

# The IDEA and Colorado's READ Act:

## Guidance for Children with Disabilities Eligible for an IEP and a Read Plan



**COLORADO**  
Department of Education

### Introduction

This guidance document addresses the relationship between Colorado's Reading to Ensure Academic Development Act (READ Act) and the IDEA. First, it reaffirms IDEA's long-standing requirement that children with disabilities participate in all state or district-wide assessments. Second, it provides considerations for Administrative Units (AUs) when developing local policies and procedures to address the program needs of children who are eligible for both an individualized education program (IEP) and a READ plan.

### Brief Overview of the READ Act

The READ Act requires that all children, kindergarten through third grade (K-3), be tested for their reading skills. Through this assessment process, children who are not reading at grade level may be identified with a significant reading deficiency (SRD).

An SRD means that a child 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 their grade level. 22-7-1203(15), C.R.S.

A READ Plan must be developed for all K-3 students who have been identified with an SRD and must include:

- a) The student's specific, diagnosed reading skill deficiencies that need to be remediated in order for the student to attain reading competency;
- b) The goals and benchmarks for the student's growth in attaining reading competency;
- c) The type of additional instructional services and interventions the student will receive in reading. At a minimum, the local education provider 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.
- d) The scientifically based or evidence-based reading instructional programming the teacher will use to provide the student daily reading approaches, strategies, interventions, and instruction, which programs at a minimum shall address the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension.
- e) The manner in which the local education provider will monitor and evaluate the student's progress;
- f) The strategies the student's parent is encouraged to use in assisting the student to achieve reading competency that are designed to supplement the programming described in (d) above; and
- g) Any additional services the teacher deems available and appropriate to accelerate the student's reading skill development. 22-7-1206(5), C.R.S.

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The READ Act requires that all children, kindergarten through third grade (K-3), be tested for their reading skills. Each local education provider (school district, BOCES, district charter school, or institute charter school) must use an assessment approved by the State Board of Education to measure reading competency. There is no language in statute or rule that exempts children with disabilities from the requirements of the READ Act.

## **Children with Disabilities May Not be Exempted from Assessments Conducted in Accordance with the READ Act.**

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Together, state and federal law require that children with disabilities be tested for reading skills using an approved assessment along with all K-3 children. The IEP team determines what disability-related accommodations, if any, may be necessary for the child to participate in the reading assessment. When taking the assessment, children with disabilities must be provided with the accommodations identified by their IEP team and described in the IEP. 34 C.F.R. 300.320(a)(6)

### **Considerations for Children who Qualify for an IEP and a READ Plan**

Administrative Units may develop policies and procedures that establish whether children who are eligible for both a READ plan and an IEP should have a separate READ plan or if the READ plan should be included in the IEP. The READ Act specifically provides this flexibility by stating that “if a student is identified as having a disability that impacts the student's progress in developing reading skills, the local education provider shall, as appropriate, integrate into the student's individualized education program ... intervention instruction and strategies to address the student's reading issues in lieu of a read plan.” 22-7-1206(3), C.R.S.

In developing local policies and procedures for serving IDEA-eligible children who have been identified with a disability that impacts progress in the development of reading skills and qualify for a READ plan, AUs should consider the following:

- The READ plan is a general education plan that includes tiered instruction /intervention to be provided within a student's general education program.
- The READ plan and the IEP must work together to provide a holistic approach to improving the child's reading performance.
- Ongoing collaboration between general and special education teachers is crucial to ensure alignment in addressing skill deficits.
- Ongoing collaboration between general and special education providers should address how tiered instruction and intervention delivered through general education and the specially designed instruction delivered through the IEP will align to achieve the child's individual reading goals.
- If the READ plan is part of the IEP, it must meet all the minimum requirements of the READ Act described above.

### **WHERE CAN I LEARN MORE?**

For more information about the READ Act, [use this link to visit the READ Act webpage](#) and [use this link for information specific to the READ Plan.](#)