

READ Act and English Learners

Guidance for Assessment and Determination of a Significant Reading Deficiency in Grades K-3



COLORADO
Department of Education

Achieving reading competency by the end of third grade is a critical milestone for every student and is a predictor of ongoing educational success. Early literacy development is not only critical to a child's success, but it is also one of Colorado's top education priorities. The Colorado Reading to Ensure Academic Development Act (READ Act), passed by the Colorado Legislature in 2012, highlights the importance of early literacy development for all students and especially for students at risk of not achieving third grade reading proficiency. The READ Act focuses on kindergarten through third grade literacy development, literacy assessment, and individual READ plans for students reading significantly below grade level.

Colorado local education providers (defined as a school district, a board of cooperative services, a district charter school, or an institute charter school) have the authority to approach implementation of the READ Act with English Learners (ELs) in ways that are appropriate for their local context and individual needs of students and are responsible for doing so in alignment with the requirements and intent of the READ Act and in compliance with other relevant state and federal guidelines. Recognizing the unique language and literacy needs and opportunities of ELs to become proficient readers in English, the Colorado Department of Education has created this guidance for implementation of the READ Act as it relates to English learners. This guidance has been developed to provide parameters for districts to use when developing local policies and practices to support the literacy development of English learners who are receiving literacy instruction in English or Spanish.

Context for Implementing the READ Act with English Learners

Supporting the language and literacy development of English learners requires instruction and programming that reflect their unique learning needs. Goldenberg (2013) identified three research-based principles of effective instructional practice for English learners:

- generally effective instructional practices are likely to be effective with English learners;
- English learners require additional instructional supports, and
- an English learner's home language can be used to promote academic development.

The intent of the READ Act is to prevent reading gaps from developing by providing best, first literacy instruction and to act quickly when students fall behind. Because of this, the rules for the READ Act define the attributes of effective universal classroom instruction. At the school level, effective instruction requires a multi-tiered system of supports that provides students with differentiated instruction based on students' needs. Also, school leaders should ensure that students receive 90 minutes of daily reading instruction and that there is a scope and sequence so that reading instruction follows a developmentally appropriate progression. At the classroom level, literacy instruction should:

- be based on the Colorado Academic Standards (CAS) and Colorado English Language Proficiency (CELP) Standards.
- be guided by assessment.
- follow a reading development continuum.
- address oral language and the five components of reading (which include phonemic awareness, phonics, fluency, vocabulary, and reading comprehension).

For English learners, effective universal instruction must also provide the individualized linguistic supports and scaffolds necessary to ensure access to grade-level literacy content. Additionally, all identified ELs must be provided targeted English Language Development (ELD) instruction through a Language Instruction Educational Program (LIEP) that is research-based and independent from literacy instruction.

The rules for the implementation of the READ Act also define the attributes of effective targeted and intensive literacy intervention instruction that may be necessary when a student is at risk for reading difficulties. Provided in addition to core literacy instruction, literacy intervention instruction should:

- address one or more of the five components of reading with intentional focus on identified area(s) of deficit according to interim and diagnostic assessments (phonemic awareness, phonics, vocabulary development, reading fluency including oral skills, and reading comprehension).
- be delivered with sufficient intensity, frequency, urgency, and duration.
- be guided by data from diagnostic, interim, and observational assessments focused on students' areas of need.
- be directed by an effective teacher in the teaching of reading.
- utilize a scope and sequence that is delivered explicitly with judicious review, allowing for active and engaged students.
- be delivered in a small group format.

Literacy intervention instruction for ELs should be carefully planned to provide the individualized linguistic supports and scaffolds necessary to ensure ELs can access the content of the intervention and should be provided in addition to, not in place of, core literacy instruction and the LIEP.

Creating opportunities in core programming and intervention instruction to honor and utilize a student's home language and experiences can enhance and encourage development of new literacy skills. Understanding similarities and differences between English and the home language, identifying cognates, incorporating culturally relevant texts and materials throughout instruction, and encouraging parents and families to continue developing home language literacy skills at home are some examples of how educators can promote academic development using the home language.

