

Crosswalk of Rule to Statute – 1 CCR 301-90 Rules for the Administration of the Early Literacy Grant

<p align="center">Rule: 1 CCR 301-90, Rules for the Administration of the Early Literacy Grant</p>	<p align="center">Statute</p>
<p>0.0 <u>STATEMENT OF BASIS AND PURPOSE</u></p> <p>These rules are promulgated pursuant to Colorado Revised Statutes section 22-2-107 (1) (c) and section 22-7-1209 (1) (f). Section 22-7-1211, C.R.S., authorizes the Colorado Department of Education to provide money to local education providers to implement literacy support and intervention instruction programs to assist students in kindergarten and first, second, and third grades to achieve reading competency. Section 22-7-1209 (1) (f), C.R.S., requires the Colorado State Board of Education to promulgate rules for the administration of these grant programs.</p>	<p>C.R.S. 22-7-1211</p> <p>(1)(a) There is created in the department the early literacy grant program to provide money to local education providers to implement literacy support and intervention instruction programs, including but not limited to related professional development programs, to assist students in kindergarten and first, second, and third grades to achieve reading competency.... The state board by rule shall establish the application timelines and the information to be included in each grant application.</p>
<p>1.0 <u>DEFINITIONS</u></p> <p>1.1 “BOCES” or “Board of Cooperative Services” shall have the same meaning as provided in section 22-5-103 (2), C.R.S.</p> <p>1.2 “Department” means the Colorado Department of Education created pursuant to section 24-1-115, C.R.S.</p> <p>1.3 “Evidence-Based” means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in adequately increasing students’ reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension.</p> <p>1.4 “District Charter School” means a charter school authorized by a school district pursuant to part 1 of article 30.5 of title 22.</p> <p>1.5 “Institute Charter School” means a charter school authorized by the state charter school institute pursuant to part 5 of article</p>	<p>22-7-1203</p> <p>...</p> <p>(2) "Department" means the department of education created and existing pursuant to section 24-1-115, C.R.S.</p> <p>(3) "District charter school" means a charter school authorized by a school district pursuant to part 1 of article 30.5 of this title.</p> <p>(4) "Evidence based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in adequately increasing students' reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension.</p> <p>(5) "Institute charter school" means a charter school authorized by the state charter school institute pursuant to part 5 of article 30.5 of this title.</p>

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<p>30.5 of title 22.</p> <p>1.6 “Local Education Provider” means a school district, a Board of Cooperative Services, a district charter school, or an institute charter school.</p> <p>1.7 “Rural School District” means a Colorado school district that the Department has determined to be rural based on the geographic size of the district and the distance from the nearest large urban/urbanized area.</p> <p>1.8 “School District” or “District” means a school district organized and authorized by section 15 of Article IX of the state constitution and organized pursuant to article 30 of title 22, Colorado Revised Statutes.</p> <p>1.9 “Scientifically-Based” means that the instruction or item described is based on research that applies rigorous, systematic, and objective procedures to obtain valid knowledge that is relevant to reading development, reading instruction, and reading difficulties.</p> <p>1.10 “Significant Reading Deficiency” means that a student does not meet the minimum skill levels for reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension established by the State Board pursuant to section 22-7-1209, C.R.S., for the student’s grade level.</p> <p>1.11 “Small Rural School District” means a Rural School District that enrolls fewer than one thousand two hundred students in kindergarten through twelfth grade.</p> <p>1.12 “State Board” means the State Board of Education established pursuant to Section 1 of Article IX of the state constitution.</p>	<p>(6) "Local education provider" means a school district, a board of cooperative services, a district charter school, or an institute charter school.</p> <p>...</p> <p>(13) "School district" means a school district, other than a local college district, organized and existing pursuant to law.</p> <p>(14) "Scientifically based" means that the instruction or item described is based on research that applies rigorous, systematic, and objective procedures to obtain valid knowledge that is relevant to reading development, reading instruction, and reading difficulties.</p> <p>(15) "Significant reading deficiency" means that a student does not meet the minimum skill levels for reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension established by the state board pursuant to section 22-7-1209 for the student's grade level.</p> <p>(16) "State board" means the state board of education created pursuant to section 1 of article IX of the state constitution.</p> <p>...</p> <p>22-7-1211</p> <p>(4)(a) “Rural school district” means a school district in Colorado that the department of education determines is rural, based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area.</p> <p>(4)(b) “Small rural school district” means a rural school district that enrolls fewer than one thousand two hundred students in kindergarten through twelfth grade.</p>

