



HB23-1263: Translating Individualized Education Programs:
Reps. Garcia & Young / Sen. Zenzinger & Gonzales

Overview

This bill aims to provide translation services to families of English language learners with disabilities in the development of Individualized Education Programs (IEPs).

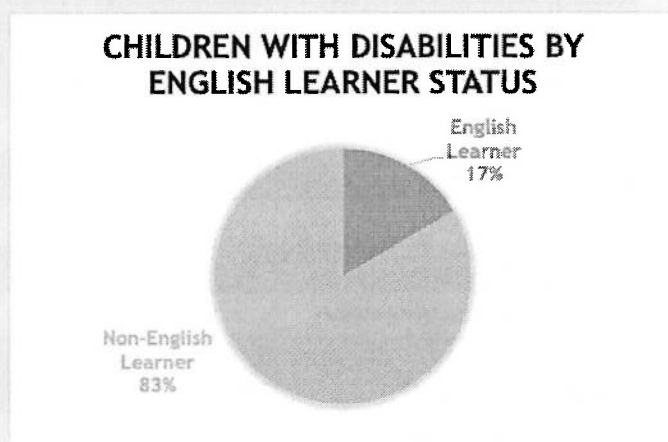
- **Increases accessibility:** By providing translation services to families of English language learners, this bill aims to increase the accessibility of IEPs to a wider range of families, which can improve the likelihood of success and quality of education.
- **Supports parent engagement:** The bill acknowledges that parent engagement is an important part of the IEP development process and seeks to support parents in understanding and participating in the process.
- **Addresses a gap in funding:** By allowing districts to access state resources for translation services, this bill may help address this funding gap.

When children with disabilities who are English language learners have access to high-quality education that meets their unique needs, they may be better equipped to achieve academic success. This bill would impact 16,700 English learner children with disabilities, 17% of all students with disabilities in Colorado. By improving access to education and promoting family engagement, this bill would help to reduce educational disparities and improve equity for children with disabilities who are English language learners and their families.

Data

Below is data from the Colorado Department of Education, IDEA Child Count:(Ages 5-21 for the school year 2021-2022).

Table 5. Children with Disabilities by English Learner Status		
English Learner Status	Student Count	Percentage
English Learner	16699	17%
Non-English Learner	84046	83%
<i>Total students</i>	100745	100%





ELL by Disability

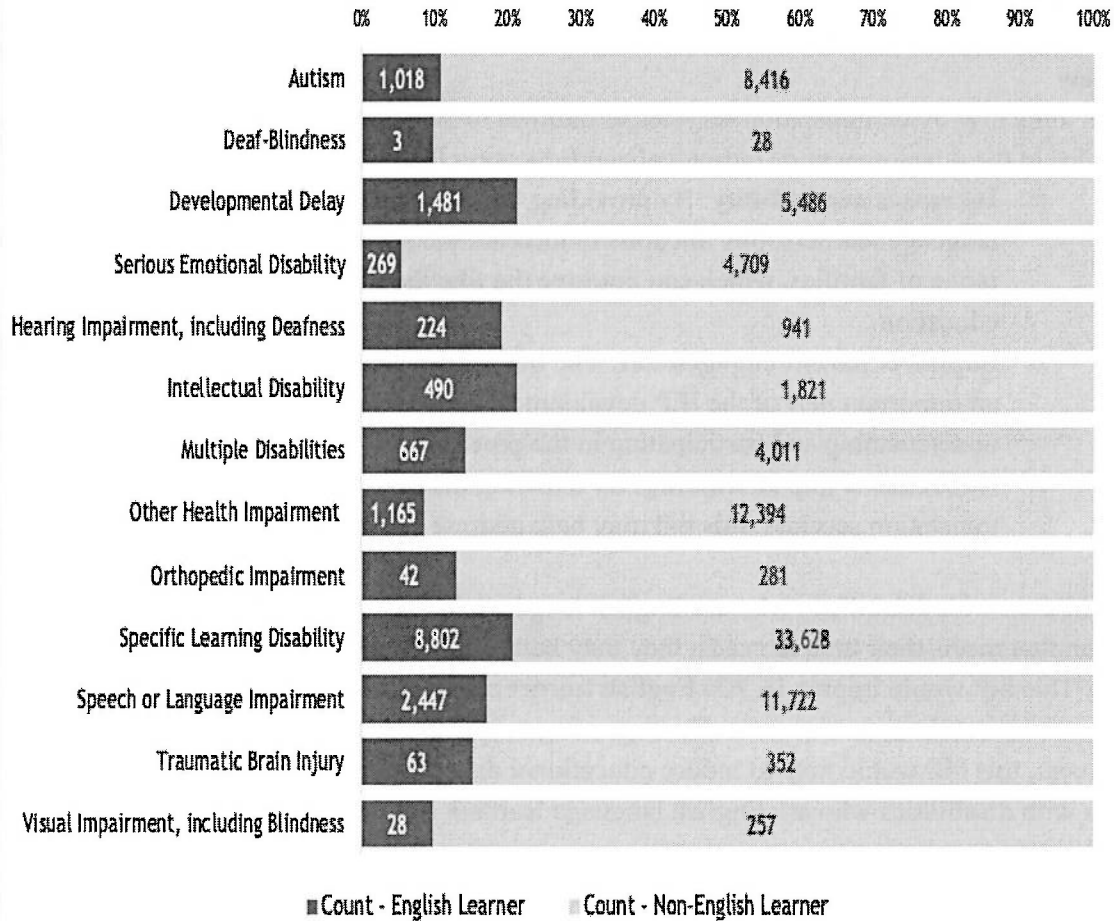
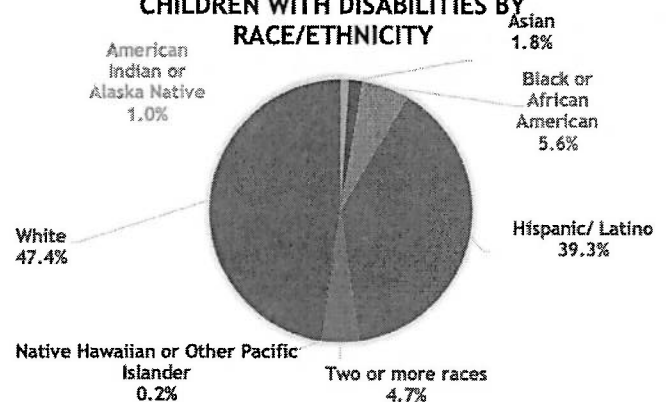


Table 2. Children with Disabilities by Racial Ethnic

Racial Ethnic	Student Count	Percentage
American Indian or Alaska Native	997	1%
Asian	1770	2%
Black or African American	5658	6%
Hispanic/ Latino	39573	39%
Two or more races	4744	5%
Native Hawaiian or Other Pacific Islander	218	0%
White	47785	47%
Total students	100745	100%

CHILDREN WITH DISABILITIES BY RACE/ETHNICITY



Legal Name of Student

DOB

State Student ID (SASID)

Date

DETERMINATION OF ELIGIBILITY: SPECIFIC LEARNING DISABILITY

Definition: Specific Learning Disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Specific Learning Disability does not include learning problems that are primarily the result of: visual impairment, including blindness; hearing impairment, including deafness; orthopedic impairment; intellectual disability; serious emotional disability; cultural factors; environmental or economic disadvantage; or limited English proficiency. **ECEA 2.08(8)**

The team has addressed each of the following statements and has determined: IDEA 34 C.F.R. §§ 300.304(c)(6); 300.306(b); ECEA 2.08(8)

- | | | |
|-----|----|---|
| Yes | No | 1. The evaluation is sufficiently comprehensive to appropriately identify all of the child's special education and related services needs, whether or not commonly linked to the disability category. (Answer must be "yes" in order for the student to be eligible for services.) |
| Yes | No | 2. That the child can receive reasonable educational benefit from general education alone. (Answer must be "no" in order for the student to be eligible for services.) |
| | | 3. The child's performance: (All answers below must be "is not" in order for the student to be eligible for services.)
is is not due to a lack of appropriate instruction in reading, including the essential components of reading instruction
is is not due to a lack of appropriate instruction in math; and
is is not due to limited English proficiency. |

The student is determined to have a Specific Learning Disability that prevents the child from receiving reasonable educational benefit from general education if a body of evidence demonstrates the following criteria are met: IDEA 34 C.F.R. § 300.309; ECEA 2.08(8)(b)

1. The child does not achieve adequately for the child's age or to meet state-approved grade-level standards and exhibits significant academic skill deficit(s) in one or more of the areas identified below when provided with learning experiences and instruction appropriate for the child's age or state-approved grade-level standards, **and**
2. The child does not make sufficient progress to meet age or state-approved grade-level standards in the area(s) identified when using a process based on the child's response to scientific, research-based intervention.

Check all areas that meet both conditions:

Basic Reading Skills	Reading Comprehension	Mathematical Calculation	Oral Expression
Reading Fluency Skills	Written Expression	Mathematical Problem Solving	Listening Comprehension

The attached evaluation report must contain documentation of the following: IDEA 34 C.F.R. § 300.311

A body of evidence that demonstrates

1. Academic Skill deficits, **and**
2. Insufficient progress in response to scientific, research-based intervention in the area(s) identified above

An observation of the student's academic performance in the area(s) of difficulty in the learning environment, including the relevant behavior and relationship of that behavior to the student's academic functioning.

The instructional strategies used

The student-centered data collected including documentation of repeated assessments or achievement at reasonable intervals

The educationally relevant medical findings:

exist and are described, **or**

do not exist

The documentation that the parents were notified about:

Legal Name of Student **DOB** **State Student ID (SASID)** Date

The State's policies regarding the amount/nature of student performance data collected and general education services provided

Strategies for increasing the student's rate of learning

Results of repeated assessments of student's progress

The right to request an evaluation

The team has considered that the learning problems in the area(s) indicated above in the criteria section:

- Are Are not Primarily the result of Intellectual Disability
- Are Are not Primarily the result of a Serious Emotional Disability
- Are Are not Primarily the result of a Visual Impairment, including Blindness
- Are Are not Primarily the result of a Hearing Impairment, including Deafness
- Are Are not Primarily the result of a Orthopedic Impairment
- Are Are not Primarily the result of Cultural Factors
- Are Are not Primarily the result of Environmental or Economic Disadvantage

All boxes above must be checked "are not" for an eligibility determination in the area of SLD: IDEA 300.309(a)(3)

Yes No **The team agrees that this student has a disability as defined in the State Rules for the Administration of the Exceptional Children's Educational Act and is eligible for special education.**

Multidisciplinary Team Members IDEA 300.306(a)(1) and 300.308; ECEA 4.02(6)(b)	Title	Indicate Agreement With Team Decision & Initial On Line	
		Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree
_____	_____	Agree	Disagree

A copy of the evaluation report(s) and the eligibility statement has been provided to the parent(s). IDEA 34 C.F.R. § 300.306(a)(2)

Dissenting opinion attached if any team members disagree with eligibility determination IDEA 34 C.F.R. § 300.311(b)