

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 08-1223

BY REPRESENTATIVE(S) Merrifield, Benefield, Buescher, Carroll M., Casso, Curry, Fischer, Kerr A., Levy, Massey, McNulty, Peniston, Primavera, Scanlan, Solano, Witwer, Borodkin, Butcher, Carroll T., Frangas, Gagliardi, Gallegos, Garza-Hicks, Green, Kefalas, Labuda, Madden, May M., McFadyen, McGihon, Middleton, Romanoff, Stafford, Summers, and Todd;
also SENATOR(S) Williams, Bacon, Boyd, Gibbs, Groff, Isgar, Morse, Schwartz, Shaffer, Spence, Tupa, and Windels.

CONCERNING THE PROVISION OF TECHNICAL ASSISTANCE PERTAINING TO
COLORADO PUBLIC SCHOOL STUDENTS WITH LITERACY CHALLENGES
THAT INCLUDE DYSLEXIA.

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

SECTION 1. Part 1 of article 2 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-2-133. Assessment and identification of students with literacy challenges including dyslexia - training and technical assistance - collaboration with higher education. (1) ON OR BEFORE AUGUST 1, 2008, AS PART OF ITS RESPONSIBILITY FOR EDUCATION STANDARDS AND PRACTICE, THE DEPARTMENT MAY MAKE AVAILABLE TECHNICAL ASSISTANCE AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

TRAINING CONCERNING ISSUES FACED BY STUDENTS WITH LITERACY CHALLENGES, INCLUDING DYSLEXIA, TO SCHOOL DISTRICTS, ADMINISTRATIVE UNITS AS DEFINED IN SECTION 22-20-103 (1), RESIDENTIAL TREATMENT FACILITIES, CORRECTIONAL FACILITIES, AND OTHER LOCAL EDUCATION AGENCIES THROUGHOUT THE STATE. THE PROVISION OF ANY TECHNICAL ASSISTANCE AND TRAINING PURSUANT TO THIS SUBSECTION (1) SHALL NOT PRECLUDE THE DEPARTMENT FROM USING FEDERAL FUNDS TO IMPLEMENT SUCH TECHNICAL ASSISTANCE AND TRAINING. ANY TECHNICAL ASSISTANCE AND TRAINING PROVIDED SHALL INCLUDE BUT NEED NOT BE LIMITED TO THE AREAS OF AWARENESS, ASSESSMENT, IDENTIFICATION, AND EVIDENCE-BASED PROGRESS MONITORING, AND SHALL INCLUDE SCIENTIFICALLY BASED INTERVENTIONS TO ADDRESS THE NEEDS OF STUDENTS WITH LITERACY CHALLENGES, INCLUDING DYSLEXIA. ANY TECHNICAL ASSISTANCE AND TRAINING PROVIDED SHALL REPRESENT A TIERED CONTINUUM OF INTENSITY FOR INTERVENTION CONSISTENT WITH THE RESPONSE TO INTERVENTION MODEL THAT SCHOOL DISTRICTS ARE REQUIRED TO IMPLEMENT NO LATER THAN AUGUST 15, 2009, PURSUANT TO RULES ADOPTED BY THE DEPARTMENT.

(2) THE DEPARTMENT IS ENCOURAGED TO COORDINATE ANY TECHNICAL ASSISTANCE AND TRAINING PROVIDED WITH CURRENT BEST PRACTICES AND WORK OCCURRING IN TEACHER PREPARATION PROGRAMS AT STATE INSTITUTIONS OF HIGHER EDUCATION. WHERE APPROPRIATE, THE DEPARTMENT IS ENCOURAGED TO PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO SCHOOL DISTRICTS, ADMINISTRATIVE UNITS, RESIDENTIAL TREATMENT FACILITIES, CORRECTIONAL FACILITIES, AND LOCAL EDUCATION AGENCIES IN A COORDINATED EFFORT WITH TEACHER PREPARATION PROGRAMS AT STATE INSTITUTIONS OF HIGHER EDUCATION. THE DEPARTMENT AND STATE INSTITUTIONS OF HIGHER EDUCATION ARE ENCOURAGED TO WORK COLLABORATIVELY TO DEVELOP OR AFFIRM MINIMUM STANDARDS FOR TEACHER PREPARATION PROGRAMS IN THE AREAS OF LITERACY ASSESSMENT AND INSTRUCTIONAL SKILLS, INCLUDING DYSLEXIA AWARENESS, IDENTIFICATION, AND REMEDIATION FOR GENERAL AND SPECIAL EDUCATION.

(3) ON OR BEFORE JANUARY 30, 2009, AND ON OR BEFORE JANUARY 30 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE STATE BOARD OF EDUCATION AND TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE ACTIVITIES AND STATUS OF ANY TECHNICAL ASSISTANCE

AND TRAINING MADE AVAILABLE PURSUANT TO THIS SECTION.

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "LITERACY CHALLENGE" MEANS A SITUATION WHERE A STUDENT IS EXPERIENCING DIFFICULTY IN READING IN PHONEMIC AWARENESS, PHONICS, VOCABULARY, FLUENCY, OR COMPREHENSION.

(b) "RESPONSE TO INTERVENTION" MEANS A MODEL FOR EDUCATION DEVELOPED PURSUANT TO RULES ADOPTED PURSUANT TO THE "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", ARTICLE 20 OF THIS TITLE, THAT PROMOTES A WELL-INTEGRATED SYSTEM CONNECTING GENERAL, COMPENSATORY, GIFTED, AND SPECIAL EDUCATION IN PROVIDING HIGH-QUALITY, STANDARDS-BASED INSTRUCTION AND INTERVENTION THAT IS MATCHED TO A STUDENT'S ACADEMIC, SOCIAL-EMOTIONAL, AND BEHAVIORAL NEEDS.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or

part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Peter C. Groff
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO