

# Frequently Asked Questions HB-12:1238: The Colorado READ Act August 2013

#### **CBLA Transition FAQs**

#### What happens to students in Grades 4-12 on ILPs now that CBLA has been repealed?

The READ Act applies to students in K-3, just as CBLA did. Requirements for grades 4-12 are also very similar to previous requirements through CBLA. For students currently on an ILP, your district will need to develop a policy to direct teachers on how to proceed with those students and their plans. It is recommended that students in 4-12 remain on an ILP until they are at grade level, but again, the law doesn't address this, so each district will need to make that decision. Caution: If the ILP is eliminated in your district, you will want to be careful that parents do not incorrectly assume that a child is at grade level because the child was removed from an ILP.

#### What happens to students who are still on a READ plan when they complete 3<sup>rd</sup> grade?

If a child leaves 3rd grade on a READ plan, the READ plan must be updated at least annually in grades 4-12 until the child is determined to be at grade level based on a body of evidence, at which time the child should be removed from the READ plan.

#### Were schools required to report ILP numbers at the end of 2012-2013 school year?

No, the collection no longer pertains to CBLA. The new data elements for reporting are posted here: <a href="http://www.cde.state.co.us/coloradoliteracy/ReadAct/data.asp">http://www.cde.state.co.us/coloradoliteracy/ReadAct/data.asp</a>

#### Identifying and Reporting a Significant Reading Deficiency (SRD) FAQs

#### What is the assessment schedule for identifying a student with a Significant Reading Deficiency?

All students must be assessed within the first 30 days of enrollment (30 school days, not calendar days) using an approved interim assessment. Any student who scores at or below the cut score (DIBELS or DRA2) or below the cut score (PALS) on the initial assessment must be tested again within 30 days using a progress monitoring probe. If the student again scores low enough, the student is considered to have a Significant Reading Deficiency, and a READ plan must be developed.

#### Are students only assessed for and identified with an SRD in the fall?

No. Students are assessed using interim assessments 3 times per year. If a student scores low enough on any of these assessments, the student must be assessed again within 30 "school" days using the process outlined in State Board rules and may be identified as having an SRD, requiring a READ plan.

#### When looking at cut-off scores, is a student identified with SRD only if they score below the cut-off score?

If using DIBELS or DRA2, any student that scores at or below the cut-off score is identified as SRD and is eligible for a READ plan. In order to NOT be identified, a student must score ABOVE the cut-off score. For PALS, students must score below the cut off score. A student may score at or above to NOT be identified with an SRD.

#### What happens if a student transfers into the school in the middle of the school year? How are they assessed for SRD?

If a student transfers in from another Colorado school, the law requires that they bring their READ documentation with them. If a student transfers in from outside Colorado, they must be assessed within 30 days of enrollment, using the process outlined in State Board rules to determine whether the student is eligible for a READ plan.

#### What if a student moves into the state in between DIBELS Benchmark windows? How are they assessed?

In this case, the student should be administered a progress monitor probe aligned with the grade level and time of year. After determining that a second test is necessary, the teacher would follow up with another progress monitoring probe.

When giving DIBELS a second time to a student who scored below the cut point 30 days prior, do you use the same passages as the first time, or are new passages at the same level required?



The first 30 day assessment should include all components required to get a composite score for that grade level. The second 30 day assessment should be done with the progress monitoring probes. No, the teacher NEVER uses the same probes/passages. This applies to all 3 State Board approved interim assessments.

### This year, if a student in third grade scores above the cut point on end of year DIBELS but scores unsatisfactory on TCAP, is s/he reported as having a Significant Reading Deficiency?

No. Determination of a Significant Reading Deficiency must follow the steps outlined in section 3.00 of the State Board rules. The steps do not include TCAP scores. Only approved interim assessments are used in the determination of SRD.

#### How do schools report the number of students with a Significant Reading Deficiency?

Reporting is done each spring. For 12-13, districts will report through ADE. Beginning in 13-14, districts will report through the CDE data pipeline.

