

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0800.01 Amber Paoloemilio x5497

SENATE BILL 23-181

SENATE SPONSORSHIP

Winter F. and Mullica,

HOUSE SPONSORSHIP

(None),

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTING DYSLEXIA SCREENING IN SCHOOLS.**

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 implements recommendations from the dyslexia working group. The bill:

- Directs school districts, boards of cooperative services, charter schools, and institute charter schools (local education providers) to screen for students at risk of foundational literacy skill deficits;
- Directs local education providers to provide evidence-based supplemental instruction and intervention

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

- for children at risk of foundational literacy skill deficits;
- Requires local education providers to provide the public and parents information regarding which screening and interventions the local education provider uses for foundational literacy skill deficits;
- Requires the department of education to provide professional development for local education providers and the public in evidence-based best practices, including screening, supplemental instruction, and intervention; and
- Establishes an independent ombudsman office.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Reading proficiency is a crucial skill that children must learn
5 in school as it is fundamental to essential life activities. Lack of reading
6 proficiency can restrict a student's access to content in all academic
7 subjects and result in negative consequences such as grade retention; risk
8 of dropping out; limited employment opportunities; limited civic
9 participation such as jury duty; difficulties with basic life tasks, such as
10 accessing medical care and housing; and increased risk of mental health
11 issues. The long-term effects of reading difficulties can be devastating.
12 According to a study, poor readers are 3 times more likely to consider or
13 attempt suicide, and according to another study, approximately 80% of
14 persons who are incarcerated are reported to be functionally illiterate.

15 (b) A Gallup analysis of the United States Department of
16 Education's data on illiteracy found that around 130 million adults in the
17 United States have low literacy skills and that more than half of
18 Americans between the ages of 16 and 74 read below the equivalent of a
19 sixth-grade level. The Colorado Department of Education in the 2020
20 Dyslexia Handbook states the prevalence of dyslexia ranges from 5-17%

1 of the population. According to the Learning Disability Association of
2 America, the number of people with dyslexia is around 14.5 to 43.5
3 million children and adults in the United States. According to a study in
4 the Journal of Pediatrics, the achievement gap between typical and
5 dyslexic readers is evident as early as first grade, and this gap persists into
6 adolescence.

7 (c) These findings provide strong evidence for early identification
8 of and intervention for young children at risk for dyslexia. Implementing
9 effective reading programs as early as kindergarten or even preschool
10 offers the potential to close the achievement gap.

11 (d) Rather than assessing students overall, students should be
12 assessed in the areas holding a risk of future reading difficulties,
13 including dyslexia. According to the International Dyslexia Association,
14 research indicates that brain plasticity decreases during childhood. It takes
15 4 times as long to intervene in the fourth grade compared to late
16 kindergarten, if the first signs of risk are identified and appropriate
17 instruction occurs.

18 (e) Research indicates the importance of using evidence-based
19 practices and reliable screening tools to identify students at risk of
20 reading difficulties as early as possible. This ensures that students receive
21 the appropriate support and intervention early to succeed in their reading
22 development.

23 (f) Federal laws and regulations, such as the "Individuals with
24 Disabilities Education Act", and specifically the "Child Find" provision,
25 20 U.S.C. sec. 1400 (d), require the states to have policies and procedures
26 in place ensuring that every student in need of special education and
27 related services is identified and evaluated. Because a student with

1 dyslexia may be a student with a disability under the "Individuals with
2 Disabilities Education Act", the "Child Find" provision includes these
3 students. Pursuant to section 504 of the federal "Rehabilitation Act of
4 1973", public schools must annually attempt to identify and locate every
5 qualified student with a disability residing in its jurisdiction and notify the
6 student and the parents of the rights afforded to them pursuant to section
7 504.

8 (g) As of the beginning of 2023, as many as 40 states have
9 mandated screening specifically for dyslexia, and Colorado is not one of
10 them; and

11 (h) In 2008, House Bill 08-1223 encouraged the Department of
12 Education and Colorado school districts to increase overall awareness of
13 literacy challenges, including dyslexia, and encouraged the use of
14 appropriate interventions for students. In 2019, House Bill 19-1134
15 established the dyslexia working group, comprised of various
16 stakeholders, including representation from rural schools. In that same
17 year, 30 other states passed mandated screening legislation. The dyslexia
18 working group recommended establishing and mandating screening for
19 students at risk of dyslexia and reading challenges in their annual reports
20 to the general assembly in 2020, 2021, and 2022.

21 (2) Therefore, the general assembly finds and recognizes that
22 universal screening for early risk of dyslexia and other reading challenges
23 is critical to the health and well-being of Colorado's students.

