

## CHAPTER 120

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**EDUCATION - PUBLIC SCHOOLS**


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**SENATE BILL 12-057**

BY SENATOR(S) Williams S., Aguilar, Boyd, Cadman, Carroll, Foster, Giron, Guzman, Heath, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Morse, Newell, Nicholson, Roberts, Scheffel, Schwartz, Spence, Tochtrop, White, Shaffer B.; also REPRESENTATIVE(S) Brown, Barker, Casso, Coram, Fields, Hamner, Holbert, Joshi, Kerr J., Labuda, Massey, Pabon, Pace, Peniston, Ryden, Schafer S., Solano, Todd, Vigil, Wilson.

**AN ACT****CONCERNING NATIVE AMERICAN LANGUAGE INSTRUCTION.**

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

**SECTION 1.** In Colorado Revised Statutes, 22-60.5-111, **add** (15) as follows:

**22-60.5-111. Authorization - types - applicants' qualifications - rules.** (15) **Native American language and culture instruction authorization.** (a) THE DEPARTMENT MAY ISSUE A NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION TO AN INDIVIDUAL UNDER THE FOLLOWING CIRCUMSTANCES:

(I) IF THE INDIVIDUAL QUALIFIES FOR AN ADJUNCT INSTRUCTOR AUTHORIZATION PURSUANT TO SUBSECTION (2) OF THIS SECTION IN THE AREA OF NATIVE LANGUAGES;  
OR

(II) IF AN INDIVIDUAL CANNOT BE IDENTIFIED WHO MEETS THE CRITERIA OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE EMPLOYING SCHOOL DISTRICT MAY ALLOW AN INDIVIDUAL TO APPLY TO THE DEPARTMENT FOR APPROVAL OF A NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION IF THE INDIVIDUAL HAS DEMONSTRATED EXPERTISE IN A NATIVE AMERICAN LANGUAGE OF A FEDERALLY RECOGNIZED TRIBE. THE NATIVE AMERICAN LANGUAGE AND CULTURE INSTRUCTION AUTHORIZATION SHALL ALLOW THE INDIVIDUAL TO TEACH THE NATIVE AMERICAN LANGUAGE IN WHICH HE OR SHE HAS DEMONSTRATED EXPERTISE FOR THE EMPLOYING SCHOOL DISTRICT. AN INDIVIDUAL AUTHORIZED PURSUANT TO THIS SUBPARAGRAPH (II) SHALL WORK IN PARTNERSHIP WITH A LICENSED TEACHER WHO CURRENTLY TEACHES WORLD LANGUAGES FOR THE EMPLOYING SCHOOL DISTRICT. THE APPROVAL PROCESS FOR THE NATIVE AMERICAN LANGUAGE AND CULTURE

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

INSTRUCTION AUTHORIZATION SHALL BE ESTABLISHED BY RULE OF THE STATE BOARD AND SHALL INCLUDE, AT A MINIMUM:

(A) A METHOD TO ESTABLISH AND DOCUMENT THE EXPERTISE OF THE APPLICANT IN THE NATIVE AMERICAN LANGUAGE OF A FEDERALLY RECOGNIZED TRIBE;

(B) THE IDENTIFICATION OF THE PARTNERING LICENSED TEACHER;

(C) A REQUIREMENT THAT THE APPLICANT MEET ANY OBJECTIVE STANDARDS FOR LANGUAGE PROFICIENCY ESTABLISHED BY THE STATE BOARD;

(D) A PROHIBITION ON THE APPLICANT FROM TEACHING ANY SUBJECT OTHER THAN THE NATIVE AMERICAN LANGUAGE FOR WHICH HE OR SHE HAS DEMONSTRATED EXPERTISE; AND

(E) A RENEWAL PROCESS FOR THE AUTHORIZATION.

(b) A NATIVE AMERICAN LANGUAGE AND CULTURE AUTHORIZATION ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (15) IS VALID FOR FIVE YEARS FROM THE DATE OF ISSUANCE. THE DEPARTMENT MAY RENEW THE AUTHORIZATION FOR SUCCEEDING FIVE-YEAR PERIODS UPON THE RECEIPT OF DOCUMENTED EVIDENCE THAT THE PERSON HOLDING THE AUTHORIZATION HAS COMPLETED ANY RENEWAL REQUIREMENTS SPECIFIED BY RULE BY THE STATE BOARD OF EDUCATION.

(c) ALL LAWS AND RULES, INCLUDING BUT NOT LIMITED TO SECTION 22-9-106 AND ANY RULES PROMULGATED THEREUNDER RELATED TO EDUCATOR EVALUATION AND EFFECTIVENESS, SHALL APPLY TO THE INDIVIDUAL HOLDING AN AUTHORIZATION PURSUANT TO THIS SUBSECTION (15).

**SECTION 2.** In Colorado Revised Statutes, add 22-32-145 as follows:

**22-32-145. Native American language and culture instruction - general credit.** A SCHOOL DISTRICT BOARD OF EDUCATION MAY ADOPT A POLICY TO GRANT GENERAL EDUCATION OR WORLD LANGUAGE CREDIT FOR THE SUCCESSFUL COMPLETION OF NATIVE AMERICAN LANGUAGE COURSE WORK FOR LANGUAGES OF FEDERALLY RECOGNIZED TRIBES. A PERSON INSTRUCTING A NATIVE AMERICAN LANGUAGE COURSE SHALL MEET THE REQUIREMENTS SET FORTH IN SECTION 22-60.5-111 (15).

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 16, 2012