#### Will READ plans be developed for students in 4th-12th grades?

No. READ plans will only be developed for students in grades K-3.

### What happens to Spring 2013 3rd grade students who were identified as having an SRD? Will a READ Plan be developed for them as 4th graders in Fall 2013?

No, READ plans are only developed for students in grades K-3. The group identified last spring in grade 3 will be the only group of students in this circumstance, as we began implementing testing requirements in the spring of 2013. Beginning in the fall 2013, all K-3 students will be retested to determine if a student has a Significant Reading Deficiency and immediately placed on READ plans.

#### What happens if a student with a READ plan leaves 3rd grade still reading below grade?

The READ Act states that students should continue to have a READ plan until they demonstrate grade level proficiency. The law does not address how grade level proficiency is determined in grades 4-12. Similar to decisions with CBLA and ILPs, for students in grades 4-12, those decisions will be made locally. We would advise that the body of evidence used to determine grade level proficiency in grades 4-12 should include at a minimum: scores on the state summative assessment and an assessment that measures Lexile levels, such as Degrees of Reading Power (DRP) and Scholastic Reading Inventory (SRI).

The cut-off score sheet for fall DIBELS 6<sup>th</sup> edition and DRA2 in Kindergarten lists multiple measures. In order to be identified as having a Significant Reading Deficiency, does the student have to score at or below the cut score on either measures or only one? For the fall Kindergarten assessment with DIBELS 6<sup>th</sup> edition, the student must score at or below the cut score on BOTH measures to be identified as SRD. If the student scores below on one measure and above on the other, the student would NOT be identified with an SRD. The same applies to DRA2.

#### Are students identified as SRD using a body of evidence as they were in CBLA?

No. A Significant Reading Deficiency is identified using the approved interim assessment and validated with the progress monitoring assessment. These two consecutive scores determine an SRD, not a body of evidence. However, a body of evidence should be used when determining if a student has reached grade level and should be removed from a READ plan.

#### What is the district's responsibility for students who are homeschooled?

The district only has responsibility for implementing READ Act requirements for homeschooled students if the student receives literacy instruction from the school.

### If a student is homeschooled for reading but attends the school for science and social studies, is the school responsible for assessing this student for the READ Act?

No

### Are schools required to write any type of plans for students who are performing below grade level, but not eligible for a READ Plan? Are there any requirements for these students?

Legislation does not address plans other than those in K-3 for students who have a Significant Reading Deficiency and students in grades 4-12 who continue to have a READ Plan. Any other plans deemed necessary for students that are below grade level, but not in the Significant Reading Deficiency category, would be local decisions. Part of the intent of the READ Act is to reduce the



paperwork load on teachers so they do not need to write a plan for each student below grade level. Students who are below grade level but not low enough for a READ Plan may have their needs met through the RTI process. In fact, the law does require the RTI process for students below grade level, but who are not on a READ Plan. This process is determined locally.

When assessing students in Fall 2013, do schools only assess students who were not present for testing in spring 2013?

No, Fall 2013 represents a new assessment cycle and all students are tested within 30 days of enrollment.

#### Are students who are eligible for CoAlt required to be placed on READ Plans?

The Office of Literacy recommends that all students are tested for READ if the teacher can assess the student and get a valid and reliable score using allowable accommodations outlined by the author of the chosen interim assessment. If this is not the case, the student may be exempt from testing, but this decision should be made on a student by student basis. If the student cannot be tested with allowable accommodations to get a valid and reliable score, the child would be reported to the READ data collection as exempt, but we also recommend that the teacher of this student test the child using other accommodations to get instructional information even though the score would not be reported to the Department. Currently, a collaborative task force is working on identifying analternate READ Act approved interim assessment for low incidence disabilities.

#### **Assessment FAQs**

#### What does the term "interim assessment" mean?

Interim assessments are created to be administered three to four times a year in order to evaluate a student's ability in a specific skill, and are usually able to predict the student's growth pattern across the year. Interim assessments are more commonly known in schools as "benchmark" assessments. The READ Act State Board rules define interim assessment as an assessment that occurs multiple times throughout the academic year through which teachers can determine strengths and weaknesses of students that otherwise may have gone unnoticed and which support teachers in making instructional decisions.

#### What interim assessments have been approved for use under the READ Act?

CDE has not currently conducted a review of interim assessments to be approved under the READ Act. Because of this, the interim assessments approved for use for year 2013-2014 are the same assessments approved under CBLA; DIBELS, DRA2, and PALS. A review of interim assessments will take place during fall/winter 2013 to determine which assessments will be formally approved. Refer to the following document for information regarding the interim assessment review process:

http://www.cde.state.co.us/sites/default/files/Review%20Process%20for%20Professional%20Development%20and%20instructional%20programming%20FINAL.pdf

#### Are interim assessments the only assessments necessary when writing a READ plan?

No. After being identified, students with a Significant Reading Deficiency will be given a diagnostic assessment to determine the specific reading skill deficiencies. This diagnostic information will also be used to write the READ plan. Additionally, State Board rules require that these students are progress monitored using a State Board approved interim assessment on a regular basis in order to track growth.

#### Where can I find the list of approved diagnostic assessments?

The list of approved diagnostic assessments can be found at: <a href="http://www.cde.state.co.us/coloradoliteracy/readact/resourcebank">http://www.cde.state.co.us/coloradoliteracy/readact/resourcebank</a>

### The CDE webpage lists two approved summative assessments as well as a number of diagnostic assessments. Are schools required to give these assessments?

No, summative assessments are not required in grades K-2. However, if a school chooses to give a summative assessment in grades K-2, they must select one from the approved list. Diagnostic assessments are required for students with an SRD.

#### Can Kindergarten teachers use the TS Gold student data to determine if a student has a Significant Reading Deficiency?

No. Only approved interim assessments (DIBELS, PALS or DRA2) can be used to determine a Significant Reading Deficiency.

#### Can SRD be determined using the Spanish version of approved assessments?



No. Cut scores will not be developed for the Spanish versions, as determination of a Significant Reading Deficiency must be based on the English assessment.

#### How does the PALS assessment measure comprehension in Kindergarten?

Comprehension can only be measured by PALS after the student has demonstrated mastery of letter names, letter sounds, rhyming and concept of word. Essentially, the test scores will indicate to the teacher when the student is capable of reading at a primer level proficiently. When a child is still developing at the pre-alphabetic and early alphabetic stages of reading development, it is essential that those skills are the primary focus of instruction for the teacher and thus, the PALS assessment doesn't indicate that a teacher should continue until a child can meet those benchmarks.

#### Does a school district have to select 1 interim assessment for all their elementary schools?

No, the district does not necessarily need to implement the same interim assessment in all schools. That decision can be made at the district level.

#### How does a teacher determine which diagnostic measures to give after a student has been identified as having an SRD?

Teachers should choose the diagnostic from the State Board approved list that will provide more specific information related to deficiencies determined through the use of the interim assessment.

#### On the list of approved assessments, the only summative assessments approved are for K-2. What about 3rd grade?

While the Department was required to approve K-3 interim and diagnostic assessments, they only approved K-2 summative assessments because 3rd grade students are required to take the PARCC summative assessment. (PARCC will replace TCAP in 2014) K-2 summative assessments are optional.

### What assessments should be used to assess students with fluency or oral language problems, such as autistic children, who will struggle with assessment such as DIBELS?

You are required to use one of the State Board approved interim assessments; DIBELS, DRA2, or PALS for screening and progress monitoring. You may use allowable accommodations provided by the author for students, if necessary. If the student is not able to access the interim assessment, they would be exempt from the interim assessment and coded as a 3 in the Department's READ Act data collection system; K-2 students eligible for COAlt or 3rd graders who took/will take COAlt.