24 **SECTION 2.** In Colorado Revised Statutes, **add** 22-7-1215 as
25 follows:

26 **22-7-1215. Reading difficulty early screening - reporting -**
27 **resources - training - ombudsmen - grievance process - rules -**

1 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
2 OTHERWISE REQUIRES:

3 (a) "AT-RISK STUDENT" MEANS A STUDENT WHO HAS
4 DEMONSTRATED WEAKNESSES IN EMERGENT PRINT SKILLS, EMERGENT
5 READING COMPREHENSION SKILLS, PRINT SKILLS, AND READING
6 COMPREHENSION SKILLS THAT INDICATE A PROBABILITY THAT THE
7 STUDENT DOES OR WILL STRUGGLE WITH LEARNING TO READ, WRITE, OR
8 SPELL WITH ACCURACY AND FLUENCY.

9 (b) "DECODING" MEANS THE KNOWLEDGE OF SOUND-SYMBOL
10 CORRESPONDENCE TO READ WORDS.

11 (c) "EMERGENT COMPREHENSION SKILLS" MEANS PRE-READING
12 SKILLS THAT SUPPORT READING COMPREHENSION, INCLUDING
13 VOCABULARY KNOWLEDGE, BOTH RECEPTIVE AND EXPRESSIVE, AND
14 LISTENING COMPREHENSION.

15 (d) "EMERGENT PRINT SKILLS" MEANS PRE-READING SKILLS THAT
16 SUPPORT DECODING, WORD READING, SPELLING, AND ACCURATE TEXT
17 READING, INCLUDING PHONOLOGICAL AWARENESS, PHONEMIC
18 AWARENESS, ALPHABET KNOWLEDGE, AND SOUND-SYMBOL RECOGNITION.

19 (e) "ENCODING" MEANS A STUDENT'S SPELLING ABILITY THAT
20 REFLECTS AN UNDERSTANDING OF SOUND-SYMBOL RELATIONSHIPS AND
21 CONVENTIONAL SPELLING PATTERNS.

22 (f) "FAMILY AND TEACHER OBSERVATIONS" MEANS ADDITIONAL
23 INFORMATION PROVIDED BY A STUDENT'S FAMILY AND TEACHERS ABOUT
24 A STUDENT'S BACKGROUND, INCLUDING FAMILY HISTORY OF READING
25 DIFFICULTIES OR CHALLENGES, CLASSROOM PERFORMANCE, RATING
26 SCALES OR INFORMAL DESCRIPTIONS OF THE STUDENT'S LANGUAGE
27 ABILITIES, AND BEHAVIOR AND ACADEMIC STANDINGS.

1 (g) "FLUENCY" MEANS ORAL READING ACCURACY AND ORAL
2 READING RATE.

3 (h) "GRAPHEMES" MEANS THE LETTERS AND SPELLINGS THAT
4 REPRESENT THE SOUNDS IN WRITTEN LANGUAGE.

5 (i) "INDIVIDUAL EDUCATION PROGRAM" OR "IEP" HAS THE SAME
6 MEANING AS SET FORTH IN SECTION 22-20-103.

7 (j) "INFORMAL DIAGNOSTIC ASSESSMENT" MEANS A VALID AND
8 RELIABLE PROCEDURE USED TO IDENTIFY A STUDENT'S SPECIFIC AREAS OF
9 LITERACY STRENGTHS AND WEAKNESSES; DETERMINE DIFFICULTIES A
10 STUDENT MAY HAVE LEARNING TO READ, WRITE, AND SPELL; AND
11 DETERMINE LITERACY INTERVENTIONS FOR A STUDENT.

12 (k) "LITERACY" MEANS THE ABILITY TO USE LANGUAGE TO READ,
13 WRITE, LISTEN, AND SPEAK.

14 (l) "MORPHOLOGICAL AWARENESS" MEANS AN UNDERSTANDING
15 OF HOW WORDS CAN BE BROKEN DOWN INTO SMALLER UNITS CALLED
16 MORPHEMES AND INCLUDE ROOTS, BASES, PREFIXES, AND SUFFIXES.

17 (m) "MULTILINGUAL LEARNER" MEANS A STUDENT WHO IS
18 LINGUISTICALLY DIVERSE AND IS IDENTIFIED USING THE STATE-APPROVED
19 ENGLISH LANGUAGE PROFICIENCY ASSESSMENT AS HAVING A LEVEL OF
20 ENGLISH LANGUAGE PROFICIENCY THAT REQUIRES LANGUAGE SUPPORT TO
21 ACHIEVE GRADE-LEVEL STANDARDS IN ENGLISH.

22 (n) "ORAL READING FLUENCY" MEANS READING ALOUD AT AN
23 APPROPRIATE RATE WITH WORD LEVEL ACCURACY AND EXPRESSION.

24 (o) "ORAL READING FLUENCY SCREENING" MEANS AN ASSESSMENT
25 THAT REFLECTS DATA ON BOTH RATE, WORDS CORRECT PER MINUTE, AND
26 ACCURACY, TOTAL WORDS READ CORRECTLY.

27 (p) "PHONEMIC AWARENESS" MEANS THE ABILITY TO DISTINGUISH,

1 SEGMENT, BLEND, AND MANIPULATE PHONEMES IN WORDS.

2 (q) "PHONICS" MEANS THE PREDICTABLE RELATIONSHIP BETWEEN
3 PHONEMES AND GRAPHEMES.

4 (r) "PHONOLOGICAL AWARENESS" MEANS THE ABILITY TO
5 RECOGNIZE AND MANIPULATE RHYMES, WORDS, SYLLABLES, ONSETS AND
6 RIMES, AND PHONEMES.

7 (s) "PRINT SKILLS" MEANS THE ABILITY TO DECODE THE WRITTEN
8 WORD, CONNECT PRINTED WORD TO ITS SOUND AND MEANING WITH
9 ACCURACY AND AUTOMATICITY, AND ENCODE ACCURATELY.

10 (t) "PROGRESS MONITORING" MEANS A MEASUREMENT PROCEDURE
11 USED AT SPECIFIED TIME INTERVALS TO MEASURE A STUDENT'S RESPONSE
12 TO INSTRUCTION AND INTERVENTION.

13 (u) "RAPID AUTOMATIC NAMING" MEANS THE ABILITY TO
14 ACCURATELY AND AUTOMATICALLY NAME A REPEATED SEQUENCE OF
15 KNOWN OBJECTS, COLORS, NUMBERS, OR LETTERS.

16 (v) "READING COMPREHENSION" MEANS THE ABILITY TO
17 UNDERSTAND AND INTERPRET WHAT IS READ.

18 (w) "READING COMPREHENSION SKILLS" MEANS ABILITIES NEEDED
19 TO UNDERSTAND A TEXT FULLY, INCLUDING DECODING THE ALPHABET AND
20 WORDS, LANGUAGE FLUENCY, STRONG VOCABULARY, UNDERSTANDING
21 SENTENCE STRUCTURE, BACKGROUND KNOWLEDGE OF THE TOPIC, AND
22 WORKING MEMORY.

23 (x) "READING VOCABULARY" MEANS THE WORDS NEEDED TO
24 KNOW AND UNDERSTAND WHAT IS READ.

25 (y) "RESPONSE TO INTERVENTION" OR "RTI" MEANS A PREVENTIVE
26 APPROACH TO IMPROVING INDIVIDUAL OUTCOMES THROUGH
27 HIGH-QUALITY UNIVERSAL INSTRUCTION WITHIN A MULTI-TIERED SYSTEM

1 OF SUPPORT THAT CONNECT SUPPORTS MATCHED TO STUDENTS' ACADEMIC,
2 SOCIAL-EMOTIONAL, AND BEHAVIORAL NEEDS.

3 (z) "SCREENING" OR "SCREENING INSTRUMENT" MEANS A BRIEF,
4 VALID, AND RELIABLE MEASUREMENT PROCEDURE USED TO IDENTIFY OR
5 PREDICT WHETHER A STUDENT MAY BE AT RISK FOR INADEQUATE
6 LEARNING OUTCOMES.

7 (aa) "SKILLS" MEANS THE ACQUISITION OF THE FOUNDATIONAL
8 INFORMATION AND TOOLS REQUIRED TO RAPIDLY RECOGNIZE AND DECODE
9 PRINTED WORDS IN A MEANINGFUL CONNECTED TEXT, AND NEARLY
10 EFFORTLESSLY RECORD IDEAS IN PRINT.

11 (bb) "STANDARDS" MEANS CLEAR, MEASURABLE LEARNING
12 TARGETS THAT EXPLAIN THE INFORMATION A STUDENT SHOULD KNOW OR
13 SKILLS A STUDENT SHOULD BE ABLE TO PERFORM IN A PARTICULAR
14 INSTRUCTIONAL AREA.

15 (cc) "STUDENT" MEANS A YOUTH WHO:

16 (I) IS ENROLLED IN PRESCHOOL WITH A LOCAL EDUCATION
17 PROVIDER; OR

18 (II) IS AT LEAST FIVE YEARS OF AGE ON OR BEFORE OCTOBER 1 OF
19 THE SCHOOL YEAR THE STUDENT WILL ATTEND KINDERGARTEN; OR

20 (III) ENTERS OR TRANSFERS TO A PUBLIC SCHOOL IN PRESCHOOL,
21 KINDERGARTEN, FIRST GRADE, SECOND GRADE, OR THIRD GRADE; OR

22 (IV) ENTERS OR TRANSFERS TO A PUBLIC SCHOOL IN GRADE FOUR
23 OR HIGHER WHO:

24 (A) HAS NOT BEEN PREVIOUSLY SCREENED IN THIS STATE FOR
25 READING DIFFICULTIES AS DEFINED IN THIS SECTION;

26 (B) DEMONSTRATES DIFFICULTY MASTERING GRADE-LEVEL
27 READING; OR

1 (C) WHOSE PARENTS OR TEACHER REQUEST AN ASSESSMENT.

2 (dd) "SUPPLEMENTAL READING INSTRUCTION" MEANS AN
3 EVIDENCE-BASED, SEQUENTIAL, SYSTEMATIC, EXPLICIT, AND CUMULATIVE
4 INSTRUCTION OR INTERVENTION OF FOUNDATIONAL READING SKILLS,
5 INCLUDING PHONOLOGICAL OR PHONEMIC AWARENESS AND PROCESSING,
6 PHONICS, MORPHOLOGICAL AWARENESS, AND VOCABULARY TO SUPPORT
7 THE DEVELOPMENT OF DECODING, ENCODING, FLUENCY, AND READING
8 COMPREHENSION SKILLS TO MEET GRADE LEVEL CURRICULUM AND
9 GRADE-LEVEL STANDARDS.

10 (ee) "WORD READING" MEANS CONNECTING A PRINTED WORD TO
11 ITS SOUND AND MEANING WITH ACCURACY AND AUTOMATICITY.

12 (2) (a) BEGINNING IN THE 2024-25 SCHOOL YEAR, EACH LOCAL
13 EDUCATION PROVIDER SHALL ENSURE THAT STUDENTS ARE SCREENED TO
14 IDENTIFY IF A STUDENT IS AN AT-RISK STUDENT. A SCREENING MAY BE
15 CONDUCTED BY:

- 16 (I) A CLASSROOM TEACHER;
- 17 (II) A SCHOOL PSYCHOLOGIST;
- 18 (III) A SPECIAL EDUCATION TEACHER;
- 19 (IV) A SPEECH-LANGUAGE PATHOLOGIST;
- 20 (V) A READING INTERVENTIONIST;
- 21 (VI) A DESIGNATED READING SPECIALIST; OR
- 22 (VII) ANY OTHER INDIVIDUAL TRAINED IN SCREENING
23 INSTRUMENTS AND PROTOCOLS AND AUTHORIZED BY THE LOCAL
24 EDUCATION PROVIDER TO ADMINISTER THE SCREENING INSTRUMENTS.

25 (b) UPON REGISTRATION OF A STUDENT AT A PUBLIC SCHOOL, THE
26 LOCAL EDUCATION PROVIDER SHALL PROVIDE THE PARENT OR GUARDIAN
27 OF THE STUDENT:

1 (I) A DESCRIPTION OF THE SCREENING AND SUPPLEMENTAL
2 INSTRUCTION PROCESS FOR THE LOCAL EDUCATION PROVIDER; AND

3 (II) ANY CHECKLISTS OR FORMS NEEDED TO SUPPORT THE
4 SCREENING PROTOCOL.

5 (c) A LOCAL EDUCATION PROVIDER SHALL SELECT ONE OR MORE
6 APPROPRIATE SCREENING INSTRUMENTS FROM THE APPROVED LIST THAT:

7 (I) ACCURATELY AND RELIABLY IDENTIFY STUDENTS AT RISK;

8 (II) ARE DEVELOPMENTALLY APPROPRIATE;

9 (III) ARE ECONOMICAL TO ADMINISTER IN TIME AND COST;

10 (IV) ARE NOT REDUNDANT;

11 (V) USE NORM-REFERENCED OR CRITERION-BASED SCORES; AND

12 (VI) INCLUDE EMERGENT PRINT SKILLS, EMERGENT
13 COMPREHENSION SKILLS, PRINT SKILLS, READING COMPREHENSION SKILLS,
14 RAPID AUTOMATIC NAMING, ORAL READING FLUENCY, AND FAMILY AND
15 TEACHER HISTORY AND OBSERVATIONS.

16 (d) IF A LOCAL EDUCATION PROVIDER HAS SELECTED AN
17 ASSESSMENT PURSUANT TO SECTION 22-7-1205 THAT DOES NOT ASSESS
18 THE SKILLS DESCRIBED IN SUBSECTIONS (2)(e) TO (2)(h) OF THIS SECTION
19 IN A SUFFICIENTLY VALID, RELIABLE, AND SENSITIVE MANNER USING
20 NORM-REFERENCED AND CRITERION-BASED SCORES, THE LOCAL
21 EDUCATION PROVIDER MAY CHOOSE AN ADDITIONAL SCREENING
22 INSTRUMENT WHICH MEETS THE REQUIREMENTS OF SUBSECTION (2)(c) OF
23 THIS SECTION NO LATER THAN AUGUST 1, 2025.

