5 BASED AND SCIENTIFICALLY BASED AND MUST FOCUS ON READING  
6 COMPETENCY IN THE AREAS OF PHONEMIC AWARENESS, PHONICS,  
7 VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS,  
8 AND READING COMPREHENSION.

9 **SECTION 4.** In Colorado Revised Statutes, 22-7-1206, **amend**  
10 **(2), (5) introductory portion, and (5)(c) as follows:**

11 **22-7-1206. Reading to ensure academic development plan -**  
12 **contents - implementation.** (2) (a) If a student's reading skills are below  
13 grade-level expectations, as adopted by the state board, but the student  
14 does not have a significant reading deficiency, the local education  
15 provider shall ensure that the student receives appropriate interventions  
16 through the ~~response to intervention framework~~ MULTI-TIERED SYSTEMS  
17 OF SUPPORTS or a comparable intervention system implemented by the  
18 local education provider. AT A MINIMUM, THE LOCAL EDUCATION  
19 PROVIDER SHALL ENSURE THAT THE STUDENT RECEIVES EDUCATIONAL  
20 SERVICES IN A DAILY LITERACY BLOCK FOR THE LENGTH OF TIME  
21 IDENTIFIED AS EFFECTIVE IN RESEARCH RELATING TO BEST PRACTICES IN  
22 TEACHING READING.

23 (b) If a student has a significant reading deficiency, the student's  
24 READ plan shall MUST include the intervention instruction that the local  
25 education provider provides through the ~~response to intervention~~  
26 ~~framework~~ MULTI-TIERED SYSTEMS OF SUPPORTS or a comparable  
27 intervention system implemented by the local education provider.

1           (5) Each READ plan shall MUST include, at a minimum:  
2           (c) The type of additional instructional services and interventions  
3 the student will receive in reading. AT A MINIMUM, THE LOCAL  
4 EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT RECEIVES  
5 EDUCATIONAL SERVICES IN A DAILY LITERACY BLOCK FOR THE LENGTH OF  
6 TIME IDENTIFIED AS EFFECTIVE IN RESEARCH RELATING TO BEST PRACTICES  
7 IN TEACHING READING.

8           **SECTION 5.** In Colorado Revised Statutes, 22-7-1206, **amend**  
9 (4) as follows:

10           **22-7-1206. Reading to ensure academic development plan -**  
11 **contents - implementation.** (4) If a student enrolled in kindergarten is  
12 identified as having a significant reading deficiency, the local education  
13 provider shall create the student's READ plan as a component of the  
14 student's individualized readiness plan created pursuant to section  
15 22-7-1014. THE LOCAL EDUCATION PROVIDER MAY INCLUDE COMPONENTS  
16 OF THE STUDENT'S INDIVIDUALIZED READINESS PLAN THAT APPLY TO  
17 TEACHING LITERACY AS PART OF THE STUDENT'S READ PLAN AFTER THE  
18 STUDENT COMPLETES KINDERGARTEN, SO LONG AS THE LOCAL EDUCATION  
19 PROVIDER ADMINISTERS AN APPROVED READING ASSESSMENT TO THE  
20 STUDENT IN GRADES ONE THROUGH THREE AS REQUIRED IN SECTION  
21 22-7-1205 (1) AND THE STUDENT'S READ PLAN MEETS THE  
22 REQUIREMENTS SPECIFIED IN SUBSECTION (5) OF THIS SECTION.

23           **SECTION 6.** In Colorado Revised Statutes, 22-7-1208, **add (5),**  
24 (6), and (7) as follows:

25           **22-7-1208. Local education providers - procedures - plans -**  
26 **training.** (5) (a) BEGINNING WITH THE PLANS ADOPTED FOR THE 2020-21  
27 SCHOOL YEAR, THE PLAN THAT A LOCAL EDUCATION PROVIDER MUST



1 ADOPT BASED ON ITS ACCREDITATION CATEGORY PURSUANT TO SECTION  
2 22-11-208 OR AS REQUIRED PURSUANT TO SECTION 22-11-210,  
3 WHICHEVER IS APPLICABLE, MUST INCLUDE THE FOLLOWING INFORMATION  
4 CONCERNING IMPLEMENTATION OF THIS PART 12 AS IT APPLIES TO EACH OF  
5 THE SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER:

6 (I) THE CORE AND SUPPLEMENTAL READING CURRICULUM USED AT  
7 EACH GRADE LEVEL, INCLUDING KINDERGARTEN FOR EACH SCHOOL THAT  
8 INCLUDES A KINDERGARTEN EDUCATIONAL PROGRAM. THE CORE AND  
9 SUPPLEMENTAL READING CURRICULUM MUST BE DESIGNED AROUND  
10 TEACHING THE FOUNDATIONAL READING SKILLS OF PHONEMIC  
11 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY  
12 INCLUDING ORAL SKILLS, AND READING COMPREHENSION.

13 (II) THE TARGETED, EVIDENCE-BASED OR SCIENTIFICALLY BASED  
14 CORE AND SUPPLEMENTAL READING INSTRUCTIONAL PROGRAMS AND  
15 INTERVENTION READING INSTRUCTION, SERVICES, AND OTHER SUPPORTS,  
16 INCLUDING THOSE AVAILABLE THROUGH THE MULTI-TIERED SYSTEMS OF  
17 SUPPORTS OR A COMPARABLE INTERVENTION SYSTEM IMPLEMENTED BY  
18 THE LOCAL EDUCATION PROVIDER, THAT EACH SCHOOL PROVIDES TO  
19 STUDENTS WHO ARE IDENTIFIED AS HAVING A SIGNIFICANT READING  
20 DEFICIENCY OR AS READING BELOW GRADE LEVEL;

21 (III) THE ASSESSMENTS THAT EACH SCHOOL USES AT EACH GRADE  
22 LEVEL TO MEET THE REQUIREMENTS SPECIFIED IN SECTION 22-7-1205 (1);  
23 AND

24 (IV) IF THE LOCAL EDUCATION PROVIDER RECEIVES AND USES  
25 PER-PUPIL INTERVENTION MONEY OR MONEY RECEIVED THROUGH THE  
26 EARLY LITERACY GRANT PROGRAM FOR PROFESSIONAL DEVELOPMENT, THE  
27 LOCAL EDUCATION PROVIDER'S PLAN FOR PROVIDING THE PROFESSIONAL

1 DEVELOPMENT, WHICH DEVELOPMENT MUST BE TARGETED, EVIDENCE  
2 BASED OR SCIENTIFICALLY BASED, AND ALIGNED WITH THE INSTRUCTION,  
3 SERVICES, AND OTHER SUPPORTS PROVIDED TO STUDENTS WHO ARE  
4 IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY OR AS  
5 READING BELOW GRADE LEVEL.

6 (b) IF A LOCAL EDUCATION PROVIDER IS AUTHORIZED PURSUANT  
7 TO SECTION 22-11-303 (4) OR 22-11-403 (5) TO ADOPT AND SUBMIT A PLAN  
8 EVERY TWO YEARS, THE LOCAL EDUCATION PROVIDER SHALL SUBMIT TO  
9 THE DEPARTMENT THE INFORMATION DESCRIBED IN SUBSECTION (5)(a) OF  
10 THIS SECTION ANNUALLY.

11 (6) (a) BY THE BEGINNING OF THE 2021-22 SCHOOL YEAR AND  
12 CONTINUING FOR EACH SCHOOL YEAR THEREAFTER, EACH LOCAL  
13 EDUCATION PROVIDER THAT RECEIVES PER-PUPIL INTERVENTION MONEY  
14 OR A GRANT THROUGH THE EARLY LITERACY GRANT PROGRAM IN ANY  
15 BUDGET YEAR STARTING WITH THE 2019-20 BUDGET YEAR SHALL ENSURE  
16 THAT EACH TEACHER EMPLOYED TO TEACH KINDERGARTEN OR ANY OF  
17 GRADES ONE THROUGH THREE SUCCESSFULLY COMPLETES OR HAS  
18 SUCCESSFULLY COMPLETED EVIDENCE-BASED TRAINING IN TEACHING  
19 READING. TO COMPLY WITH THIS SUBSECTION (6)(a), A LOCAL EDUCATION  
20 PROVIDER MUST SUBMIT EVIDENCE, AS DESCRIBED IN SUBSECTION (6)(b)  
21 OF THIS SECTION, THAT EACH TEACHER EMPLOYED TO TEACH  
22 KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE HAS  
23 SUCCESSFULLY COMPLETED EVIDENCE-BASED TRAINING IN TEACHING  
24 READING THAT IS:

25 (I) INCLUDED AS A COURSE IN AN APPROVED PROGRAM OF  
26 PREPARATION, AS DEFINED IN SECTION 22-60.5-103 (8), OR AN  
27 ALTERNATIVE TEACHER PROGRAM, AS DEFINED IN SECTION 22-60.5-103

1 (5);

2 (II) INCLUDED AS A COURSE IN A POST-GRADUATE DEGREE  
3 PROGRAM IN TEACHING READING OR LITERACY;

4 (III) PROVIDED BY THE DEPARTMENT OR INCLUDED ON THE  
5 ADVISORY LIST OF PROFESSIONAL DEVELOPMENT PROGRAMS PROVIDED BY  
6 THE DEPARTMENT PURSUANT TO SECTION 22-7-1209 (2)(c); OR

7 (IV) PROVIDED BY A LOCAL EDUCATION PROVIDER OR IS  
8 APPROPRIATE FOR LICENSE RENEWAL PURSUANT TO SECTION 22-60.5-110  
9 (3).

10 (b) A TEACHER IS DEEMED TO HAVE SUCCESSFULLY COMPLETED  
11 EVIDENCE-BASED TRAINING IN TEACHING READING IF THE LOCAL  
12 EDUCATION PROVIDER SUBMITS TO THE DEPARTMENT EVIDENCE THAT THE  
13 TEACHER PASSED AN END-OF-COURSE ASSESSMENT OF LEARNING AT THE  
14 COMPLETION OF THE EVIDENCE-BASED TRAINING.

15 (c) AT THE REQUEST OF A LOCAL EDUCATION PROVIDER, THE  
16 DEPARTMENT SHALL PROVIDE, AT NO COST TO THE LOCAL EDUCATION  
17 PROVIDER, EVIDENCE-BASED TRAINING IN TEACHING READING TO ONE OR  
18 MORE OF THE TEACHERS EMPLOYED BY THE LOCAL EDUCATION PROVIDER  
19 TO TEACH KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE.

20 (d) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (6)(a) OF  
21 THIS SECTION, A LOCAL EDUCATION PROVIDER THAT IS NOT IN COMPLIANCE  
22 WITH THE REQUIREMENTS OF THIS SUBSECTION (6) AS OF THE BEGINNING  
23 OF THE 2021-22 SCHOOL YEAR OR FOR A SUBSEQUENT SCHOOL YEAR MAY  
24 REQUEST A ONE-YEAR EXTENSION FROM THE DEPARTMENT BASED ON A  
25 DEMONSTRATION OF GOOD CAUSE FOR INABILITY TO COMPLY.

26 (e) A LOCAL EDUCATION PROVIDER IS STRONGLY ENCOURAGED TO  
27 MAKE EVIDENCE-BASED TRAINING IN TEACHING READING AVAILABLE TO

1 PARENTS AND MEMBERS OF THE COMMUNITY IN ORDER TO EFFECTIVELY  
2 PARTNER WITH THEM IN TEACHING EARLY-GRADE READING.

3 (f) THE STATE BOARD MAY ADOPT RULES AS NECESSARY TO  
4 SPECIFY THE TIME FRAMES AND PROCEDURES FOR COMPLYING WITH THE  
5 REQUIREMENTS SPECIFIED IN SUBSECTION (6)(a) OF THIS SECTION AND FOR  
6 APPLYING FOR AN EXTENSION PURSUANT TO SUBSECTION (6)(d) OF THIS  
7 SECTION AND THE FORM IN WHICH A LOCAL EDUCATION PROVIDER MUST  
8 SUBMIT EVIDENCE OF THE COMPLETION OF AN END-OF-COURSE  
9 ASSESSMENT OF LEARNING AS REQUIRED IN SUBSECTION (6)(b) OF THIS  
10 SECTION.

11 (7) EACH LOCAL EDUCATION PROVIDER IS STRONGLY ENCOURAGED  
12 TO PARTNER WITH ADJACENT PUBLIC LIBRARIES TO ENHANCE THE  
13 INSTRUCTIONAL PROGRAMMING AND SERVICES IN LITERACY PROVIDED BY  
14 THE LOCAL EDUCATION PROVIDER AND TO PROVIDE ACCESS FOR STUDENTS  
15 AND THEIR PARENTS TO READING MATERIALS FOR OUT-OF-SCHOOL  
16 LITERACY DEVELOPMENT.

17 **SECTION 7. In Colorado Revised Statutes, 22-7-1209, amend**  
18 **(2)(a)(I), (2)(b), (2)(c), (3) introductory portion, and (6); and add (1)(d.5),**  
19 **(7), and (8) as follows:**

20 **22-7-1209. State board - rules - department - duties.** (1) The  
21 state board shall promulgate rules in accordance with the "State  
22 Administrative Procedure Act", article 4 of title 24, as necessary to  
23 implement the provisions of this part 12, which rules must include, but  
24 need not be limited to:

25 (d.5) THE TIME FRAMES AND PROCEDURES FOR SUBMITTING  
26 INFORMATION CONCERNING THE USE OF PER-PUPIL INTERVENTION MONEY;

27 (2) (a) (I) Using the procedure developed pursuant to subsection

1 (3) of this section, the department shall review and recommend to the  
2 state board reading assessments, including interim, summative, and  
3 diagnostic assessments, for kindergarten and first, second, and third  
4 grades that, at a minimum, meet the criteria specified in subsection  
5 ~~(1)(a)(H)~~ SUBSECTION (2)(a)(II) of this section. Following action by the  
6 state board to approve reading assessments pursuant to subsection (1)(b)  
7 of this section, the department shall create a list of the approved reading  
8 assessments for kindergarten and first, second, and third grades for use by  
9 local education providers. The department shall update the list of  
10 approved reading assessments on or before July 1, 2019, and every four  
11 years thereafter as necessary. The department shall work with the  
12 approved assessment publishers to better align, to the extent practicable,  
13 the minimum reading competency levels for third grade, which are based  
14 on the scores attained on the approved assessments, with the preschool  
15 through elementary and secondary education standards for third-grade  
16 reading adopted pursuant to section 22-7-1005.

17 (b) Using the procedure developed pursuant to subsection (3) of  
18 this section, the department shall create an advisory list of evidence-based  
19 or scientifically based instructional programming in reading AND  
20 SUPPORTING TECHNOLOGIES, INCLUDING SOFTWARE, FOR ASSESSING AND  
21 MONITORING STUDENT PROGRESS that local education providers are  
22 encouraged to use, which programming is AND TECHNOLOGY, INCLUDING  
23 SOFTWARE, ARE aligned with the recommended reading assessments,  
24 including the assessment required in subsection (2)(a)(II)(D) of this  
25 section. The advisory list may include only programming AND  
26 TECHNOLOGY, INCLUDING SOFTWARE, that, at a minimum:

27 (I) Has HAVE been proven to accelerate student progress in

1 attaining reading competency;

2 (II) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, provides  
3 explicit and systematic skill development in the areas of phonemic  
4 awareness, phonics, vocabulary development, reading fluency including  
5 oral skills, and reading comprehension;

6 (II.5) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, is  
7 evidence based or scientifically based and is aligned with the preschool  
8 through elementary and secondary education standards for reading  
9 adopted by the state board pursuant to section 22-7-1005;

10 (III) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, includes  
11 evidence-based or scientifically based and reliable assessments;

12 (IV) Provides PROVIDE initial and ongoing analysis of the  
13 student's progress in attaining reading competency; and

14 (V) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, includes  
15 texts on core academic content to assist the student in maintaining or  
16 meeting grade-appropriate proficiency levels in academic subjects in  
17 addition to reading.