#### Writing and Exiting READ Plans FAQs

#### If a student has an IEP and also qualifies for a READ plan, do they need to have two separate plans written?

If a student is identified as having a disability impacting progress in developing reading skills, districts shall, as appropriate, integrate reading intervention and strategies to address the student's reading deficiencies into the student's IEP in lieu of a READ plan. Refer to the guidance document produced by the Department regarding IEPs and READ plans. <a href="http://www.cde.state.co.us/sites/default/files/READ%20Plans%20and%20SWD">http://www.cde.state.co.us/sites/default/files/READ%20Plans%20and%20SWD</a> 0.pdf

#### How is a School Readiness Plan different from a READ Plan?

School Readiness plans are required for all kindergarten students, not just kindergarten students with a Significant Reading Deficiency. A School Readiness plan documents progress in all academic and developmental domains, not just literacy. For kindergarten students determined to have an SRD, the READ plan may be embedded into the School Readiness plan in lieu of a separate READ plan. The Office of Early Learning and School Readiness will be your best contact for questions related to School Readiness. That office has created a sample that can be found here: http://www.cde.state.co.us/schoolreadiness

#### Are kindergarten students who qualify required to have separate School Readiness Plans and READ plans?

No. If a kindergarten student is identified as having a Significant Reading Deficiency, the student's READ plan should be created as a component of the student's individual School Readiness plan. As required by CAP4K, all kindergarten students must have a school readiness plan that is created based on results from a State Board approved school readiness assessment. Since all kindergarten students will already have a School Readiness plan, any Kindergarten student determined to have a Significant Reading Deficiency



may have their READ plan goals embedded into their School Readiness plan. See the draft guidance document here: http://www.cde.state.co.us/sites/default/files/Draftschoolreadinessguidance.pdf

#### What components will be included in a READ Plan? Is there a template available?

All components required for a READ Plan are included in a sample READ plan available on the CDE website at: http://www.cde.state.co.us/coloradoliteracy/ReadAct/index.asp

The READ plan shown on the website is simply a sample and is not a required template that has to be used. Our intent was to show in the sample the sections in the READ plan that are required by law. It will be necessary for each district to create a template to use that meets each district's specific needs while still meeting the requirements of the law.

#### If a READ plan is being integrated into an IEP, is it necessary to include all the components listed on the template?

Yes. If two separate plans are not being written, all components of the READ Plan must be included in the IEP. Refer to the guidance document produced by the Department regarding IEPs and READ plans.

#### Is there a timeframe for how soon a READ plan must be written after identification?

Districts will need to write a policy to address timing for creation of a READ plan; however, State Board rules do require that diagnostic testing and READ plan development occur immediately upon determination of a Significant Reading Deficiency.

#### If a student transfers into your school with a READ plan, should your school revise the READ plan to reflect current interventions being used?

Yes, and revisions are required at least annually.

#### How long does a student remain on a READ plan?

A READ plan must remain in place until a child is determined to be at grade level based on a body of evidence that, at a minimum, includes scores from the state board approved interim assessment. Therefore, it is possible that a READ plan may remain in place through 12<sup>th</sup> grade if a student hasn't been determined to be at grade level. The law requires that the READ plan is updated at least annually.

#### When reviewing a READ Plan for adequate growth, how is adequate growth defined?

Adequate growth is determined by the child's ability to meet the goals outlined in the plan and to meet grade level expectations.

#### The READ Act requires parental involvement in the development of READ Plans. What are the requirements for this?

In order to involve parents and families in the process, at least three documented attempts must be made to include the parent/s in meetings to develop a READ Plan. If the parent does not respond or does not attend the scheduled meeting, school personnel may develop the plan without the parents' participation. Additionally, the READ plan must include strategies to be implemented at home to supplement instruction the student is receiving at school.

#### What is the relationship between a READ Plan and an Rtl plan? Can the student's READ Plan serve as an Rtl Plan?

Yes, and districts should consider reducing the number of plans created for students. The intent is always to document goals and the progress made to meet grade level proficiencies, no matter what name the plan is given.