24 (e) FOR A STUDENT IN PRESCHOOL, A LOCAL EDUCATION PROVIDER
25 SHALL USE ONE OR MORE SCREENING INSTRUMENTS THAT ASSESS
26 PHONOLOGICAL AWARENESS AND PHONEMIC AWARENESS.

27 (f) FOR A STUDENT IN KINDERGARTEN, A LOCAL EDUCATION

1 PROVIDER SHALL USE ONE OR MORE SCREENING INSTRUMENTS THAT
2 ASSESS:

3 (I) EMERGENT PRINT SKILLS, INCLUDING PHONOLOGICAL
4 AWARENESS, PHONEMIC AWARENESS, ALPHABET KNOWLEDGE, AND
5 SOUND-SYMBOL RECOGNITION;

6 (II) EMERGENT COMPREHENSION SKILLS, INCLUDING ORAL
7 VOCABULARY AND LISTENING COMPREHENSION;

8 (III) RAPID AUTOMATIZED NAMING; AND

9 (IV) FAMILY AND TEACHER OBSERVATION, INCLUDING FAMILY
10 HISTORY OF READING CHALLENGES.

11 (g) FOR A STUDENT IN FIRST GRADE, A LOCAL EDUCATION
12 PROVIDER SHALL USE ONE OR MORE SCREENING INSTRUMENTS THAT
13 ASSESS:

14 (I) EMERGENT PRINT SKILLS, INCLUDING PHONOLOGICAL
15 AWARENESS AND PHONEMIC AWARENESS, ALPHABET KNOWLEDGE, AND
16 SOUND-SYMBOL RECOGNITION;

17 (II) EMERGENT COMPREHENSION SKILLS, INCLUDING ORAL
18 VOCABULARY AND LISTENING COMPREHENSION;

19 (III) PRINT SKILLS, INCLUDING DECODING, AUTOMATIC AND
20 FLUENT SINGLE-WORD READING OF NONSENSE AND REAL WORDS,
21 ENCODING, AND STARTING IN THE MIDDLE OF FIRST GRADE, ORAL READING
22 FLUENCY;

23 (IV) READING COMPREHENSION SKILLS, INCLUDING READING
24 VOCABULARY AND READING COMPREHENSION;

25 (V) RAPID AUTOMATIZED NAMING; AND

26 (VI) FAMILY AND TEACHER OBSERVATION, INCLUDING FAMILY
27 HISTORY OF READING CHALLENGES.

1 (h) FOR A STUDENT IN SECOND GRADE OR ABOVE, A LOCAL
2 EDUCATION PROVIDER SHALL USE ONE OR MORE SCREENING INSTRUMENTS
3 THAT ASSESS:

4 (I) PRINT SKILLS, INCLUDING ORAL READING FLUENCY AND
5 AUTOMATIC AND FLUENT SINGLE-WORD READING OF NONSENSE AND REAL
6 WORDS;

7 (II) ENCODING;

8 (III) READING COMPREHENSION SKILLS, INCLUDING READING
9 VOCABULARY AND READING COMPREHENSION;

10 (IV) FAMILY AND TEACHER OBSERVATION, INCLUDING FAMILY
11 HISTORY OF READING CHALLENGES; AND

12 (V) RAPID AUTOMATIZED NAMING, IF THE STUDENT HAS NOT BEEN
13 PREVIOUSLY ASSESSED WITH A RAPID AUTOMATIZED NAMING ASSESSMENT
14 IN KINDERGARTEN OR FIRST GRADE.

15 (3) STUDENTS MUST BE SCREENED ACCORDING TO THE SCHEDULE
16 OF THE SCREENING INSTRUMENT SELECTED BY THE LOCAL EDUCATION
17 PROVIDER AND PURSUANT TO THIS PART 12.