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<p>2.0 <u>APPLICATION REQUIREMENTS AND TIMELINE FOR COMPREHENSIVE EARLY LITERACY GRANTS</u></p> <p>2.1 Any local education provider interested in obtaining funding shall submit a Comprehensive Early Literacy Grant application electronically to the Department, using the application form provided by the Department. Local education providers may apply individually or as part of a group of local education providers. These grants will be offered on a four year cycle.</p> <p>2.2 Each Comprehensive Early Literacy Grant application submitted shall include, but need not be limited to, the following:</p> <p style="padding-left: 40px;">2.2 (A) Information concerning the percentage of kindergarten and first-, second-, and third-grade students enrolled in the applying local education provider or group of local education providers who have Significant Reading Deficiencies and the percentage of kindergarten and first-, second-, and third-grade students who do not have Significant Reading Deficiencies but who are not meeting the grade-level expectations in reading adopted by the State Board;</p> <p style="padding-left: 40px;">2.2 (B) Identification of instructional programs aligned to the READ Act that the applicant(s) plan to implement using the grant money, including a description of whether the programs are Evidence-Based or Scientifically-Based literacy support and intervention instruction programs that are proven to be successful in other public schools in Colorado or in other states;</p>	<p>C.R.S. 22-7-1211</p> <p>(1) (a) There is created in the department the early literacy grant program to provide money to local education providers to implement literacy support and intervention instruction programs, including but not limited to related professional development programs, to assist students in kindergarten and first, second, and third grades to achieve reading competency. The state board may award a grant to an applying local education provider that is a school district on a district-wide basis or to individual schools of the school district. A local education provider may apply individually or as a part of a group of local education providers. The state board by rule shall establish the application timelines and the information to be included in each grant application. The state board shall not, as a condition of applying for or receiving a grant, restrict an applicant's ability to use any of the assessments included on the approved list of assessments adopted pursuant to section 22-7-1209(1)(b).</p> <p>...</p> <p>(3) Based on the recommendations of the department, the state board shall award grants to applying local education providers or groups of local education providers, which grants are paid from moneys in the early literacy fund created in section 22-7-1210. Of the money allocated for the early literacy grant program pursuant to section 22-7-1210(4), the state board shall annually:</p> <p>...</p> <p>(c) Award the remainder to applicants that request funding for other evidence-based or scientifically based literacy support and intervention instruction programs to assist students in kindergarten and first, second, and third grades to achieve reading competency.</p>

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<p>2.2(B.3) Whether the applicant(s) employs reading coaches or plans to use all or a portion of the grant money to employ reading coaches;</p>	
<p>2.2(B.5) The degree to which the instructional program incorporates the effective use of technology, including software, to assist in assessing and monitoring student progress toward reading competency;</p>	
<p>2.2 (C) Identification of the professional development program(s) that the applicant(s) plan to implement for educators to assist students in kindergarten and first, second, and third grades to achieve reading competency;</p>	
<p>2.2 (D) A description of the methods that will be used to sustain positive student achievement outcomes over time to ensure that students who move out of the Significant Reading Deficiency designation are able to sustain their improvement;</p>	
<p>2.2 (E) An explanation of the cost of the instructional program that the applicant(s) plan to implement using the grant money and an explanation of how grant funding will be used to supplement and not supplant any funding currently being used on intensive literacy programs already provided for eligible students;</p>	

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<p>2.2 (F) The measurable student outcomes that the applicant expects to achieve as a result of implementing the proposed program and a description of the method that will be used to monitor and evaluate outcomes; and</p> <p>2.2 (G) Any other necessary information, as identified by the Department.</p> <p>2.3 Starting in fiscal year 2018-2019 the Department shall approve and review the Comprehensive Early Literacy Grants on a four year cycle. The first year of the grant award will serve as an implementation year followed by three years of operationalizing the grant. Upon completion of the four-year cycle, grantees will have the opportunity to apply for an additional one year sustainability grant described in section 3.0.</p> <p>2.4 If the legislature alters the appropriation for the Early Literacy Grant Program through the annual appropriations process prior to the completion of a four year cycle, the Department may choose to open another application cycle, or reduce or increase current grantees’ annual funding as necessary.</p>	
<p>3.0 <u>APPLICATION REQUIREMENTS AND TIMELINE FOR EARLY LITERACY SUSTAINABILITY GRANTS</u></p> <p>3.1 An application for grants to assist local education providers in sustainability planning after their receipt of a Comprehensive Early Literacy Grant, including the continued use of a literacy coach, will be opened in the final year of the Comprehensive Early Literacy Grant cycle.</p> <p>3.2 Eligibility for the Sustainability Grants is limited to those local education providers that have received and are in</p>	<p>C.R.S. 22-7-1211</p> <p>(1)(a) ... The state board by rule shall establish the application timelines and the information to be included in each grant application...</p> <p>(3) Based on the recommendations of the department, the state board shall award grants to applying local education providers or groups of local education providers, which grants are paid from moneys in the early literacy fund created in section 22-7-1210. Of the money allocated for the early literacy grant program pursuant to section 22-7-1210(4), the state board shall annually:</p>

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<p>the last year of funding for the Comprehensive Early Literacy Grant.</p> <p>3.3 Each Sustainability Grant application submitted shall include but need not be limited to the following:</p> <p>3.3 (A) Progress made by the school(s) over the course of the Comprehensive Early Literacy Grant period;</p> <p>3.3 (B) A description of how the funds will support on-going positive student outcomes in literacy beyond the sustainability year; and</p> <p>3.3 (C) A budget for the funds requested and a plan describing how the funds will be used in the sustainability year.</p>	<p>(a) Award up to ten percent to applicants that have previously received a grant to fund school-wide literacy initiatives that have resulted in significant student academic growth toward reading competency, as determined by an independent evaluator as provided in section 22-7-1209(8), and that are requesting an additional year of funding to assist the local education provider in sustainability planning for the initiatives, including the continuing use of literacy coaches;</p> <p>...</p>
<p>4.0 <u>APPLICATION REQUIREMENTS FOR RURAL LOCAL EDUCATION PROVIDERS</u></p> <p>4.1 The State Board shall ensure that a local education provider that is a Rural School District or a Small Rural School District, or a District Charter School or an Institute Charter School that is located within the boundaries of a Rural School District or a Small Rural School District may submit a simplified grant application. The simplified application process will include:</p> <p>4.1 (A) A request to the Department for an application that includes pre-populated data indicating the percentage of kindergarten and first-, second-, and third-grade students enrolled in the applying local education provider or group of local education providers who have Significant Reading Deficiencies.</p>	<p>C.R.S. 22-7-1211</p> <p>...</p> <p>(1) (b) In adopting rules, the state board shall ensure that a local education provider that is a rural school district or a small rural school district, or a district charter school or an institute charter school that is located within the boundaries of a rural school district or small rural school district, may submit a simplified grant application. A rural school district that is a member of a board of cooperative services may seek assistance in writing the grant application from the board of cooperative services...</p>