READ Act Requirements for Assessing English Learners

The READ Act specifies that educators make data-informed decisions in order to target early support so that all students are reading at grade level by third grade. Specifically, the READ Act requires that all students in kindergarten through third grade, including English learners, be assessed using a state board approved interim reading assessment to determine whether a student is at risk of having a Significant Reading Deficiency (SRD). All students in grades one through three must be assessed within the first 30 days of enrollment. Kindergarten students must be assessed within the first 90 days of enrollment; however, if the district administers the assessment within the first 60 days of the school year, they may use the READ Act assessment to complete the literacy component of the school readiness assessment adopted pursuant to section 22-7-1004(2)(a), C.R.S.

In October 2017, the State Board amended rules which provide districts with the authority to make certain decisions locally when implementing the READ ACT as it relates to English learners.

Assessing ELs Receiving Literacy Instruction in English Only

The local education provider has the authority to determine the language in which a student who is an English learner takes a state board approved interim reading assessment in kindergarten through third grade. The list of state board approved interim reading assessments currently includes options in English and Spanish. If state board approved

assessments become available in languages other than English or Spanish, districts shall determine whether an English learner whose native language is not Spanish will take the assessment in the student's native language. Districts who have K-3 students who are English learners and whose native language is Spanish shall determine, using English language proficiency ranges, whether the student takes the state board approved interim reading assessment in English or Spanish. In determining whether a student continues taking the reading assessments in Spanish, each district shall review the student's score on the most recent English language proficiency (ELP) assessments (ACCESS for ELLs, Kindergarten ACCESS, Alternate ACCESS). If the student is not yet partially proficient in English, the district may choose to assess in Spanish. If a student takes an interim reading assessment in Spanish, the school district may also administer a State Board approved interim reading assessment in English to the student, at the request of the student's parent.

The local education provider also has the authority to determine level of English proficiency at which the student demonstrates partial proficiency or higher in English and must take at least one of the state board approved interim reading assessments in English. The State Board Rules for the Administration of the Colorado Reading to Ensure Academic Development Act (1 CCR 301-92 section 3.05 (A) and (B)) require that the district determine and communicate to parents the level of English proficiency at which the student must take the approved reading assessment in English. If the student scores within the range that the local education provider determines demonstrates partial proficiency in English or higher, then the district shall ensure that the student annually takes at least one board approved reading assessment in English.

Assessing Spanish-Speaking ELs in a Dual Language Immersion (DLI) Program

Students who receive instruction in both English and Spanish may take the approved interim reading assessment in Spanish to determine whether the student has a significant reading deficiency. For these students, the district must also ensure that the student is assessed at least once annually utilizing a state board approved interim reading assessment in English for the purpose of informing reading instruction and intervention services and for the monitoring of student progress toward grade level reading competency in English, regardless of the student's level of English language proficiency.

Considerations for Selecting the Language of Assessment for English Learners

Although the level of proficiency in English is a determining factor for when a student is required to take at least one state board approved interim reading assessment in English, the district should consider a variety of additional factors when determining whether to administer, or continue administering, an assessment in the student's native language. Considerations should include but are not limited to:

- **Availability of an approved assessment in the student's native language** – Currently, the list of state board approved interim reading assessments includes assessments in English and Spanish. Availability of school staff who are qualified to administer and accurately interpret results of the assessment in Spanish is also a consideration.
- **Language in which the student will receive literacy instruction** – Assessing students in the language of instruction provides valuable information about progress in literacy and timely instructional adjustments that support literacy growth.
- **Prior literacy instruction in the native language** – A native language assessment, when available, may provide information about a student's existing literacy skills in the native language and can help inform instructional decisions.
- **The subskills measured by the assessment at the student's grade level** – Early foundational literacy skills such as letter naming, phonemic awareness, sound/symbol correspondences, and early decoding can be taught and assessed in English with a minimal level of English proficiency if the instructions are

comprehensible to students. As the language demands of reading increase, so does the need for more sophisticated English language proficiency. Analyzing what subskills are being measured by a particular assessment and comparing these skills to a student's English language proficiency level can support in determining the appropriate language of assessment for an individual student.

- **The information the assessment will provide for instructional planning** – The ultimate goal of assessment is to provide a clear picture of a student's skills and skill deficits to inform instruction and monitor progress. The language of assessment(s) selected should provide data that drives instruction.

In addition to a student's English language proficiency level, the language of instruction is a critical factor for districts to consider when deciding whether a student whose native language is Spanish will be assessed in English or Spanish. When an English learner receives literacy instruction in English only, it can be beneficial to both establish the student's current level of literacy knowledge in the native language, if possible, as well as collect information that will guide instructional decision making when providing literacy instruction in English. In this case, best practice would be to initially assess the student in both the native language (Spanish) and the language of instruction (English) to compile a more complete body of evidence that informs instructional decisions for the student. Similarly, a student who receives literacy instruction in both Spanish and English may be assessed in Spanish for determining an SRD, but the student must also be assessed at least annually in English to monitor progress toward reading competency in English and to inform reading instruction.

As each district has the authority to determine the language of assessment for identified ELs who have not yet reached partial proficiency in English, these are important considerations when developing local policies and procedures that align to the READ Act.

Determining a Significant Reading Deficiency for English Learners

If scores on the state board approved interim reading assessment indicate a student may be at risk of having a significant reading deficiency, the READ Act requires administration of a state board approved diagnostic assessment within 60 days of the initial interim assessment to pinpoint the specific area(s) of the reading deficiency. Approved diagnostic reading assessments are available in both English and Spanish. Data from these assessments along with an additional body of evidence about a student's academic performance are used to determine if a student has an SRD and must be placed on a READ plan. For English learners, the SRD determination process includes consideration of a student's English language proficiency level and additional data from English language proficiency assessments and native language reading assessments, when available. When analyzing the body of evidence to confirm or refute an SRD designation for an English learner, several factors may be considered, including:

- Length of time the student has been enrolled in a U.S. school
- English Language proficiency data and growth over time
- Native language literacy assessment data
- Progress over time on English literacy assessments
- Language and literacy progress in relation to English Learner peers
- Historical background of the English learner's LIEP(s)

This document provides guidance to support districts with identification of SRD for English learners in three instances:

- Non-English proficient students in their first year in a U.S. school
- English learners who are beyond their first year in a U.S. school assessed in English

- English learners who are beyond their first year in a U.S. school and who are native Spanish speakers assessed in Spanish

The following sections include both a narrative and flow chart to support local education providers in understanding and implementing the requirements and obligations of the READ Act with regards to English learners.

SRD Determination for Non-English Proficient Students in Their First Year in a U. S. School

English learners who are identified as Non-English Proficient (NEP) and in their first year in a U. S. school are eligible for SRD determination if this determination is based on a student's reading ability and not their English language proficiency. However, these students can be exempt from an SRD identification based on local determination of need. The district is responsible for ensuring literacy instruction is provided with appropriate linguistic scaffolds, as necessary, to ensure access to content and that the student is still provided with specific literacy interventions when appropriate.

SRD Determination for English learners Beyond Their First Year in a U.S. School Assessed in English

Districts may utilize a robust body of evidence to either confirm or refute the existence of an SRD for English learners. When an EL student beyond their first year in a U.S. school is assessed in English, additional evidence may be used to refute an SRD determination if the evidence supports that the scores on the interim reading assessment are influenced primarily by the student's English language proficiency level rather than an accurate representation of the student's early literacy skills. Acceptable evidence includes English language proficiency (ELP) assessments (ACCESS for ELLs, Kindergarten ACCESS, Alternate ACCESS), native language interim reading assessment data, or other locally determined valid and reliable data related to the student's English proficiency level (e.g., WIDA Model, WIDA Screener assessments). If an SRD determination is not confirmed, the interim reading assessment data should be used to identify the appropriate literacy and English language development instruction to ensure the student continues to make progress in acquiring the foundational skills of literacy as well as in English language development. ELs assessed with an English interim reading assessment whose SRD status is refuted based on additional evidence related to English language proficiency are exempt from retention considerations as an intervention strategy in compliance with the READ Act.

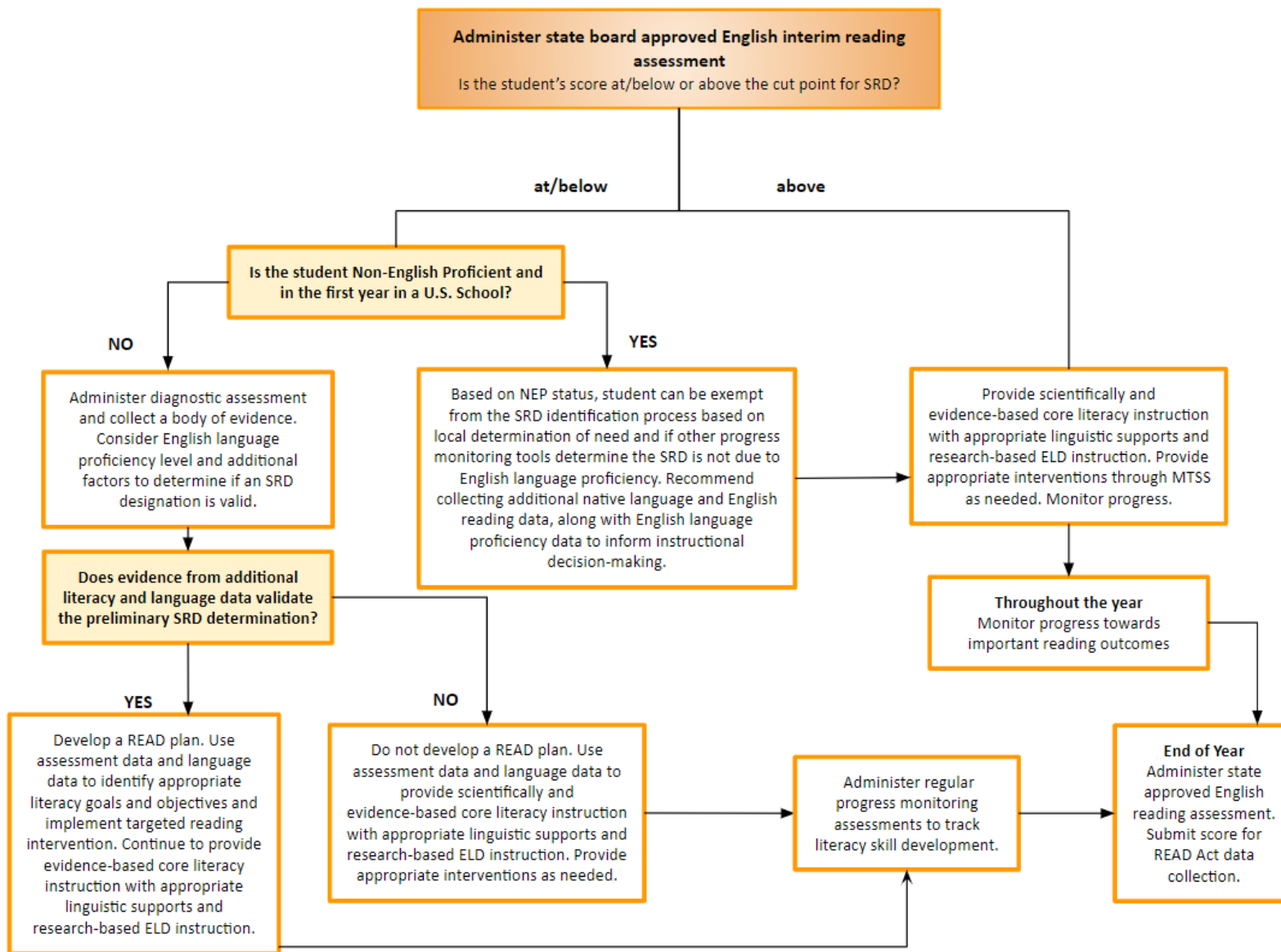
Should the evidence from additional English language proficiency and/or native language assessments suggest that an English Learner's scores on the interim reading assessment are impacted by factors other than the student's English language proficiency level, the teacher may choose to confirm the finding of an SRD. Examples include but are not limited to:

- Evidence that the student's literacy growth trajectory is not on-track compared to EL peers at the same ELP level
- Native language assessment data confirms similar reading deficiencies in the native language
- The student scores within the range that the district determines demonstrates partial proficiency in English or higher on the most recent ACCESS for ELLs[®] or other locally determined valid and reliable data related to the student's English proficiency level.

An English learner who is determined to have a significant reading deficiency after review of the complete body of evidence must receive a READ plan that is informed by the interim and diagnostic assessments as well as data from native language assessments and additional assessments related to the student's English proficiency level. For any student, a READ plan must be continuously implemented until the student demonstrates grade level reading competency.



SRD Determination Process for English Learners Assessed in English



SRD determination for English learners who are native Spanish speakers assessed in Spanish

English learners who are native Spanish speakers may utilize the state board approved interim reading assessment in Spanish to determine if the student is at risk of having a significant reading deficiency. If the district opts to assess an English learner whose native language is Spanish using an approved Spanish interim assessment and the student scores below the cut score for a significant reading deficiency, this indicates the student does not meet the minimum skill levels for reading competency in the native language and is likely to benefit from additional supports to develop early literacy skills. However, the language of instruction plays a key role in determining the specific skill strengths and deficits that will guide the development of the student's READ plan.

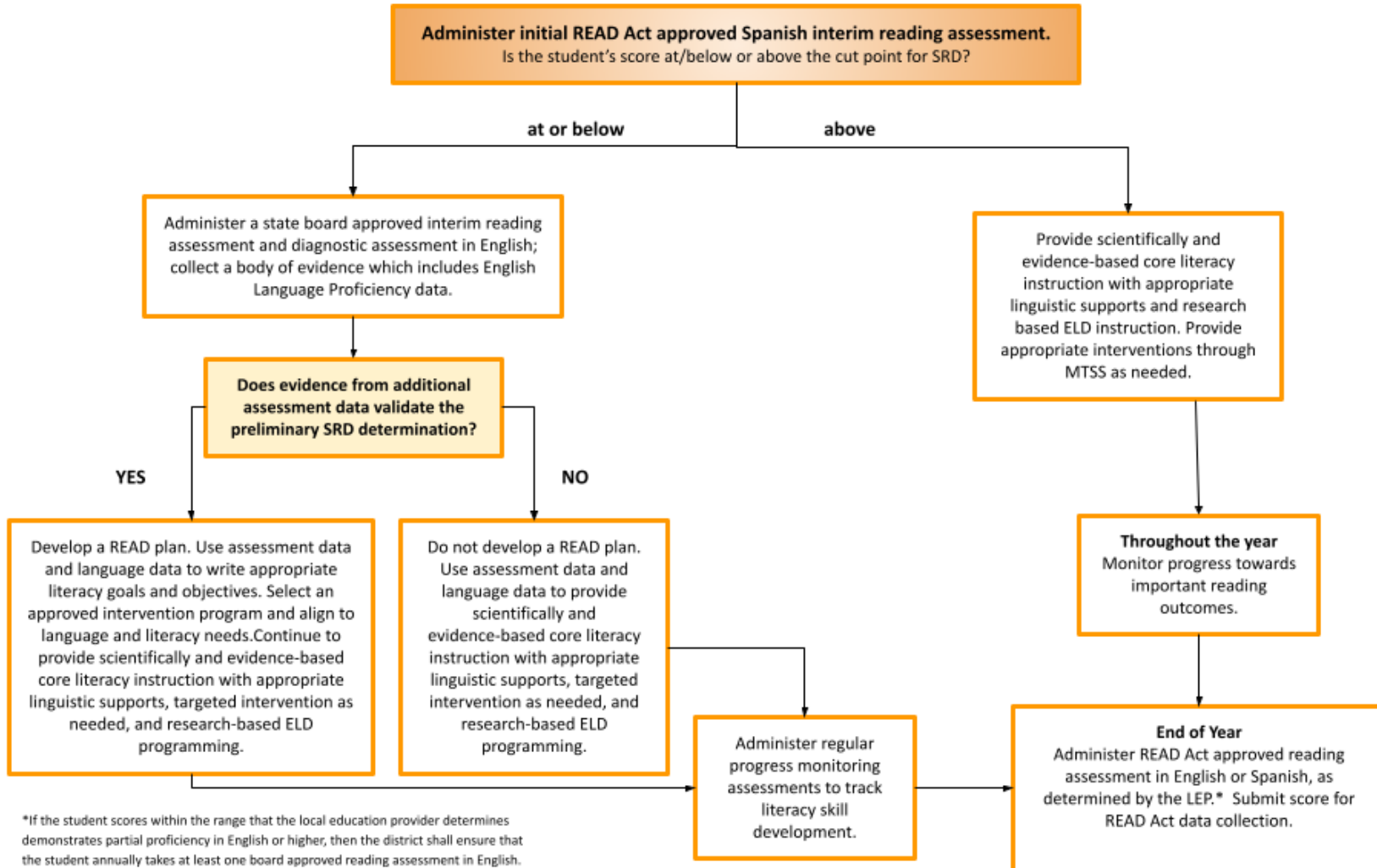
For English learners whose Spanish interim assessment indicates risk of an SRD and who receives literacy instruction in English only, it is important to gather interim assessment data in English and administer an English approved diagnostic assessment to determine the instructional needs in the language of instruction. If the scores on the English assessments confirm the determination of a significant reading deficiency, the SRD may not be refuted, and the student must receive a READ plan informed by both the native language and English literacy assessments as well as English language proficiency data.