18 (c) Using the procedure developed pursuant to subsection (3) of  
19 this section, the department shall create an advisory list of RIGOROUS  
20 professional development programs that are related to addressing  
21 significant reading deficiencies and to applying intervention instruction  
22 and strategies, in addition to programs related to teaching general literacy,  
23 that local education providers are encouraged to use. THE DEPARTMENT  
24 SHALL INCLUDE ON THE ADVISORY LIST PROFESSIONAL DEVELOPMENT  
25 PROGRAMS THAT ARE AVAILABLE ONLINE. THE DEPARTMENT SHALL  
26 ENSURE THAT EACH PROFESSIONAL DEVELOPMENT PROGRAM INCLUDED ON  
27 THE ADVISORY LIST IS:

1           (I) FOCUSED ON OR ALIGNS WITH THE SCIENCE OF READING,  
2           INCLUDING TEACHING IN THE AREAS OF PHONEMIC AWARENESS, PHONICS,  
3           VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS,  
4           AND READING COMPREHENSION; AND

5           (II) INCLUDES RIGOROUS EVALUATIONS OF LEARNING  
6           THROUGHOUT AND AT THE END OF THE COURSE THAT A PERSON TAKING  
7           THE COURSE MUST PASS TO SUCCESSFULLY COMPLETE THE COURSE.

8           (3) The department shall develop and implement a procedure for  
9           identifying the reading assessments it recommends to the state board for  
10          the approved list of reading assessments described in subsection (2)(a) of  
11          this section and for creating the advisory lists of instructional  
12          programming and professional development programs described in  
13          subsections (2)(b), (2)(c), and (2)(d) SUBSECTIONS (2)(b) AND (2)(c) of  
14          this section. At a minimum, the procedure must include:

15          (6) The department, upon request, may provide technical  
16          assistance to a local education provider in implementing the provisions  
17          of this part 12; EXCEPT THAT, IF A LOCAL EDUCATION PROVIDER IS  
18          ACCREDITED WITH TURNAROUND PLAN PURSUANT TO SECTION 22-11-208  
19          OR REQUIRED TO ADOPT A TURNAROUND PLAN PURSUANT TO SECTION  
20          22-11-210, THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO  
21          THE LOCAL EDUCATION PROVIDER IN IMPLEMENTING THE PROVISIONS OF  
22          THIS PART 12.

23          (7) BEGINNING IN THE 2019-20 BUDGET YEAR, THE DEPARTMENT  
24          SHALL CONTRACT WITH AN ENTITY TO DEVELOP AND IMPLEMENT A PUBLIC  
25          INFORMATION CAMPAIGN TO EMPHASIZE THE IMPORTANCE OF LEARNING  
26          TO READ BY THIRD GRADE AND TO HIGHLIGHT THE LOCAL EDUCATION  
27          PROVIDERS THAT ARE ACHIEVING HIGH PERCENTAGES OF THIRD-GRADE

1 STUDENTS WHO DEMONSTRATE READING COMPETENCY. THE PUBLIC  
2 INFORMATION CAMPAIGN MUST BE DISSEMINATED STATEWIDE AND MUST  
3 EMPHASIZE THE IMPORTANT ROLES THAT EDUCATORS AND PARENTS HAVE  
4 IN TEACHING CHILDREN TO READ AND IN PROVIDING A SCHOOL AND HOME  
5 ENVIRONMENT THAT PROMOTES READING. THE DEPARTMENT IS  
6 ENCOURAGED TO WORK WITH THE PUBLIC AND PRIVATE LIBRARY AGENCIES  
7 THROUGHOUT THE STATE IN DEVELOPING AND IMPLEMENTING THE PUBLIC  
8 INFORMATION CAMPAIGN.

9 (8) (a) BY OCTOBER 1, 2019, THE DEPARTMENT SHALL ISSUE A  
10 REQUEST FOR PROPOSALS TO CONTRACT WITH AN ENTITY TO ACT AS AN  
11 INDEPENDENT EVALUATOR TO PROVIDE INDEPENDENT EVALUATIONS OF  
12 THE USE OF PER-PUPIL INTERVENTION MONEY AND MONEY RECEIVED  
13 THROUGH THE EARLY LITERACY GRANT PROGRAM BY LOCAL EDUCATION  
14 PROVIDERS AND TO CONDUCT A MULTI-YEAR EVALUATION TO DETERMINE  
15 WHETHER THE STUDENT OUTCOMES ACHIEVED BY LOCAL EDUCATION  
16 PROVIDERS IN IMPLEMENTING THIS PART 12 MEET THE GOALS OF THIS PART  
17 12 AS DESCRIBED IN SECTION 22-7-1202 (2) AND (3)(a).

18 (b) THE COMMISSIONER OF EDUCATION SHALL DIRECT THE PROCESS  
19 FOR REVIEWING THE PROPOSALS RECEIVED AND FOR SELECTING THE  
20 ENTITY IN ACCORDANCE WITH THE PROCUREMENT LAWS APPLICABLE TO  
21 THE DEPARTMENT. IN SELECTING THE ENTITY, THE COMMISSIONER SHALL  
22 ENSURE THAT:

23 (I) THE SELECTED ENTITY DEMONSTRATES THE ABILITY AND  
24 CAPACITY TO SUCCESSFULLY COMPLETE THE EVALUATION AS DESCRIBED  
25 IN SUBSECTION (8)(c) OF THIS SECTION WITHIN THE SPECIFIED TIME FRAME;

26 (II) THE SELECTED ENTITY HAS EXPERTISE IN REVIEWING AND  
27 UNDERSTANDING THE COMPONENTS OF HIGH-QUALITY, EFFECTIVE



1 READING CURRICULA, EDUCATION PROGRAMS, INSTRUCTION, STRATEGIES,  
2 AND INTERVENTIONS:

3 (III) THE SELECTED ENTITY HAS EXPERTISE IN REVIEWING THE  
4 IMPLEMENTATION OF ENGLISH LANGUAGE DEVELOPMENT PROGRAMS,  
5 ESPECIALLY WITH REGARD TO TEACHING READING; AND

6 (IV) THE SELECTED ENTITY HAS EXPERTISE IN UNDERSTANDING  
7 MEASUREMENTS OF STUDENT LEARNING AND ACADEMIC GROWTH.

8 (c) THE MULTI-YEAR EVALUATION OF THE IMPLEMENTATION OF  
9 THIS PART 12 MUST INCLUDE:

10 (I) REVIEW OF THE APPROVED READING ASSESSMENTS AND THE  
11 ITEMS INCLUDED ON THE ADVISORY LISTS OF INSTRUCTIONAL  
12 PROGRAMMING IN READING AND SUPPORTING TECHNOLOGIES AND OF  
13 PROFESSIONAL DEVELOPMENT PROGRAMS TO ENSURE THAT THEY MEET  
14 THE REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS SECTION AND A  
15 REVIEW OF THE PROCESSES BY WHICH THE DEPARTMENT IDENTIFIES  
16 ASSESSMENTS, INSTRUCTIONAL PROGRAMMING IN READING, AND  
17 PROFESSIONAL DEVELOPMENT PROGRAMS FOR INCLUSION ON THE LISTS:

18 (II) EVALUATION OF THE EFFECTIVENESS OF THE PROCESSES,  
19 PROCEDURES, METHODS, AND STRATEGIES THAT LOCAL EDUCATION  
20 PROVIDERS USE TO IMPLEMENT THE REQUIREMENTS OF THIS PART 12,  
21 INCLUDING AN INVENTORY TO ESTABLISH A BASELINE INDICATION OF THE  
22 TEACHING METHODS, STRATEGIES, AND MATERIALS USED BY LOCAL  
23 EDUCATION PROVIDERS TO TEACH READING IN KINDERGARTEN AND  
24 GRADES ONE THROUGH THREE;

25 (III) MEASUREMENT OF THE RESULTS ATTAINED THAT INDICATE  
26 THE DEGREE TO WHICH THE GOALS OF THIS PART 12 HAVE BEEN MET,  
27 INCLUDING, AT A MINIMUM:

1           (A) THE NUMBER OF STUDENTS ANNUALLY IDENTIFIED AS HAVING  
2           SIGNIFICANT READING DEFICIENCIES, INCLUDING THOSE INITIALLY  
3           IDENTIFIED AND THOSE WHO WERE IDENTIFIED IN A PREVIOUS SCHOOL  
4           YEAR;

