

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 16-1171.01 Julie Pelegrin x2700

**HOUSE BILL 16-1446**

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**HOUSE SPONSORSHIP**

**Hamner,**

**SENATE SPONSORSHIP**

**Marble,**

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**House Committees**  
Education

**Senate Committees**

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**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.**

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**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://www.leg.state.co.us/billsummaries>.)*

The bill specifies that, if a student enrolled in kindergarten or one of grades one through 3 is an English language learner and his or her native language is Spanish, the school district or charter school in which

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.*

HOUSE  
Amended 2nd Reading  
April 28, 2016

the student is enrolled will decide whether the student takes the reading assessments in English or Spanish. If the student takes the assessments in Spanish, the school district or charter school may also administer the assessments in English if requested by the student's parent.

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

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

4 **22-7-1205. Reading competency - assessments - READ plan**  
5 **creation - parental involvement.** (1) (a.7) THE LOCAL EDUCATION  
6 PROVIDER SHALL DETERMINE WHETHER A STUDENT WHO IS AN ENGLISH  
7 LANGUAGE LEARNER, AS DEFINED IN SECTION 22-24-103, AND WHOSE  
8 NATIVE LANGUAGE IS SPANISH, TAKES THE READING ASSESSMENTS IN  
9 ENGLISH OR IN SPANISH. IF THE STUDENT TAKES THE READING  
10 ASSESSMENTS IN SPANISH, THE LOCAL EDUCATION PROVIDER MAY ALSO  
11 ADMINISTER A READING ASSESSMENT IN ENGLISH TO THE STUDENT AT THE  
12 REQUEST OF THE STUDENT'S PARENT. IF THE STATE BOARD ADOPTS A LIST  
13 OF APPROVED READING ASSESSMENTS PURSUANT TO SECTION 22-7-1209  
14 THAT INCLUDE ASSESSMENTS IN LANGUAGES OTHER THAN ENGLISH OR  
15 SPANISH, THE LOCAL EDUCATION PROVIDER SHALL DETERMINE WHETHER  
16 A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER AND WHOSE NATIVE  
17 LANGUAGE IS NOT SPANISH TAKES THE READING ASSESSMENTS IN ENGLISH  
18 OR IN THE STUDENT'S NATIVE LANGUAGE IF THERE IS AN APPROVED  
19 READING ASSESSMENT IN THE STUDENT'S NATIVE LANGUAGE. IF THE  
20 STUDENT TAKES THE READING ASSESSMENTS IN THE STUDENT'S NATIVE  
21 LANGUAGE, THE LOCAL EDUCATION PROVIDER MAY ALSO ADMINISTER A  
22 READING ASSESSMENT IN ENGLISH TO THE STUDENT AT THE REQUEST OF  
23 THE STUDENT'S PARENT. IF THE LOCAL EDUCATION PROVIDER DECIDES

1 THAT A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER MUST TAKE  
2 THE READING ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH, THE  
3 LOCAL EDUCATION PROVIDER SHALL DETERMINE, AND COMMUNICATE TO  
4 THE STUDENT'S PARENT IN A LANGUAGE THE PARENT UNDERSTANDS, IF  
5 POSSIBLE, THE LEVEL OF ENGLISH LANGUAGE PROFICIENCY AT WHICH THE  
6 STUDENT MUST TAKE THE READING ASSESSMENTS IN ENGLISH. IF THE  
7 STUDENT HAS A SIGNIFICANT READING DEFICIENCY, THE LOCAL  
8 EDUCATION PROVIDER MAY COMMUNICATE THE INFORMATION SPECIFIED  
9 IN THIS PARAGRAPH (a.7) TO THE STUDENT'S PARENT WITH THE  
10 INFORMATION REQUIRED IN SUBSECTION (2) OF THIS SECTION.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.