If the scores on the Spanish interim reading assessment are at or below the cut point for an SRD determination for an English learner who is a native Spanish speaker and who receives literacy instruction in Spanish and English, an approved Spanish diagnostic assessment must be administered within 60 days of the initial interim assessment and a READ plan developed that addresses the student's specific skill deficits in Spanish literacy. In this instance, teachers may not use additional evidence to refute the SRD determination. An approved interim assessment in English shall also be administered at least annually to monitor progress in English literacy and to inform instruction in English. English learners assessed with a Spanish interim assessment are subject to retention considerations as an intervention strategy in compliance with the READ Act.



SRD Determination Process for English Learners who are Native Spanish Speakers Assessed in Spanish and who Receive Literacy Instruction in English

Districts who have K-3 students who are English learners and whose native language is Spanish shall determine, using English language proficiency ranges, whether the student takes the state board approved interim reading assessment in English or Spanish. In determining whether a student continues taking the reading assessments in Spanish, each district shall review the student's score on the most recent English language proficiency (ELP) assessments (ACCESS for ELLs, Kindergarten ACCESS, Alternate ACCESS). If the student is not yet partially proficient in English, the district may choose to assess in Spanish.

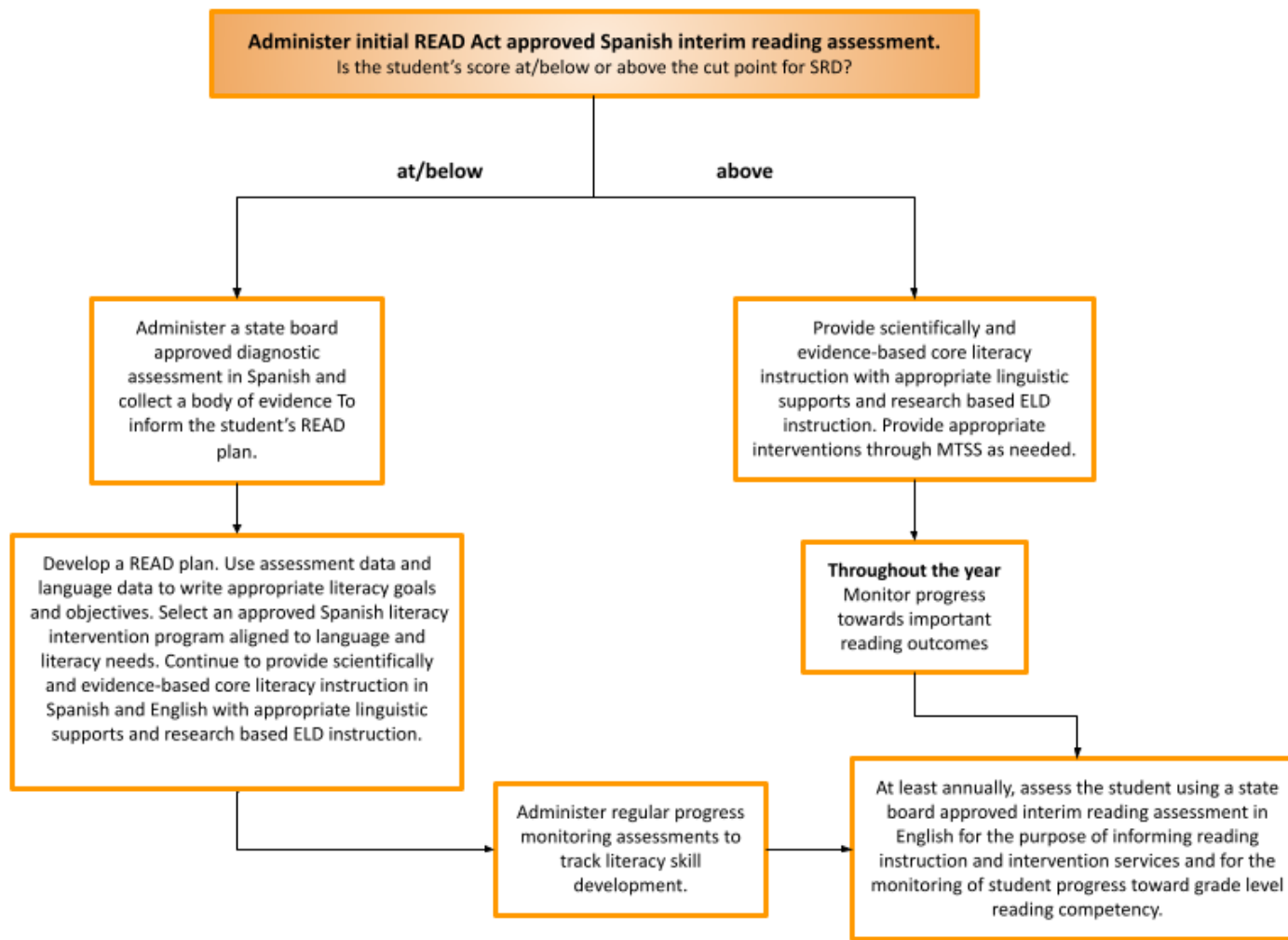


*If the student scores within the range that the local education provider determines demonstrates partial proficiency in English or higher, then the district shall ensure that the student annually takes at least one board approved reading assessment in English.



SRD Determination Process for English Learners Assessed in Spanish and who Receive Literacy Instruction in Spanish and English

For students who receive literacy instruction in both English and Spanish, the LEP may opt to utilize a state board approved interim reading assessment in Spanish to determine whether the student has a significant reading deficiency. In these instances, students shall also be assessed once annually using a state board approved interim reading assessment in English for the purpose of informing reading instruction and intervention services and for the monitoring of student progress toward grade level reading competency.