5           (B) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN  
6           READING ANNUALLY ATTAINED BY STUDENTS WHO ARE IDENTIFIED AS  
7           HAVING SIGNIFICANT READING DEFICIENCIES AND WHETHER STUDENTS  
8           IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES DEMONSTRATE  
9           SUFFICIENT, AS DETERMINED BY THE DEPARTMENT, GROWTH TO STANDARD  
10          IN READING OVER MULTIPLE YEARS;

11          (C) WHETHER STUDENTS IDENTIFIED AS HAVING SIGNIFICANT  
12          READING DEFICIENCIES DEMONSTRATE GRADE-LEVEL READING  
13          COMPETENCY BY COMPLETION OF THIRD GRADE OR BY COMPLETION OF A  
14          LATER GRADE;

15          (D) THE NUMBER OF STUDENTS ANNUALLY IDENTIFIED AS READING  
16          BELOW GRADE LEVEL; AND

17          (E) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN  
18          READING ANNUALLY ATTAINED BY STUDENTS WHO ARE READING BELOW  
19          GRADE LEVEL AND WHETHER STUDENTS IDENTIFIED AS READING BELOW  
20          GRADE LEVEL DEMONSTRATE SUFFICIENT, AS DETERMINED BY THE  
21          DEPARTMENT, GROWTH TO STANDARD IN READING OVER MULTIPLE YEARS;

22          (IV) IDENTIFICATION OF THE EFFECTIVE PROCESSES, PROCEDURES,  
23          METHODS, AND STRATEGIES USED BY LOCAL EDUCATION PROVIDERS THAT  
24          THE INDEPENDENT EVALUATOR IDENTIFIES AS ACHIEVING SIGNIFICANT  
25          ACADEMIC GROWTH TO STANDARD IN READING FOR STUDENTS IDENTIFIED  
26          AS HAVING SIGNIFICANT READING DEFICIENCIES AND AS READING BELOW  
27          GRADE LEVEL;

1           (V) ESTABLISHMENT OF A BASELINE INDICATION OF THE LEVEL  
2           AND QUALITY OF PRE-SERVICE AND IN-SERVICE TRAINING IN TEACHING  
3           READING RECEIVED BY EACH EDUCATOR WHO IS EMPLOYED IN A PUBLIC  
4           SCHOOL TO TEACH KINDERGARTEN OR ONE OF GRADES ONE THROUGH  
5           THREE;

6           (VI) EVALUATION OF THE DEGREE TO WHICH LOCAL EDUCATION  
7           PROVIDERS EFFECTIVELY WORK WITH PARENTS AND MEMBERS OF THE  
8           COMMUNITY TO CREATE PARTNERSHIPS FOR PROVIDING AND  
9           ENCOURAGING READING INSTRUCTION FOR STUDENTS ENROLLED IN  
10           KINDERGARTEN AND GRADES ONE THROUGH THREE; AND

11           (VII) RECOMMENDATIONS FOR LEGISLATIVE OR REGULATORY  
12           CHANGES REGARDING THIS PART 12 OR CHANGES IN IMPLEMENTATION OF  
13           THE REQUIREMENTS OF THIS PART 12 TO DECREASE THE NUMBER OF  
14           STUDENTS IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND  
15           INCREASE TO THE GREATEST POSSIBLE EXTENT THE NUMBER AND OVERALL  
16           PERCENTAGE OF STUDENTS READING AT GRADE LEVEL AT THE COMPLETION  
17           OF KINDERGARTEN AND GRADES ONE THROUGH THREE.

18           (d) IN COMPLETING THE MULTI-YEAR EVALUATION, THE  
19           INDEPENDENT EVALUATOR SHALL TAKE INTO ACCOUNT STUDENT MOBILITY  
20           WITHIN, AND THE STUDENT DEMOGRAPHICS OF, EACH LOCAL EDUCATION  
21           PROVIDER, INCLUDING AT THE SCHOOL-BUILDING LEVEL. THE  
22           INDEPENDENT EVALUATOR SHALL WORK DIRECTLY WITH THE  
23           DEPARTMENT, LOCAL EDUCATION PROVIDERS, AND PARENTS AND  
24           COMMUNITY MEMBERS IN COMPLETING THE EVALUATION.

25           (e) THE INDEPENDENT EVALUATOR CONTRACTED PURSUANT TO  
26           THIS SUBSECTION (8) SHALL COMPLETE THE EVALUATION OF THE  
27           IMPLEMENTATION OF THIS PART 12 AS DESCRIBED IN SUBSECTION (8)(c) OF

1 THIS SECTION BY JULY 1, 2021. THE DEPARTMENT SHALL INCLUDE A  
2 REPORT OF THE EVALUATION IN THE HEARING BEFORE THE JOINT  
3 EDUCATION COMMITTEE HELD PURSUANT TO SECTION 2-7-203 IN  
4 NOVEMBER OR DECEMBER 2021. THE INDEPENDENT EVALUATOR SHALL  
5 CONTINUE EVALUATIONS OF THE GROWTH IN READING ACHIEVED BY  
6 LOCAL EDUCATION PROVIDERS' USE OF PER-PUPIL INTERVENTION MONEY  
7 AND MONEY RECEIVED THROUGH THE EARLY LITERACY GRANT PROGRAM.

8 **SECTION 8.** In Colorado Revised Statutes, 22-7-1210, **amend**  
9 **(4)(b)(IV); repeal (5) and (6); and add (4)(c) and (4)(d) as follows:**

10 **22-7-1210. Early literacy fund - created - repeal.** (4) The  
11 money in the fund is subject to annual appropriation by the general  
12 assembly to the department. The department shall annually expend the  
13 money in the fund as follows:

14 (b) Beginning in the 2013-14 budget year and for budget years  
15 thereafter:

16 (IV) The department shall allocate the remaining money annually  
17 credited to the fund, as provided in the annual general appropriations bill,  
18 to the local education providers as per-pupil intervention money  
19 calculated pursuant to subsection (5) of this section, AS IT EXISTED PRIOR  
20 TO THE EFFECTIVE DATE OF SUBSECTION (4)(c) OF THIS SECTION.

21 (c) (I) IN ADDITION TO THE ALLOCATIONS DESCRIBED IN  
22 SUBSECTION (4)(b) OF THIS SECTION, FOR THE 2019-20 BUDGET YEAR, THE  
23 DEPARTMENT SHALL EXPEND:

24 (A) UP TO FIVE HUNDRED THOUSAND DOLLARS TO IMPLEMENT THE  
25 PUBLIC INFORMATION CAMPAIGN TO PROMOTE READING DESCRIBED IN  
26 SECTION 22-7-1209 (7);

27 (B) UP TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO

1 CONTRACT WITH, AND PAY THE DIRECT ADMINISTRATIVE COSTS INCURRED  
2 IN CONTRACTING WITH AND OVERSEEING, A QUALIFIED ENTITY AS AN  
3 INDEPENDENT EVALUATOR TO EVALUATE THE IMPLEMENTATION OF THIS  
4 PART 12 AS DESCRIBED IN SECTION 22-7-1209 (8); AND

5 (C) UP TO TWO MILLION SEVEN HUNDRED FIFTY THOUSAND  
6 DOLLARS TO PROVIDE EVIDENCE-BASED TRAINING IN TEACHING READING  
7 FOR TEACHERS EMPLOYED BY LOCAL EDUCATION PROVIDERS TO TEACH  
8 KINDERGARTEN AND GRADES ONE THROUGH THREE. IF THE ACTUAL  
9 DEMAND FOR TRAINING EXCEEDS THE ANTICIPATED DEMAND AND THE  
10 AMOUNT ALLOCATED PURSUANT TO THIS SUBSECTION (4)(c)(I)(C) IS  
11 INSUFFICIENT TO PAY THE COSTS INCURRED IN PROVIDING THIS TRAINING,  
12 THE DEPARTMENT MAY SUBMIT TO THE GENERAL ASSEMBLY DURING THE  
13 2019-20 BUDGET YEAR A REQUEST FOR A SUPPLEMENTAL APPROPRIATION  
14 IN THE AMOUNT REQUIRED TO FULLY FUND THE COSTS.