#### Can the READ Plan be used to determine accommodations for students?

Yes, the READ plan may document accommodations.

#### Is there a revision timeline for the READ Plan?

READ plans must be reviewed at least annually.

#### In order to be exited from a READ Plan, do students in grades 4-12 need to meet 3rd grade proficiency targets or the targets of the grade they are currently in?

In order to be exited from a READ Plan, students must meet the proficiency standards for the grade they are currently in based on a body of evidence.



#### **Instructional Programing FAQs**

#### If tutoring is provided using per-pupil intervention funds, does tutoring have to be provided with an approved program?

Tutoring services do not need to be approved by the Department. If you use funds to purchase targeted, scientifically based or evidence based intervention services, those services must be approved by the Department.

#### How is "effective teacher" defined for students receiving targeted instruction?

Effective teacher is only defined in law when referring to a student who has been identified as having a Significant Reading Deficiency for a second or subsequent consecutive school year. In this case, if practicable, the principal should ensure the child receives reading instruction from a teacher who is identified as effective or highly effective in his or her most recent performance evaluation. Otherwise, in the State Board rules, effective teacher is not defined and will be determined at the local level when determining who should provide students with targeted and intensive instructional interventions.

#### Do all students on a READ plan have to receive intervention from the approved state list?

No, approved lists are only required for Early Literacy Grant schools and if per pupil funds are used to purchase targeted, scientifically based or evidence based interventions.

#### **READ Plans and English Language Learners FAQs**

#### Are ELL students required to have READ Plans?

ELL students are under the same requirements for determining a Significant Reading Deficiency and creating a READ plan.

#### Are English Language Learners identified in the same way as non-ELL students?

Yes, ELL students are under the same requirements for determining a Significant Reading Deficiency.

#### If a student has an English Language Plan (ELP) and READ plan, is the intervention in addition to their ESL services?

Yes, or it may be a part of the interventions. It depends on the student's needs.

#### Will READ Plans have components specific to English Language Learners (ELLs)?

Yes, the Department is creating a sample specific to English Language Learners. Each READ plan should be developed to meet the specific needs of the student based on interim and diagnostic assessment data.

#### **Retention FAQs**

#### What does the READ Act say about retention of students?

The READ Act **does not require** that students are retained due to their reading ability. However, it does require that school staff and parents have a conversation about whether or not retention is a good option for intervention for a student who qualifies as having a Significant Reading Deficiency within the last 45 days of school.

#### If a student is on an IEP and a READ Plan are they still eligible for retention?

Students determined to have a Significant Reading Deficiency whose deficiency is primarily due to a learning disability are exempt from the retention conversation. You will need to make this decision on a case by case basis and not assume all students on IEPs fit this category.

#### What is the process for determining if a student will be retained between Fall 2013 and Spring 2016?

Beginning with the 2013-14 school year, for students completing grades K-3 with a Significant Reading Deficiency, within 45 days of the end of the school year, personnel of the local education provider shall provide to the student's parent a written notice that there are serious implications to a student entering fourth grade with a Significant Reading Deficiency. The parent, teacher, and other personnel shall meet and decide whether the student will advance to the next grade level. If there is not agreement, the parent shall



decide, unless a district has a more rigorous decision making process in place. If, after making three documented attempts to schedule the meeting with the parent, personnel of the school are unable to do so, or if the parent does not attend the scheduled meeting, the school personnel shall decide, based on the student's body of evidence, whether the student will advance to the next grade level.

#### What is the process for retention determination in 2016-2017 and beyond?

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

#### Can a student be retained if s/he has already been retained in a previous grade?

Yes, a student can be retained even after being retained in a previous grade.

#### What does retention look like in terms of instruction, intervention and assessment in the second year at a particular grade level? Will suggestions be made available for different instructional approaches, materials, and interventions for a student who has not advanced?

The Department will provide support through regional technical assistance as well as other supports such as research, newsletters, and webinars to address topics such as this one. Additionally, schools should consider selecting instructional programming that has met expectations outlined in the law and has been selected for the Department's Advisory List of Instructional Programming.