Refuted SRD Designation - Programming Considerations for English Learners

Information gleaned from English language proficiency and literacy assessments should be used to inform appropriate instruction for English learners whether or not an SRD determination is made. This will ensure continued support for both language and literacy development. As stated in statute, if a student's reading skills are below grade-level expectations, as adopted by the state board, but the student does not have a significant reading deficiency, the district shall ensure that the student receives appropriate interventions through the multi-tiered systems of supports or a comparable intervention system. At a minimum, the district shall ensure that the student receives educational services in a daily literacy block for the length of time identified as effective in research relating to best practices in teaching reading (C.R.S 22-7-1206(2)(a)). For English learners, the instruction provided during the daily literacy block as well as any intervention should be scaffolded with appropriate linguistic supports based on the English language proficiency level of the student to ensure access to literacy instruction. In addition, ELs are entitled to and must receive targeted English language development instruction, independent from literacy instruction, as part of their universal instruction. This instruction should be provided through a research-based language instruction educational program (LIEP) determined by the district, in addition to, and not in place of, core literacy instruction or any additional literacy interventions provided.

Read Plans and Intervention Programming for English Learners

Additional guidance documents are currently being developed to support local education providers in the creation of READ plans and implementation of intervention programming that addresses the unique needs of English learners learning to read in English. This guidance is forthcoming.

Definitions

English Learner: The state definition of “English language learner,” or English Learner (EL), is derived from the Colorado Revised Statutes under the English Language Proficiency Act 22-24-103 (4) and is defined as “a student who is linguistically diverse and who is identified [using the state-approved English language proficiency assessment] as having a level of English language proficiency that requires language support to achieve standards in grade-level content in English.”

Local Education Provider: a school district, a board of cooperative services, a district charter school, or an institute charter school. **In this guidance, the terms local education provider and district are used synonymously.*

Interim Assessment: A universal screening assessment administered to all students to identify who may experience lower than expected reading outcomes and who may be at risk for reading challenges.

Diagnostic Assessment: A state board approved assessment which schools are required to use for students identified through screening as possibly having a significant reading deficiency so as to pinpoint a student’s specific area(s) of weakness and provide in-depth information about students’ skills and instructional needs.

Cognates: Words share a similar meaning, spelling, and pronunciation across two languages.

Language Instruction Educational Program (LIEP): Appropriate Language Instruction Educational Programs (LIEPs) enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable amount of time. LIEPs must be research-based, implemented with fidelity, and evaluated to ensure the LIEP succeeds in producing results indicating that ELs are acquiring English within the expected period of time.



Body of Evidence: A collection of information about a student’s academic performance which, when considered in its entirety, documents the level of a student’s academic performance. A body of evidence, at a minimum, shall include scores on formative or interim assessments and work that a student independently produces in a classroom, including but not limited to the school readiness assessments adopted pursuant to section 22-7-1004(2)(a), C.R.S. A body of evidence may include scores on summative assessments if a local education provider decides that summative assessments are appropriate and useful in measuring students’ literacy skills.

Reading to Ensure Academic Development Plan (READ plan) – An intervention plan created to remediate a student’s significant reading deficiency.

Significant Reading Deficiency (SRD) – 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 for the student’s grade level.

English Language Proficiency Ranges and Partially Proficient – Local education providers may determine the level at which an English learner has reached partial proficiency in English. For more information regarding CDE recommendations for English language proficiency ranges based on WIDA Assessments (ACCESS for ELLs, Kindergarten ACCESS, and Alternate ACCESS), please visit: http://www.cde.state.co.us/cde_english/identification-placement

(1 CRR 301-92)

References

Goldenberg, C. (2013). Unlocking the research on English learners. *American Educator*, 37(3), 4-11.

Colorado Reading to Ensure Academic Development Act, Colo. Rev. Stat. §§ 22-7-1201-1214, (2019).

Rules for the Administration of the Colorado Reading to Ensure Academic Development Act, 1 Colo. Code Regs.301-92 (2017)

WHERE CAN I LEARN MORE?

[READ Act Statute and State Board Rules](#)

[State Board Approved Assessments](#)

[U.S. Dept. of Education: Tools and Resources for Providing English Learners with a Language Assistance Program](#)

[READ Plan Resources for Educators](#)

[CDE Guidebook on Designing, Delivering and Evaluating Services for English Learners](#)