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<p>4.1 (B) An optional narrative to the cost/budget proposals portion of the Comprehensive Early Literacy Grant application.</p> <p>4.1 (C) An optional submission of the executive summary describing the proposal.</p> <p>4.1 (D) Technical assistance from the Department to support application efforts.</p> <p>4.2 The Department shall continue to monitor and make adjustments to the application process based on feedback from rural and small rural school districts.</p>	
<p>5.0 <u>APPLICATION REQUIREMENTS AND TIMELINE FOR PROFESSIONAL DEVELOPMENT GRANTS</u></p> <p>5.1 On an annual basis, any local education provider interested in obtaining funding shall submit an Early Literacy Professional Learning Grant application electronically to the Department, using the application form provided by the Department. A local education provider may apply individually or as part of a group of local education providers.</p> <p>5.2 Each Early Literacy Professional Learning Grant application submitted shall include, but need not be limited to, the following:</p> <p>5.2 (A) Information concerning the percentage of kindergarten and first-, second-, and third-grade students enrolled in the applying local education provider or group of local education providers who have Significant Reading Deficiencies and the percentage of kindergarten and first-, second-, and third-grade students who do not have Significant Reading Deficiencies but who are not</p>	<p>C.R.S. 22-7-1211</p> <p>(1) (a) ... The state board by rule shall establish the application timelines and the information to be included in each grant application...</p> <p>(3) Based on the recommendations of the department, the state board shall award grants to applying local education providers or groups of local education providers, which grants are paid from moneys in the early literacy fund created in section 22-7-1210. Of the money allocated for the early literacy grant program pursuant to section 22-7-1210(4), the state board shall annually:</p> <p>...</p> <p>(b) Award up to fifteen percent to fund professional development initiatives for local education providers that are already implementing evidence-based or scientifically based universal instruction and interventions that are resulting in significant student academic growth toward reading competency, as determined by an independent evaluator as provided in section 22-7-1209(8);</p> <p>...</p>

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<p>meeting the grade-level expectations in reading adopted by the State Board;</p> <p>5.2 (B) Identification of the Evidence-Based or Scientifically-Based universal instruction and intervention programs that the applicant(s) are currently implementing;</p> <p>5.2(C.3) Whether the applicant(s) employ reading coaches or plan to use all or a portion of the grant money to employ reading coaches;</p> <p>5.2(C.5) The degree to which the instructional program incorporates the effective use of technology, including software, to assist in assessing and monitoring student progress toward reading competency;</p> <p>5.2 (C) Identification of the professional development program(s) that are evidenced-based or scientifically-based and that the applicant(s) plan to implement for educators to assist students in kindergarten and first, second, and third grades to achieve reading competency;</p> <p>5.2 (D) A description of how acquiring these additional funds will support positive student achievement outcomes over time to ensure that students in all tiers, including those who move out of the Significant Reading Deficiency designation are able to sustain their improvement;</p> <p>5.2 (E) An explanation of the cost of the identified professional development plan that the</p>	

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<p>applicant(s) requests to implement using the grant money and an explanation of how grant funding will be used to supplement and not supplant any funding currently being used;</p> <p>5.2 (F) The measurable student outcomes that the applicant expects to achieve as a result of implementing the proposed professional development plan and a description of the method that will be used to monitor and evaluate outcomes; and</p> <p>5.2 (G) Any other necessary information, as identified by the Department.</p> <p>5.3 Annually, the Department shall review each grant application received and recommend to the State Board whether to award the grant and the duration and amount of each grant.</p> <p>5.4 On or before June 15 of each year, based on the recommendations of the Department, the State Board shall award grants to applying local education providers or groups of local education providers.</p>	
<p>6.0 <u>APPLICATION EVALUATION CRITERIA</u></p> <p>6.1 In reviewing applications for the Comprehensive and Professional Development Early Literacy Grant to recommend which applicants should receive grant funding and the duration and amount of each grant, the Department shall consider the following criteria:</p> <p>6.1 (A) The percentage of kindergarten and first-, second-, and third-grade students enrolled in the applying local education provider or group of local education providers who</p>	<p>C.R.S. 22-7-1211</p> <p>...</p> <p>(2) The department shall review each grant application received and recommend to the state board whether to award the grant and the duration and amount of each grant. In making recommendations, the department shall consider the following factors:</p> <p>(a) The percentage of kindergarten and first-, second-, and third-grade students enrolled by the applying local education provider or group of local education providers who have significant reading deficiencies and the percentage of kindergarten and first-, second-, and third-grade students who do not have significant reading</p>

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<p>6.1 (B) have Significant Reading Deficiencies; The use or proposed use of Instructional programming which is aligned to the READ Act and is Evidence-Based or Scientifically-Based;</p> <p>6.1 (C) The quality of the professional development program(s) that the applicant(s) plan to implement for educators to assist students in kindergarten and first-, second-, and third-grade students to achieve reading competency;</p> <p>6.1 (D) The plan the applicant has to sustain positive student gains over time;</p> <p>6.1 (E) The cost of the instructional program that the applicant(s) plan to implement using the grant money; and</p> <p>6.1 (F) The rigor with which the applicant(s) intend(s) to monitor and evaluate the implementation of the proposed program.</p>	<p>deficiencies but who are not meeting the grade-level expectations in reading adopted by the state board;</p> <p>(b) The instructional program that the applying local education provider or group of local education providers plans to implement using the grant money and whether it is an evidence-based program that is proven to be successful in other public schools in Colorado or in other states;</p> <p>(b.3) Whether the local education provider or group of local education providers employs reading coaches or plans to use all or a portion of the grant money to employ reading coaches;</p> <p>(b.5) The degree to which the instructional program incorporates the effective use of technology, including software, to assist in assessing and monitoring student progress toward reading competency;</p> <p>(c) The cost of the instructional program that the applying local education provider or group of local education providers plans to implement using the grant moneys;</p> <p>(c.5) In the case of a board of cooperative services that applies for a grant to provide instructional support in literacy, the number of small rural school districts, the number of kindergarten and first-, second-, and third-grade students enrolled in the small rural school districts, and the resources available to the small rural school districts that will receive instructional support as a result of the grant;</p>	
<p>6.2 In reviewing applications for the Early Literacy Sustainability Grant to recommend which applicants should receive grant funding, the duration, and the amount of each grant, the Department shall consider the following:</p> <p>6.2 (A) How and what local funds will be used to support literacy achievement over time;</p> <p>6.2 (B) The transition plan to ensure that new personnel and stakeholders are aligned to</p>	<p>(d) Any additional factors the state board may require by rule.</p>	

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<p>the grant efforts;</p> <p>6.2 (C) The professional development plan to build system capacity as consultant and CDE support transition out of the system; and</p> <p>6.2 (D) The quality of the written plan describing how support and continued professional growth will be offered through and beyond the sustainability fund year aligned to ongoing monitoring of student growth and progress.</p>	
<p>7.0 <u>DATA COLLECTION AND REPORTING</u></p> <p>7.1 Each local education provider that receives an early literacy grant shall submit information to the Department describing the following:</p> <p>7.1 (A) The instructional programs or services for which the local education provider used the grant;</p> <p>7.1 (B) The number and grade levels of students who participated in each of the types of programs or services provided;</p> <p>7.1 (C) The progress made by participating students in achieving reading competency; and</p>	<p>C.R.S. 22-7-1213</p> <p>(2) Each local education provider that receives an early literacy grant pursuant to section 22-7-1211 or per-pupil intervention moneys shall, at the conclusion of each budget year in which it receives the grant or per-pupil intervention moneys, submit to the department information describing:</p> <p>(a) In detail, the specific expenditures for which the local education provider used the grant or per-pupil intervention money;</p> <p>(a.5) If the local education provider purchased instructional programming in reading using grant or per-pupil intervention money, the scores attained by students enrolled in kindergarten through third grade on the interim reading assessments administered pursuant to section 22-7-1205;</p>

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<p>7.1 (D) Any other information required by the Department or the independent evaluator contracted by the Department to complete the evaluation described in section 22-7-1209(8). The local education provider, in providing the information, and the Department and independent evaluator in receiving and using the information, shall comply with state and federal laws to protect the privacy of student information. The local education provider, the Department and the independent evaluator shall collaborate to minimize the impact on instructional time that may result from collecting and providing the information.</p> <p>7.2 The Department shall annually submit to the State Board, governor, the president of the senate, the speaker of the house of representatives, and the education committees of the house of representatives and the senate, or any successor committees, and shall post on the Department web site a report that includes a summary of the implementation of the early literacy grant program in the preceding budget year, including the number of grants, the local education providers that received grants, and the amount of each grant.</p>	<p>(b) The number and grade levels of students who participated in each of the types of programs or services provided; and</p> <p>(c) The progress made by participating students in achieving reading competency.</p> <p>(3) (b) Notwithstanding section 24-1-136 (11)(a)(I), the department shall annually submit to the state board, the governor, the president of the senate, the speaker of the house of representatives, and the education committees of the house of representatives and the senate, or any successor committees, and shall post on the department website a report that summarizes:</p> <p>...</p> <p>(III) The information received by the department pursuant to subsection (2) of this section.</p>