15 (II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(b)(II)  
16 AND (4)(b)(IV) OF THIS SECTION, FOR THE 2019-20 BUDGET YEAR, OF THE  
17 AMOUNT THAT REMAINS AFTER THE ALLOCATIONS DESCRIBED IN  
18 SUBSECTIONS (4)(b)(I), (4)(b)(III), AND (4)(c)(I) OF THIS SECTION, AS  
19 PROVIDED IN THE ANNUAL GENERAL APPROPRIATIONS BILL, THE  
20 DEPARTMENT SHALL ALLOCATE TWO MILLION FIVE HUNDRED THOUSAND  
21 DOLLARS FOR GRANTS AWARDED THROUGH THE EARLY LITERACY GRANT  
22 PROGRAM CREATED IN SECTION 22-7-1211, WHICH IS IN ADDITION TO THE  
23 AMOUNT DESCRIBED IN SUBSECTION (4)(b)(II) OF THIS SECTION, AND  
24 ALLOCATE THE REMAINING AMOUNT TO LOCAL EDUCATION PROVIDERS AS  
25 PER-PUPIL INTERVENTION MONEY AS PROVIDED IN SECTION 22-7-1210.5.

26 (III) SUBSECTION (4)(b) OF THIS SECTION AND THIS SUBSECTION  
27 (4)(c) ARE REPEALED, EFFECTIVE JULY 1, 2020.

1           (d) (I) BEGINNING IN THE 2020-21 BUDGET YEAR AND FOR BUDGET  
2           YEARS THEREAFTER, THE DEPARTMENT SHALL ANNUALLY EXPEND THE  
3           MONEY CREDITED TO THE EARLY LITERACY FUND FOR THE FOLLOWING  
4           PURPOSES:

5           (A) TO IMPLEMENT THE PUBLIC INFORMATION CAMPAIGN TO  
6           PROMOTE READING DESCRIBED IN SECTION 22-7-1209 (7):

7           (B) TO CONTRACT WITH AND PAY THE DIRECT COSTS INCURRED IN  
8           OVERSEEING AN INDEPENDENT EVALUATOR AS PROVIDED IN SECTION  
9           22-7-1209 (8):

10          (C) TO IMPLEMENT THE EARLY LITERACY GRANT PROGRAM  
11          CREATED IN SECTION 22-7-1211:

12          (D) TO ALLOCATE PER-PUPIL INTERVENTION MONEY TO LOCAL  
13          EDUCATION PROVIDERS AS PROVIDED IN SECTION 22-7-1210.5; AND

14          (E) TO PAY THE COSTS INCURRED IN PROVIDING TO LOCAL  
15          EDUCATION PROVIDERS TECHNICAL ASSISTANCE IN IMPLEMENTING THIS  
16          PART 12 AND TRAINING IN TEACHING READING FOR TEACHERS EMPLOYED  
17          TO TEACH KINDERGARTEN AND GRADES ONE THROUGH THREE;  
18          MONITORING THE USE OF MONEY RECEIVED AS PER-PUPIL INTERVENTION  
19          MONEY OR GRANTS THROUGH THE EARLY LITERACY GRANT PROGRAM; AND  
20          FULFILLING THE ADMINISTRATIVE REQUIREMENTS SPECIFIED IN THIS PART  
21          12.

22          (II) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE IN  
23          THE GENERAL APPROPRIATIONS BILL THE AMOUNT THAT THE DEPARTMENT  
24          MAY EXPEND FOR THE PURPOSES SPECIFIED IN SUBSECTION (4)(d)(I) OF  
25          THIS SECTION.

26          (5) (a) (I) The department shall allocate the per-pupil intervention  
27          moneys to the local education providers as required in subparagraph (IV)

1 of paragraph (b) of subsection (4) of this section by first dividing the  
2 amount of moneys available by the total number of students enrolled in  
3 kindergarten and first, second, and third grades in public schools in the  
4 state who were identified as having significant reading deficiencies and  
5 received instructional services pursuant to READ plans in the budget year  
6 preceding the year in which the moneys are allocated. The department  
7 shall then allocate to each local education provider an amount equal to  
8 said per-pupil amount multiplied by the number of students enrolled in  
9 kindergarten and first, second, and third grades in public schools operated  
10 by the local education provider who were identified as having significant  
11 reading deficiencies and received instructional services pursuant to  
12 READ plans in the budget year preceding the year in which the moneys  
13 are allocated.

14 (H) Repealed.

15 (b) A local education provider may use the per-pupil intervention  
16 money only as follows:

17 (I) To provide full-day kindergarten services to students enrolled  
18 in one or more of the public schools operated by the local education  
19 provider;

20 (II) To operate a summer school literacy program as described in  
21 section 22-7-1212;

22 (III) To purchase tutoring services in reading for students who are  
23 receiving instructional services pursuant to READ plans;

24 (III.5) (Deleted by amendment, L. 2018.)

25 (IV) To provide other targeted, scientifically based or  
26 evidence-based intervention services to students who are receiving  
27 instructional services pursuant to READ plans, which services are

1 approved by the department;

2 (V) For a local education provider that is a small rural school  
3 district as defined in section 22-7-1211 (4)(a), to purchase from a board  
4 of cooperative services the services of a literacy specialist to provide  
5 educator professional development in literacy and other support in  
6 implementing the requirements of this part 12; or

7 (VI) To provide professional development programming to  
8 support educators in teaching literacy; except that a local education  
9 provider may not use more than fifteen percent of the per-pupil  
10 intervention money received in a budget year for this purpose.  
11 Professional development programming authorized in this subsection  
12 (5)(b)(VI) may include literacy coaches who provide job-embedded,  
13 ongoing professional development to support  
14 kindergarten-through-third-grade teacher competence in the  
15 evidence-based or scientifically based teaching of phonemic awareness;  
16 phonics; vocabulary development; reading fluency, including oral skills;  
17 and reading comprehension.

18 (c) Each budget year, prior to receiving per-pupil intervention  
19 money, each local education provider shall submit to the department, for  
20 informational purposes, an explanation of the manner in which it will use  
21 the money in the coming budget year and the number of students for  
22 which the local education provider may receive per-pupil intervention  
23 money. If the local education provider intends to provide a service  
24 described in subsection (5)(b)(IV) of this section, the department shall  
25 review the service and provide the per-pupil intervention money for the  
26 service only if the service meets the requirements specified in subsection  
27 (5)(b)(IV) of this section. Upon the request of the department, a local



1 education provider shall provide specific expenditure information to the  
2 department that specifies the manner in which the local education  
3 provider spent the per-pupil intervention money it received in a budget  
4 year.

5 (d) In using the per-pupil intervention moneys allocated pursuant  
6 to this subsection (5), each local education provider shall ensure that  
7 some type of intervention, as described in paragraph (b) of this subsection  
8 (5), is available to each student who is identified as having a significant  
9 reading deficiency and who is enrolled in kindergarten or first, second, or  
10 third grade in a school operated by the local education provider.

11 (6) Each local education provider shall ensure that the per-pupil  
12 intervention money it receives in each budget year is used to improve the  
13 reading competency of students enrolled in kindergarten and grades one  
14 through three and does not replace other money that would otherwise be  
15 used for this purpose.

16 SECTION 9. In Colorado Revised Statutes, add 22-7-1210.5 as  
17 follows:

18 **22-7-1210.5. Per-pupil intervention money - uses - distribution**  
19 **- monitoring.** (1) TO DISTRIBUTE THE MONEY APPROPRIATED PURSUANT  
20 TO SECTION 22-7-1210 (4) FOR PER-PUPIL INTERVENTION MONEY, THE  
21 DEPARTMENT SHALL ANNUALLY CALCULATE THE PER-PUPIL AMOUNT BY  
22 DIVIDING THE AMOUNT OF MONEY AVAILABLE BY THE TOTAL NUMBER OF  
23 STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD  
24 GRADES IN PUBLIC SCHOOLS IN THE STATE WHO WERE IDENTIFIED AS  
25 HAVING SIGNIFICANT READING DEFICIENCIES AND RECEIVED  
26 INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS IN THE BUDGET  
27 YEAR PRECEDING THE YEAR IN WHICH THE MONEY IS DISTRIBUTED.

1 SUBJECT TO THE REQUIREMENTS OF THIS SECTION, A LOCAL EDUCATION  
2 PROVIDER MAY RECEIVE PER-PUPIL INTERVENTION MONEY IN AN AMOUNT  
3 EQUAL TO THE CALCULATED PER-PUPIL AMOUNT MULTIPLIED BY THE  
4 NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND,  
5 AND THIRD GRADES IN PUBLIC SCHOOLS OPERATED BY THE LOCAL  
6 EDUCATION PROVIDER WHO WERE IDENTIFIED AS HAVING SIGNIFICANT  
7 READING DEFICIENCIES AND RECEIVED INSTRUCTIONAL SERVICES  
8 PURSUANT TO READ PLANS IN THE BUDGET YEAR PRECEDING THE YEAR  
9 IN WHICH THE MONEY IS DISTRIBUTED.

10 (2) BEFORE THE BEGINNING OF EACH BUDGET YEAR, TO RECEIVE  
11 A DISTRIBUTION OF PER-PUPIL INTERVENTION MONEY, A LOCAL EDUCATION  
12 PROVIDER MUST SUBMIT TO THE DEPARTMENT BY THE DATE SPECIFIED BY  
13 STATE BOARD RULE:

14 (a) THE NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND  
15 FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS OPERATED BY THE  
16 LOCAL EDUCATION PROVIDER WHO WERE IDENTIFIED AS HAVING  
17 SIGNIFICANT READING DEFICIENCIES AND RECEIVED INSTRUCTIONAL  
18 SERVICES PURSUANT TO READ PLANS IN THE BUDGET YEAR PRECEDING  
19 THE YEAR IN WHICH THE MONEY IS DISTRIBUTED; AND

20 (b) A BUDGET, INCLUDING A NARRATIVE EXPLANATION, FOR THE  
21 USE OF THE PER-PUPIL INTERVENTION MONEY IN ACCORDANCE WITH THE  
22 USES DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

23 (3) (a) AT THE BEGINNING OF EACH BUDGET YEAR, THE  
24 DEPARTMENT SHALL DISTRIBUTE TO A LOCAL EDUCATION PROVIDER THAT  
25 MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (3)(b) OF THIS  
26 SECTION THE AMOUNT OF PER-PUPIL INTERVENTION MONEY CALCULATED  
27 FOR THE LOCAL EDUCATION PROVIDER PURSUANT TO SUBSECTION (1) OF

1 THIS SECTION FOR THE APPLICABLE BUDGET YEAR.

2 (b) TO RECEIVE PER-PUPIL INTERVENTION MONEY IN A BUDGET  
3 YEAR, A LOCAL EDUCATION PROVIDER MUST MEET THE FOLLOWING  
4 REQUIREMENTS:

5 (I) THE LOCAL EDUCATION PROVIDER MUST SUBMIT THE  
6 INFORMATION DESCRIBED IN SUBSECTION (2) OF THIS SECTION AND IN  
7 SECTION 22-7-1213 (2):

8 (II) FOR THE 2021-22 BUDGET YEAR AND BUDGET YEARS  
9 THEREAFTER, THE LOCAL EDUCATION PROVIDER MUST SUBMIT EVIDENCE  
10 THAT IT IS IN COMPLIANCE WITH THE TEACHER TRAINING REQUIREMENTS  
11 SPECIFIED IN SECTION 22-7-1208 (6):

12 (III) THE DEPARTMENT MUST APPROVE THE LOCAL EDUCATION  
13 PROVIDER'S PROPOSED USE OF THE PER-PUPIL INTERVENTION MONEY AS  
14 BEING IN COMPLIANCE WITH THE REQUIREMENTS IN SUBSECTION (4) OF  
15 THIS SECTION;

16 (IV) FOR THE PRECEDING BUDGET YEAR, THE LOCAL EDUCATION  
17 PROVIDER MUST HAVE USED THE MONEY FOR ONE OR MORE OF THE  
18 PURPOSES SPECIFIED IN SUBSECTION (4) OF THIS SECTION; EXCEPT THAT  
19 THE PROVISIONS OF THIS SUBSECTION (3)(b)(IV) DO NOT APPLY IF THE  
20 LOCAL EDUCATION PROVIDER DID NOT RECEIVE A DISTRIBUTION OF  
21 PER-PUPIL INTERVENTION MONEY IN THE PRECEDING BUDGET YEAR; AND

22 (V) IF THE LOCAL EDUCATION PROVIDER IS EXPECTING TO USE THE  
23 PER-PUPIL INTERVENTION MONEY FOR TARGETED INTERVENTION SERVICES  
24 AS DESCRIBED IN SUBSECTION (4)(d) OF THIS SECTION, THE DEPARTMENT  
25 REVIEWED AND APPROVED THE SERVICES. THE DEPARTMENT SHALL NOT  
26 APPROVE SERVICES THAT HAVE NOT BEEN IMPLEMENTED AND PROVEN TO  
27 BE SUCCESSFUL WITH A STUDENT POPULATION AND UNDER

1 CIRCUMSTANCES THAT ARE COMPARABLE TO THOSE OF THE LOCAL  
2 EDUCATION PROVIDER OR THAT ARE NOT SUPPORTED BY VALID RESEARCH  
3 THAT SUGGESTS THE SERVICES WILL BE EFFECTIVE WITH THE STUDENT  
4 POPULATION SERVED BY, AND UNDER THE CIRCUMSTANCES OF, THE LOCAL  
5 EDUCATION PROVIDER.

6 (c) THROUGHOUT THE BUDGET YEAR, THE DEPARTMENT SHALL  
7 MONITOR AND, IF DEEMED NECESSARY BY THE DEPARTMENT, AUDIT EACH  
8 LOCAL EDUCATION PROVIDER'S USE OF THE PER-PUPIL INTERVENTION  
9 MONEY IT RECEIVES. THE DEPARTMENT MAY CONDUCT SITE VISITS TO THE  
10 EXTENT DEEMED NECESSARY TO ADEQUATELY MONITOR A LOCAL  
11 EDUCATION PROVIDER'S USE OF PER-PUPIL INTERVENTION MONEY. EACH  
12 LOCAL EDUCATION PROVIDER SHALL PROVIDE, UPON REQUEST BY THE  
13 DEPARTMENT, INFORMATION NECESSARY FOR THE DEPARTMENT TO  
14 COMPLY WITH THIS SUBSECTION (3)(c).

15 (4) A LOCAL EDUCATION PROVIDER MAY USE THE PER-PUPIL  
16 INTERVENTION MONEY ONLY AS FOLLOWS:

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

19 (b) TO PURCHASE CORE READING INSTRUCTIONAL PROGRAMS THAT  
20 ARE INCLUDED ON THE ADVISORY LIST OF INSTRUCTIONAL PROGRAMMING  
21 IN READING AND SUPPORTING TECHNOLOGIES DEVELOPED BY THE  
22 DEPARTMENT PURSUANT TO SECTION 22-7-1209 (2)(b);

23 (c) TO PURCHASE TUTORING SERVICES THAT FOCUS ON INCREASING  
24 STUDENTS' FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS,  
25 PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING  
26 ORAL SKILLS, AND READING COMPREHENSION FOR STUDENTS WHO ARE  
27 RECEIVING INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS;

1           (d) To provide other targeted, evidence-based or  
2           scientifically based intervention services to students who are  
3           receiving instructional services, which may include services  
4           provided by a reading interventionist, pursuant to read plans,  
5           which services are approved by the department;

6           (e) To provide technology, including software, which is  
7           included on the advisory list of instructional programming in  
8           reading and supporting technologies pursuant to section  
9           22-7-1209 (2)(b), to assist in assessing and monitoring student  
10           progress toward reading competency, which may include  
11           providing professional development in the effective use of the  
12           technology or software;

13           (f) To purchase from a board of cooperative services the  
14           services of a reading specialist or reading interventionist who  
15           is trained in the science of reading and in teaching the  
16           foundational reading skills of phonemic awareness, phonics,  
17           vocabulary development, reading fluency including oral skills,  
18           and reading comprehension to provide educator professional  
19           development in teaching reading and other support in  
20           implementing the requirements of this part 12; or

21           (g) To provide professional development programming to  
22           support educators in teaching reading. Professional  
23           development programming authorized in this subsection (4)(g)  
24           may include hiring a reading coach who is trained in teaching  
25           the foundational reading skills of phonemic awareness, phonics,  
26           vocabulary development, reading fluency including oral skills,  
27           and reading comprehension to provide job-embedded, ongoing

1 PROFESSIONAL DEVELOPMENT TO SUPPORT  
2 KINDERGARTEN-THROUGH-THIRD-GRADE TEACHER COMPETENCE IN  
3 TEACHING PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT,  
4 READING FLUENCY INCLUDING ORAL SKILLS, AND READING  
5 COMPREHENSION. A LOCAL EDUCATION PROVIDER THAT HAS NOT FULLY  
6 COMPLIED WITH SECTION 22-7-1208 (6) IS STRONGLY ENCOURAGED TO USE  
7 PER-PUPIL INTERVENTION MONEY TO ENSURE THAT ALL TEACHERS  
8 EMPLOYED BY THE LOCAL EDUCATION PROVIDER TO TEACH  
9 KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SUCCESSFULLY  
10 COMPLETE EVIDENCE-BASED TRAINING IN TEACHING READING BEFORE  
11 USING THE MONEY FOR OTHER AUTHORIZED PURPOSES.

12 (5) IN USING THE PER-PUPIL INTERVENTION MONEY DISTRIBUTED  
13 PURSUANT TO THIS SECTION, EACH LOCAL EDUCATION PROVIDER SHALL  
14 ENSURE THAT SOME TYPE OF INTERVENTION, AS DESCRIBED IN SUBSECTION  
15 (4) OF THIS SECTION, IS AVAILABLE TO EACH STUDENT WHO IS IDENTIFIED  
16 AS HAVING A SIGNIFICANT READING DEFICIENCY AND WHO IS ENROLLED IN  
17 KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE IN A SCHOOL  
18 OPERATED BY THE LOCAL EDUCATION PROVIDER.

19 (6) (a) EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT  
20 THE PER-PUPIL INTERVENTION MONEY IT RECEIVES IN EACH BUDGET YEAR  
21 IS USED TO IMPROVE THE READING COMPETENCY OF STUDENTS ENROLLED  
22 IN KINDERGARTEN AND GRADES ONE THROUGH THREE WHO ARE  
23 IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY OR RECEIVE  
24 INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS AND DOES NOT  
25 REPLACE OTHER MONEY THAT WOULD OTHERWISE BE USED FOR THIS  
26 PURPOSE.

27 (b) A LOCAL EDUCATION PROVIDER MAY RETAIN UP TO FIFTEEN

1 PERCENT OF THE AMOUNT OF PER-PUPIL INTERVENTION MONEY IT  
2 RECEIVES IN A BUDGET YEAR FOR USE IN ACCORDANCE WITH THIS SECTION  
3 IN THE NEXT BUDGET YEAR. IF A LOCAL EDUCATION PROVIDER RETAINS  
4 MORE THAN THE AMOUNT AUTHORIZED IN THIS SUBSECTION (6)(b), THE  
5 DEPARTMENT SHALL REDUCE THE AMOUNT OF PER-PUPIL INTERVENTION  
6 MONEY THAT THE LOCAL EDUCATION PROVIDER IS ELIGIBLE TO RECEIVE IN  
7 THE NEXT BUDGET YEAR BY THE EXCESS RETENTION AMOUNT.

8 **SECTION 10.** In Colorado Revised Statutes, 22-7-1211, amend  
9 (1), (2)(a), (2)(b), (3) introductory portion, (3)(a), and (3)(b); and add  
10 (2)(b.3), (2)(b.5), and (3.5) as follows:

11 **22-7-1211. Early literacy grant program - created -**  
12 **definitions.** (1) (a) There is created in the department the early literacy  
13 grant program to provide money to local education providers to  
14 implement literacy support and intervention instruction programs,  
15 including but not limited to related professional development programs,  
16 to assist students in kindergarten and first, second, and third grades to  
17 achieve reading competency. THE STATE BOARD MAY AWARD A GRANT TO  
18 AN APPLYING LOCAL EDUCATION PROVIDER THAT IS A SCHOOL DISTRICT ON  
19 A DISTRICT-WIDE BASIS OR TO INDIVIDUAL SCHOOLS OF THE SCHOOL  
20 DISTRICT. A LOCAL EDUCATION PROVIDER MAY APPLY INDIVIDUALLY OR  
21 AS PART OF A GROUP OF LOCAL EDUCATION PROVIDERS. The state board by  
22 rule shall establish the application timelines and the information to be  
23 included in each grant application. THE STATE BOARD SHALL NOT, AS A  
24 CONDITION OF APPLYING FOR OR RECEIVING A GRANT, RESTRICT AN  
25 APPLICANT'S ABILITY TO USE ANY OF THE ASSESSMENTS INCLUDED ON THE  
26 APPROVED LIST OF ASSESSMENTS ADOPTED PURSUANT TO SECTION  
27 22-7-1209 (1)(b).

1           (b) In adopting rules, the state board shall ensure that a local  
2 education provider that is a rural school district or a small rural school  
3 district, or a district charter school or an institute charter school that is  
4 located within the boundaries of a rural school district or small rural  
5 school district, may submit a simplified grant application. A local  
6 education provider may apply individually or as part of a group of local  
7 education providers. A rural school district that is a member of a board of  
8 cooperative services may seek assistance in writing the grant application  
9 from the board of cooperative services. A board of cooperative services  
10 may apply for a grant to provide instructional support in literacy for small  
11 rural school districts that are members of the board of cooperative  
12 services.

13           (2) The department shall review each grant application received  
14 and recommend to the state board whether to award the grant and the  
15 duration and amount of each grant. In making recommendations, the  
16 department shall consider the following factors:

17           (a) The percentage of kindergarten and first-, second-, and  
18 third-grade students enrolled by the applying local education provider or  
19 group of local education providers who have significant reading  
20 deficiencies AND THE PERCENTAGE OF KINDERGARTEN AND FIRST-,  
21 SECOND-, AND THIRD-GRADE STUDENTS WHO DO NOT HAVE SIGNIFICANT  
22 READING DEFICIENCIES BUT WHO ARE NOT MEETING THE GRADE-LEVEL  
23 EXPECTATIONS IN READING ADOPTED BY THE STATE BOARD;

24           (b) The instructional program that the applying local education  
25 provider or group of local education providers plans to implement using  
26 the grant moneys MONEY and whether it is an evidence-based program  
27 that is proven to be successful in other public schools in the country



1 COLORADO OR IN OTHER STATES:

2 (b.3) WHETHER THE LOCAL EDUCATION PROVIDER OR GROUP OF  
3 LOCAL EDUCATION PROVIDERS EMPLOYS READING COACHES OR PLANS TO  
4 USE ALL OR A PORTION OF THE GRANT MONEY TO EMPLOY READING  
5 COACHES:

6 (b.5) THE DEGREE TO WHICH THE INSTRUCTIONAL PROGRAM  
7 INCORPORATES THE EFFECTIVE USE OF TECHNOLOGY, INCLUDING  
8 SOFTWARE, TO ASSIST IN ASSESSING AND MONITORING STUDENT PROGRESS  
9 TOWARD READING COMPETENCY:

10 (3) Based on the recommendations of the department, the state  
11 board shall award grants to applying local education providers or groups  
12 of local education providers, which grants are paid from money in the  
13 early literacy fund created in section 22-7-1210. Of the money allocated  
14 for the early literacy grant program pursuant to section 22-7-1210  
15 (4)(b)(H) SECTION 22-7-1210 (4), the state board shall annually:

16 (a) Award up to ten percent to applicants that have previously  
17 received a grant to fund school-wide literacy initiatives THAT HAVE  
18 RESULTED IN SIGNIFICANT STUDENT ACADEMIC GROWTH TOWARD READING  
19 COMPETENCY, AS DETERMINED BY AN INDEPENDENT EVALUATOR AS  
20 PROVIDED IN SECTION 22-7-1209 (8), and that are requesting an additional  
21 year of funding to assist the local education provider in sustainability  
22 planning for the initiatives, including the continuing use of literacy  
23 coaches:

24 (b) Award up to fifteen percent to fund professional development  
25 initiatives for local education providers that are already implementing  
26 evidence-based or scientifically based universal instruction and  
27 interventions THAT ARE RESULTING IN SIGNIFICANT STUDENT ACADEMIC

1 GROWTH TOWARD READING COMPETENCY, AS DETERMINED BY AN  
2 INDEPENDENT EVALUATOR AS PROVIDED IN SECTION 22-7-1209 (8); and  
3 (3.5) (a) UPON COMPLETION OF THE TERM OF A GRANT, IF AN  
4 INDEPENDENT EVALUATOR, AS PROVIDED IN SECTION 22-7-1209 (8),  
5 DETERMINES THAT THE INSTRUCTIONAL PROGRAM FUNDED BY THE GRANT  
6 MONEY HAS RESULTED IN SIGNIFICANT STUDENT ACADEMIC GROWTH  
7 TOWARD READING COMPETENCY, AND IF THE LOCAL EDUCATION PROVIDER  
8 REQUESTS AN EXTENSION OF THE GRANT, THE STATE BOARD SHALL  
9 EXTEND THE GRANT FOR A PERIOD RECOMMENDED BY THE DEPARTMENT.  
10 THE STATE BOARD SHALL INCREASE THE AMOUNT OF THE GRANT IF  
11 NECESSARY TO ENABLE THE LOCAL EDUCATION PROVIDER TO EXPAND OR  
12 ENHANCE IMPLEMENTATION OF THE INSTRUCTIONAL PROGRAM.