18 (4) IF THE SCREENING RESULTS INDICATE THAT A STUDENT IS AT
19 RISK OF READING DIFFICULTIES IN ANY SKILL AREA MENTIONED IN THIS
20 SECTION, THE LOCAL EDUCATION PROVIDER SHALL:

21 (a) CONDUCT AN INFORMAL DIAGNOSTIC ASSESSMENT OF THE
22 STUDENT TO DETERMINE THE SPECIFIC AREAS OF INSTRUCTIONAL NEED FOR
23 SUPPLEMENTAL READING INSTRUCTION;

24 (b) PROVIDE SUPPLEMENTAL READING INSTRUCTION TO ADDRESS
25 THE STUDENT'S IDENTIFIED AREAS OF NEED, INCLUDING FOUNDATIONAL
26 SKILL AREAS; AND

27 (c) SEND A NOTIFICATION LETTER WITHIN FIFTEEN SCHOOL DAYS

1 AFTER THE SCREENING RESULTS TO THE PARENT OR GUARDIAN OF THE
2 STUDENT THAT INCLUDES:

- 3 (I) THE SCREENING RESULTS;
- 4 (II) THE INFORMAL DIAGNOSTIC ASSESSMENT RESULTS; AND
- 5 (III) A DESCRIPTION OF THE SUPPLEMENTAL READING INSTRUCTION
6 THAT WILL BE PROVIDED TO THE STUDENT.

7 (5) A LOCAL EDUCATION PROVIDER SHALL SET A SCHEDULE, WITH
8 INTERVALS OF NOT MORE THAN TEN WEEKS, FOR PROGRESS MONITORING
9 OF A STUDENT WHO RECEIVES SUPPLEMENTAL READING INSTRUCTION.

10 (6) IF PROGRESS MONITORING DATA REFLECTS INSUFFICIENT
11 PROGRESS, A LOCAL EDUCATION PROVIDER SHALL ADJUST THE
12 SUPPLEMENTAL READING INSTRUCTION TO ENSURE THE STUDENT IS
13 MAKING CONSISTENT AND ADEQUATE PROGRESS TOWARD GRADE-LEVEL
14 STANDARDS.

15 (7) THE LOCAL EDUCATION PROVIDER SHALL PROVIDE THE PARENT
16 OR GUARDIAN OF THE STUDENT WITH PROGRESS MONITORING
17 INFORMATION AS OUTLINED IN SUBSECTION (5) OF THIS SECTION.

18 (8) A REFERRAL FOR SPECIAL EDUCATION EVALUATION MAY BE
19 MADE AT ANY TIME PURSUANT TO THE "COLORADO EXCEPTIONAL
20 CHILDREN'S EDUCATION ACT", ARTICLE 20 OF THIS TITLE 22, AND THE
21 FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C.
22 SEC. 1400 ET SEQ.

23 (9) EACH LOCAL EDUCATION PROVIDER SHALL PROVIDE ON THE
24 LOCAL EDUCATION PROVIDER'S WEBSITE THE FOLLOWING:

25 (a) LITERACY SCREENING INSTRUMENTS USED BY THE LOCAL
26 EDUCATION PROVIDER;

27 (b) INFORMAL DIAGNOSTIC ASSESSMENTS USED BY THE LOCAL

1 EDUCATION PROVIDER;
2 (c) AN INVENTORY OF THE LOCAL EDUCATION PROVIDER'S
3 LITERACY SCREENING ASSESSMENTS, QUESTIONNAIRES, OR CHECKLISTS BY
4 GRADE LEVEL AND SCREENING AREA, INCLUDING:
5 (I) EMERGENT PRINT SKILLS;
6 (II) EMERGENT COMPREHENSION SKILLS;
7 (III) PRINT SKILLS;
8 (IV) READING COMPREHENSION SKILLS;
9 (V) RAPID AUTOMATIZED NAMING;
10 (VI) ORAL READING FLUENCY; AND
11 (VII) FAMILY AND TEACHER OBSERVATIONS, INCLUDING FAMILY
12 HISTORY OF READING CHALLENGES.

13 (10) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, BEGINNING WITH
14 THE 2025-26 SCHOOL YEAR, EACH LOCAL EDUCATION PROVIDER SHALL
15 REPORT TO THE DEPARTMENT THE FOLLOWING DATA, SEPARATED AND
16 SEARCHABLE BY LOCAL EDUCATION PROVIDER AND SCHOOL LEVEL,
17 UPDATED ANNUALLY AND AVAILABLE ON THE LOCAL EDUCATION
18 PROVIDER'S WEBSITE:

19 (a) THE NUMBER OF STUDENTS SCREENED BY THE LOCAL
20 EDUCATION PROVIDER IN EACH GRADE LEVEL, DISAGGREGATED BY EACH
21 INDIVIDUAL SCHOOL, RACE AND ETHNICITY, SEX, ENGLISH PROFICIENCY,
22 AND DISABILITY, IN ADDITION TO THE TOTAL NUMBER OF STUDENTS IN
23 EACH GRADE LEVEL;

24 (b) THE NUMBER OF STUDENTS IDENTIFIED THROUGH THE
25 SCREENING PROCESS AS AT RISK FOR READING DIFFICULTIES IN EACH
26 GRADE LEVEL, DISAGGREGATED BY EACH INDIVIDUAL SCHOOL, RACE AND
27 ETHNICITY, SEX, ENGLISH PROFICIENCY, AND DISABILITY; AND

1 (c) THE NUMBER OF STUDENTS IDENTIFIED THROUGH THE
2 SCREENING PROCESS AS AT RISK FOR READING DIFFICULTIES IN EACH
3 GRADE LEVEL WHO RECEIVED SUPPLEMENTAL READING INSTRUCTION,
4 DISAGGREGATED BY EACH INDIVIDUAL SCHOOL, RACE AND ETHNICITY,
5 SEX, ENGLISH PROFICIENCY, AND DISABILITY.

6 (11) ON OR BEFORE JUNE 1, 2025, AND AT LEAST ONCE EVERY FIVE
7 YEARS THEREAFTER, THE DEPARTMENT, IN CONSULTATION WITH PARENTS,
8 TEACHERS, AND OTHER INTERESTED STAKEHOLDERS, SHALL DEVELOP AND
9 UPDATE RESOURCES, WHICH THE DEPARTMENT SHALL MAKE AVAILABLE
10 ON THE DEPARTMENT'S WEBSITE. THE RESOURCES MUST INCLUDE:

11 (a) A LIST OF RECOMMENDED SCREENING AND INFORMAL
12 DIAGNOSTIC ASSESSMENTS THAT MEET THE REQUIREMENTS OF THIS
13 SECTION;

14 (b) A LIST OF RECOMMENDED SUPPLEMENTAL READING
15 INSTRUCTION PROGRAMS AND PROGRESS MONITORING INSTRUMENTS THAT
16 MEET THE REQUIREMENTS OF THIS SECTION;

17 (c) BEST PRACTICES FOR CHOOSING SCREENING ASSESSMENTS,
18 CHOOSING AND UTILIZING PROGRESS MONITORING ASSESSMENTS, AND
19 DATA COLLECTION PROCESSES;

20 (d) BEST PRACTICES FOR SUPPLEMENTAL READING INSTRUCTION
21 BASED ON INFORMAL DIAGNOSTIC AND PROGRESS MONITORING DATA;

22 (e) PROCEDURES AND CRITERIA FOR APPROPRIATE SCREENING OF
23 STUDENTS WHO ARE MULTILINGUAL LEARNERS;

24 (f) SAMPLE PARENT AND GUARDIAN NOTIFICATION LETTERS FOR
25 READING DIFFICULTIES, INCLUDING DYSLEXIA; AND

26 (g) A CHECKLIST OF EARLY WARNING SIGNS OF READING
27 DIFFICULTIES, INCLUDING DYSLEXIA, BY GRADE LEVEL.

1 (12) (a) THE DEPARTMENT SHALL PROVIDE TRAINING
2 OPPORTUNITIES ANNUALLY FOR INDIVIDUALS WHO CONDUCT SCREENINGS
3 PURSUANT TO THIS SECTION AND FOR SCHOOL ADMINISTRATORS ON:

4 (I) BEST PRACTICES FOR DESIGNING AND IMPLEMENTING A
5 MULTI-TIERED SYSTEM OF SUPPORT;

6 (II) THE ADMINISTRATION AND INTERPRETATION OF SCREENINGS,
7 INFORMAL DIAGNOSTIC INSTRUMENTS, PROGRESS MONITORING
8 INSTRUMENTS, AND STUDENT DATA;

9 (III) PROVIDING AND INTERPRETING SCREENINGS, ASSESSMENTS,
10 AND PROGRESS MONITORING RESULTS FOR PARENTS;

11 (IV) THE ELEMENTS, PRINCIPLES, AND BEST PRACTICES OF
12 SUPPLEMENTAL READING INSTRUCTION; AND

13 (V) BEST PRACTICES FOR DESIGNING AND IMPLEMENTING
14 SUPPLEMENTAL READING INSTRUCTION BASED ON:

15 (A) INFORMAL DIAGNOSTIC ASSESSMENT DATA; AND

16 (B) PROGRESS MONITORING DATA.

17 (b) THE DEPARTMENT SHALL MAKE AVAILABLE ON THE
18 DEPARTMENT'S WEBSITE THE NUMBER OF PARTICIPANTS FROM EACH LOCAL
19 EDUCATION PROVIDER THAT PARTICIPATE IN EACH TRAINING SESSION.

