

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

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 17-0785.01 Julie Pelegrin x2700

**HOUSE BILL 17-1160**

---

**HOUSE SPONSORSHIP**

**Hamner and Wilson,**

**SENATE SPONSORSHIP**

**Priola and Fields,**

---

**House Committees**  
Education

**Senate Committees**  
Education

---

**A BILL FOR AN ACT**

101      **CONCERNING AUTHORIZING A LOCAL EDUCATION PROVIDER TO**  
102                    **DETERMINE THE LANGUAGE IN WHICH A STUDENT WHO IS AN**  
103                    **ENGLISH LANGUAGE LEARNER TAKES READING ASSESSMENTS IN**  
104                    **KINDERGARTEN THROUGH THIRD GRADE.**

---

**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 specifies that, if a student enrolled in kindergarten or one of grades one through 3 is an English language learner, the school district or charter school in which the student is enrolled will decide whether the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 19, 2017

SENATE  
Amended 2nd Reading  
April 11, 2017

HOUSE  
3rd Reading Unamended  
March 3, 2017

HOUSE  
Amended 2nd Reading  
March 2, 2017

student takes the reading assessments in English or in the student's native language if there is an approved assessment available in the student's native language. If the student takes the assessments in his or her native language, the school district or charter school may also administer the assessments in English if requested by the student's parent. If a student who is an English language learner takes the reading assessments in his or her native language, the school district or charter school must determine the level of English proficiency at which the student will take the reading assessments in English and communicate that proficiency level to the student's parent.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-7-1202, **add** (3)  
3 as follows:

4 **22-7-1202. Legislative declaration.** (3) THE GENERAL ASSEMBLY  
5 FURTHER FINDS THAT:

6 (a) THE PURPOSE OF THIS PART 12 IS TO PROVIDE STUDENTS WITH  
7 THE NECESSARY SUPPORTS THEY NEED TO BE ABLE TO READ WITH  
8 PROFICIENCY BY THIRD GRADE SO THAT THEIR ACADEMIC GROWTH AND  
9 ACHIEVEMENT IS NOT HINDERED BY LOW LITERACY SKILLS IN FOURTH  
10 GRADE AND BEYOND;

11 (b) IT IS A PRIORITY IN THE PUBLIC SCHOOLS OF COLORADO TO  
12 PROVIDE HIGH-QUALITY INSTRUCTION THAT ENABLES EACH STUDENT TO  
13 ATTAIN PROFICIENCY IN ENGLISH, REGARDLESS OF THE STUDENT'S NATIVE  
14 LANGUAGE;

15 (c) RESEARCH DEMONSTRATES THAT A PERSON WHO HAS STRONG  
16 READING SKILLS IN ONE LANGUAGE WILL MORE EASILY LEARN AND  
17 BECOME LITERATE IN A SECOND LANGUAGE; AND

18 (d) WHILE THE "COLORADO READ ACT", PART 12 OF ARTICLE 7  
19 OF THIS TITLE 22, IS NOT DESIGNED TO MEASURE OR SUPPORT A STUDENT'S  
20 ACQUISITION OF ENGLISH AS A SECOND LANGUAGE, ENSURING THAT A

1 STUDENT HAS STRONG READING SKILLS IN HIS OR HER NATIVE LANGUAGE  
2 BY THIRD GRADE WILL HELP TO ENSURE THAT THE STUDENT WILL ATTAIN  
3 PROFICIENCY IN ENGLISH MORE QUICKLY.

4 **SECTION 2.** In Colorado Revised Statutes, 22-7-1205, **add**  
5 (1)(a.7) as follows:

6 **22-7-1205. Reading competency - assessments - READ plan**  
7 **creation - parental involvement.** (1) (a.7) (I) THE LOCAL EDUCATION  
8 PROVIDER SHALL DETERMINE WHETHER A STUDENT WHO IS AN ENGLISH  
9 LANGUAGE LEARNER, AS DEFINED IN SECTION 22-24-103, AND WHOSE  
10 NATIVE LANGUAGE IS SPANISH, TAKES THE READING ASSESSMENTS IN  
11 ENGLISH OR IN SPANISH. IF THE STUDENT TAKES THE READING  
12 ASSESSMENTS IN SPANISH, THE LOCAL EDUCATION PROVIDER MAY ALSO  
13 ADMINISTER A READING ASSESSMENT IN ENGLISH TO THE STUDENT AT THE  
14 REQUEST OF THE STUDENT'S PARENT. IF THE STATE BOARD ADOPTS A LIST  
15 OF APPROVED READING ASSESSMENTS PURSUANT TO SECTION 22-7-1209  
16 THAT INCLUDES ASSESSMENTS IN LANGUAGES OTHER THAN ENGLISH OR  
17 SPANISH, THE LOCAL EDUCATION PROVIDER SHALL DETERMINE WHETHER  
18 A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER AND WHOSE NATIVE  
19 LANGUAGE IS NOT SPANISH TAKES THE READING ASSESSMENTS IN ENGLISH  
20 OR IN THE STUDENT'S NATIVE LANGUAGE IF THERE IS AN APPROVED  
21 READING ASSESSMENT IN THE STUDENT'S NATIVE LANGUAGE. IF THE  
22 STUDENT TAKES THE READING ASSESSMENTS IN THE STUDENT'S NATIVE  
23 LANGUAGE, THE LOCAL EDUCATION PROVIDER MAY ALSO ADMINISTER A  
24 READING ASSESSMENT IN ENGLISH TO THE STUDENT AT THE REQUEST OF  
25 THE STUDENT'S PARENT. IF THE LOCAL EDUCATION PROVIDER DECIDES  
26 THAT A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER MUST TAKE  
27 THE READING ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH, THE

1 LOCAL EDUCATION PROVIDER SHALL DETERMINE, AND COMMUNICATE TO  
2 THE STUDENT'S PARENT IN A LANGUAGE THE PARENT UNDERSTANDS, IF  
3 POSSIBLE, THE LEVEL OF ENGLISH LANGUAGE PROFICIENCY AT WHICH THE  
4 STUDENT MUST TAKE AT LEAST ONE OF THE READING ASSESSMENTS IN  
5 ENGLISH, AS PROVIDED IN SUBSECTION (1)(a.7)(II) OF THIS SUBSECTION  
6 (1)(a.7). IF THE STUDENT HAS A SIGNIFICANT READING DEFICIENCY, THE  
7 LOCAL EDUCATION PROVIDER MAY COMMUNICATE THE INFORMATION  
8 SPECIFIED IN THIS SUBSECTION (1)(a.7) TO THE STUDENT'S PARENT WITH  
9 THE INFORMATION REQUIRED IN SUBSECTION (2) OF THIS SECTION.

10 (II) IN DETERMINING WHETHER A STUDENT MUST TAKE THE  
11 READING ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH AS  
12 REQUIRED IN SUBSECTION (1)(a.7)(I) OF THIS SECTION, EACH LOCAL  
13 EDUCATION PROVIDER SHALL REVIEW THE STUDENT'S SCORE ON THE MOST  
14 RECENT ANNUAL ASSESSMENT ADMINISTERED PURSUANT TO THE LOCAL  
15 EDUCATION PROVIDER'S ENGLISH LANGUAGE PROFICIENCY PROGRAM, AS  
16 REQUIRED IN ARTICLE 24 OF THIS TITLE 22. IF THE STUDENT SCORES  
17 WITHIN THE RANGE THAT THE LOCAL EDUCATION PROVIDER DETERMINES  
18 DEMONSTRATES PARTIAL PROFICIENCY IN ENGLISH OR HIGHER, THE LOCAL  
19 EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT ANNUALLY  
20 TAKES AT LEAST ONE OF THE READING ASSESSMENTS REQUIRED IN THIS  
21 SUBSECTION (1) IN ENGLISH.

22 **SECTION 3. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.