13 (b) UPON COMPLETION OF THE TERM OF A GRANT, IF AN  
14 INDEPENDENT EVALUATOR, AS PROVIDED IN SECTION 22-7-1209 (8),  
15 DETERMINES THAT THE INSTRUCTIONAL PROGRAM FUNDED BY THE GRANT  
16 MONEY HAS NOT RESULTED IN SIGNIFICANT ACADEMIC STUDENT GROWTH  
17 TOWARD READING COMPETENCY, THE STATE BOARD SHALL NOT EXTEND  
18 OR RENEW THE GRANT.

19 **SECTION 11.** In Colorado Revised Statutes, 22-7-1213, amend  
20 (2); and add (1)(a.3), (1)(a.5), (1)(a.7), and (1.5) as follows:

21 **22-7-1213. Reporting requirements.** (1) Each local education  
22 provider shall annually report to the department information necessary to  
23 determine:

24 (a.3) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN  
25 READING ANNUALLY ACHIEVED BY STUDENTS WHO ARE ENROLLED IN  
26 KINDERGARTEN AND FIRST THROUGH THIRD GRADES AND WHO ARE  
27 IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES;

1           (a.5) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN  
2 READING ANNUALLY ACHIEVED BY STUDENTS WHO ARE ENROLLED IN  
3 KINDERGARTEN AND FIRST THROUGH THIRD GRADES AND WHO ARE  
4 IDENTIFIED AS READING BELOW GRADE LEVEL;

5           (a.7) WHETHER THE AMOUNT OF ACADEMIC GROWTH TO  
6 STANDARD ANNUALLY ACHIEVED BY EACH STUDENT DESCRIBED IN  
7 SUBSECTIONS (1)(a.3) AND (1)(a.5) OF THIS SECTION DEMONSTRATES  
8 SUFFICIENT, AS DETERMINED BY THE DEPARTMENT, GROWTH TO STANDARD  
9 IN READING OVER MULTIPLE YEARS;

10           (1.5) EACH LOCAL EDUCATION PROVIDER SHALL SUBMIT TO THE  
11 DEPARTMENT AND TO THE INDEPENDENT EVALUATOR CONTRACTED  
12 PURSUANT TO SECTION 22-7-1209 (8) ANY INFORMATION REQUIRED BY  
13 THE DEPARTMENT OR THE INDEPENDENT EVALUATOR TO COMPLETE THE  
14 EVALUATION DESCRIBED IN SECTION 22-7-1209 (8). THE LOCAL  
15 EDUCATION PROVIDER, IN PROVIDING INFORMATION, AND THE  
16 DEPARTMENT AND THE INDEPENDENT EVALUATOR IN RECEIVING AND  
17 USING THE INFORMATION, SHALL COMPLY WITH STATE AND FEDERAL LAWS  
18 TO PROTECT THE PRIVACY OF STUDENT INFORMATION. THE LOCAL  
19 EDUCATION PROVIDER, THE DEPARTMENT, AND THE INDEPENDENT  
20 EVALUATOR SHALL COLLABORATE TO MINIMIZE THE IMPACT ON  
21 INSTRUCTIONAL TIME THAT MAY RESULT FROM COLLECTING AND  
22 PROVIDING THE INFORMATION.

23           (2) Each local education provider that receives an early literacy  
24 grant pursuant to section 22-7-1211 or per-pupil intervention moneys  
25 MONEY shall, at the conclusion of each budget year in which it receives  
26 the grant or per-pupil intervention moneys MONEY, submit to the  
27 department information describing:

1           (a) The instructional programs, full-day kindergarten program,  
2 summer school literacy program, tutoring services, or other intervention  
3 services IN DETAIL, THE SPECIFIC EXPENDITURES for which the local  
4 education provider used the grant or per-pupil intervention moneys  
5 MONEY;

6           (a.5) IF THE LOCAL EDUCATION PROVIDER PURCHASED  
7 INSTRUCTIONAL PROGRAMMING IN READING USING GRANT OR PER-PUPIL  
8 INTERVENTION MONEY, THE SCORES ATTAINED BY STUDENTS ENROLLED  
9 IN KINDERGARTEN THROUGH THIRD GRADE ON THE INTERIM READING  
10 ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1205;

11           (b) The number and grade levels of students who participated in  
12 each of the types of programs or services provided; and

13           (c) The progress made by participating students in achieving  
14 reading competency.

15           **SECTION 12. Appropriation - adjustments to 2019 long bill.**

16           (1) To implement this act, appropriations made in the annual general  
17 appropriation act for the 2019-20 state fiscal year to the department of  
18 education for the early literacy competitive grant program are adjusted as  
19 follows:

20           (a) The cash funds appropriation from the marijuana tax cash fund  
21 created in section 39-28.8-501 (1), C.R.S., is decreased by \$5,378,678,  
22 and the related FTE is decreased by 8.0 FTE; and

23           (b) The cash funds appropriation from the early literacy fund  
24 created in section 22-7-1210 (1), C.R.S., is decreased by \$865,254.

25           (2) For the 2019-20 state fiscal year, \$7,500,000 is appropriated  
26 to the department of education. This appropriation consists of \$5,378,678  
27 from the marijuana tax cash fund created in section 39-28.8-501 (1),

1 C.R.S., and \$2,121,322 from the early literacy fund created in section  
2 22-7-1210 (1), C.R.S. To implement this act, the department may use this  
3 appropriation for the early literacy competitive grant program.

4 (3) For the 2019-20 state fiscal year, \$2,702,557 is appropriated  
5 to the department of education. This appropriation is from the early  
6 literacy fund created in section 22-7-1210 (1), C.R.S. To implement this  
7 act, the department may use this appropriation for evidence-based training  
8 provided to teachers pursuant to section 22-7-1208 (6)(b), C.R.S.

9 (4) For the 2019-20 state fiscal year, \$1,664,570 is appropriated  
10 to the department of education. This appropriation is from the early  
11 literacy fund created in section 22-7-1210 (1), C.R.S., and is based on an  
12 assumption that the department will require an additional 11.7 FTE. To  
13 implement this act, the department may use this appropriation for early  
14 literacy program administration, technical assistance, and monitoring.

15 (5) For the 2019-20 state fiscal year, \$750,000 is appropriated to  
16 the department of education. This appropriation is from the early literacy  
17 fund created in section 22-7-1210 (1), C.R.S. To implement this act, the  
18 department may use this appropriation for an independent evaluation  
19 pursuant to section 22-7-1209 (8), C.R.S.

20 (6) For the 2019-20 state fiscal year, \$500,000 is appropriated to  
21 the department of education. This appropriation is from the early literacy  
22 fund created in section 22-7-1210 (1), C.R.S., and is based on an  
23 assumption that the department will require an additional 0.5 FTE. To  
24 implement this act, the department may use this appropriation for a public  
25 information campaign pursuant to section 22-7-1209 (7), C.R.S.

26 (7) For the 2019-20 state fiscal year, \$26,261,551 is appropriated  
27 to the department of education. This appropriation is from the early

1 literacy fund created in section 22-7-1210 (1), C.R.S. To implement this  
2 act, the department may use this appropriation for early literacy program  
3 per pupil intervention funding.

4 **SECTION 13. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.