20 (13) THE DEPARTMENT SHALL MAKE AVAILABLE BEFORE THE
21 START OF THE 2024-25 SCHOOL YEAR, AND BEFORE EACH SCHOOL YEAR
22 THEREAFTER, AN ONLINE DYSLEXIA AWARENESS COURSE, UPDATED AS
23 NEEDED, FOR PRESCHOOL TO TWELFTH GRADE FOR EDUCATORS, TUTORS,
24 PARENTS AND GUARDIANS, AND THE COMMUNITY, THAT INCLUDES:

25 (a) RELEVANT COLORADO AND FEDERAL LAWS AND STATUTES,
26 INCLUDING THE CHILD FIND MANDATE AND RESPONSIBILITIES DESCRIBED
27 IN THE "COLORADO EXCEPTIONAL CHILDREN'S EDUCATION ACT", ARTICLE

1 20 OF THIS TITLE 22, THE FEDERAL "INDIVIDUALS WITH DISABILITIES
2 EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AND THIS SECTION,
3 INCLUDING RESOURCES AND GUIDANCE ON WHEN TO SUSPECT THAT
4 STUDENT IS A CHILD WITH A DISABILITY IN NEED, OR IS BELIEVED TO NEED,
5 SPECIAL INSTRUCTION OR RELATED SERVICES;

6 (b) THE DEFINITION OF DYSLEXIA AS SET FORTH IN SECTION
7 22-20.5-102;

8 (c) PREDICTED RATES OF OCCURRENCE;

9 (d) INDICATORS BY AGE OR GRADE;

10 (e) BRAIN RESEARCH;

11 (f) CO-OCCURRING CONDITIONS;

12 (g) SOCIAL OR EMOTIONAL IMPACT;

13 (h) EQUITY;

14 (i) MULTILINGUAL LEARNERS;

15 (j) DYSLEXIA FACTS AND MYTHS;

16 (k) THE SCIENCE OF READING OVERVIEW AND EVIDENCE; AND

17 (l) STUDENT ACCOMMODATIONS AND HOW TO UTILIZE THEM TO
18 ENSURE STUDENTS ACCESS GRADE LEVEL MATERIAL AND LEARNING.

19 (14) THE DEPARTMENT SHALL PROMOTE AN ANNUAL DYSLEXIA
20 AWARENESS DAY TO ENCOURAGE DISTRICTS TO EXPAND AWARENESS AND
21 DISCUSSION FOR PRESCHOOL THROUGH TWELFTH GRADE, WHICH INCLUDES
22 PARENTS AND GUARDIANS, DURING DYSLEXIA AWARENESS MONTH IN
23 OCTOBER OF EACH CALENDAR YEAR.

24 (15) (a) THE COMMISSIONER OF EDUCATION AND STATE BOARD
25 SHALL APPOINT A LITERACY OMBUDSMAN. THE LITERACY OMBUDSMAN
26 AND CORRESPONDING OFFICE IS CREATED SEPARATE FROM THE
27 DEPARTMENT. THE OMBUDSMAN WILL REPORT DIRECTLY TO THE

1 COMMISSIONER OF EDUCATION AND STATE BOARD AND WILL:

2 (I) BE RESPONSIBLE FOR ASSESSING THE K-12 LITERACY
3 ACHIEVEMENT, "READ ACT" IMPLEMENTATION, READ PLAN AND IEP
4 ADEQUACY AND SPECIFICATION, RTI OR MULTI-TIERED SYSTEMS OF
5 SUPPORT PROCESSES; ASSESSING THE ADEQUACY OF IDENTIFICATION OF
6 STRUGGLING READERS AND CHARACTERISTICS OF DYSLEXIA AND ACCESS
7 TO GRADE LEVEL CONTENT WHILE CONTINUING TO RECEIVE
8 INTERVENTIONS; AND REPORTING CONCERNS AND RISKS TO THE STATE
9 BOARD AND THE COMMISSIONER; AND

10 (II) BE INDEPENDENT AND HAVE NO CONFLICTS OF INTEREST OR
11 FORMER ALLIANCES WITH LOBBYING GROUPS INCLUDING THE COLORADO
12 DEPARTMENT OF EDUCATION, THE COLORADO ASSOCIATION OF SCHOOL
13 EXECUTIVES, THE COLORADO ASSOCIATION OF SCHOOL BOARDS, THE
14 COLORADO EDUCATION ASSOCIATION, THE AMERICAN FEDERATION OF
15 TEACHERS, OR A LOCAL EDUCATION PROVIDER.

16 (b) THE LITERACY OMBUDSMAN OFFICE MUST CREATE AND
17 MAINTAIN A "READ ACT" GRIEVANCE PROCESS FOR PARENTS OR
18 GUARDIANS THROUGH THE OMBUDSMAN OFFICE, INCLUDING GRIEVANCES
19 RELATED TO LACK OR DELAY OF SCREENING AND LACK OF ADEQUATE
20 PROGRESS WITH INTERVENTION.

21 (16) THE DEPARTMENT SHALL PROMULGATE RULES TO IMPLEMENT
22 THE REQUIREMENTS OF THIS SECTION.

23 **SECTION 3. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2024 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.