#### Are any students exempt from retention decisions?

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

#### If a student is retained for reasons beyond reading significantly below grade level, does this get reported to the state?

This isn't reported through the READ Act collection, but students are tracked by grade level through the End of Year report.

#### **Funding FAQs**

#### Will per pupil formula funds be distributed by school or by district?

Per pupil formula funds will be distributed to the district, not each individual school.

#### Will reporting of per pupil funds take place at the district, school, or student level?

Each school will report to their district how per-pupil funds were used for each student identified as having a Significant Reading Deficiency as part of the spring collection. Schools should spend the funds according to the current school year's Fall Benchmark data.

#### What funding is available for districts under the READ Act?

There are two sets of funds available under the READ Act; competitive funds (Early Literacy Grant) and formula funds (per-pupil intervention funds). Each fall, every district will receive per-pupil funds based on the number of students reported as having a Significant Reading Deficiency each spring.

#### How much will each student receive for per-pupil funds?

The legislature has allocated \$15.4 million for distribution in the 2013-2014 school year. The amount each student receives each year will be dependent upon how many students are reported state-wide as having a Significant Reading Deficiency.



#### What grant money is available for READ Act implementation?

There are two grants available; the Early Literacy Assessment Tool Project and the Early Literacy Grant. The Early Literacy Grant is a competitive grant for which schools must apply and be awarded. The first cohort of schools has already been selected. The second cohort will not be selected until the spring of 2016. The Assessment Tool Project is one that districts opt into, and all districts that applied for the 2013-2014 school year were granted the opportunity to participate.

#### Can the competitive grant money be spent on personnel, such as a reading coach?

Yes

#### How can districts use the per-pupil funds?

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

### When the legislation refers to using funding for tutoring, does this mean paying a staff member to provide additional tutoring? Is this before or after-school tutoring? Does this refer to purchasing a tutoring program?

Tutoring would include working with a student above and beyond what is happening during the school day. It would require the purchase of additional services. It may include purchasing services by hiring a tutor and/or purchasing instructional materials.

## If a school hires a tutor with READ money, does the tutor have to provide instruction using a program on the recommended list? If you use per pupil funds to purchase targeted, scientifically or evidence based intervention services, those services must be approved by the Department.

#### Can per-pupil funds be used to purchase approved interventions as well as for staff to lead interventions?

Yes, this would qualify as one of the 4 options within the law; scientifically or evidence based interventions are one of the 4 options. It may also include hiring a person.

### If a student is already in full-day Kindergarten, with parents paying the tuition, can READ funds be used to supplement the tuition so parents only pay a portion?

Yes, this is possible. This would be a local decision.

### If a school is using funds from the Early Literacy Grant, do they need to use the approved curriculums for all students or only those receiving intervention?

Yes. The grant is comprehensive and includes services for all K-3 students and all three tiers of instruction.

Will districts receive additional funds for students on both an IEP and a READ Plan, or will only one source of funding be received? Students on both IEPs and READ Plans will receive both sources of funding.

#### What happens if a student moves? Do the per-pupil funds travel with the student to the new school?

No, the funds do not travel with the student, but the READ Plan does, so the new school would have that information.

#### Miscellaneous FAQs



The purpose of the READ Act is to ensure that all students are receiving the targeted instruction that they need. Two sections of the state board rules discuss the need for effective universal instruction as well as effective targeted instruction within a three tiered framework. Within this framework, accelerated readers should be provided targeted instruction that meets their unique needs. However, READ Plans are NOT required for accelerated/above level readers, but only for those students with a Significant Reading Deficiency (SRD).

#### Are charter schools under the same requirements for the READ act?

Yes. Charter schools must follow the same guidelines and meet all the same requirements as non-charter schools.

Can tutoring companies work with school districts to provide services under the READ Act? What is the process for this?

Yes, the decision to use tutoring services will be made at the local level, but this is one option for using per pupil funds.