

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

INTRODUCED

LLS NO. 23-0925.01 Alana Rosen x2606

HOUSE BILL 23-1263

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A BILL FOR AN ACT

101 **CONCERNING TRANSLATING INDIVIDUALIZED EDUCATION PROGRAMS**
102 **FOR CHILDREN WHO MAY BE ELIGIBLE FOR SPECIAL EDUCATION**
103 **SERVICES.**

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 permits the multidisciplinary team that creates an individualized education program (IEP) for a child, who may be eligible for special education services, to translate the IEP draft documents into the dominant language spoken in the home of the child's parent, guardian, or legal custodian. The bill requires the multidisciplinary team to translate

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

the final IEP document into the dominant language spoken in the home of the child's parent, guardian, or legal custodian.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The federal "Individuals with Disabilities Education Act", 20
5 U.S.C. sec. 1400 et seq., as amended, states that parents, guardians, or
6 legal custodians shall be a meaningful part of the individualized
7 education program (IEP) development team;

8 (b) Meaningful engagement includes the participation of parents,
9 guardians, or legal custodians, which is possible only if parents or
10 guardians understand the proposed IEP;

11 (c) School districts currently cover costs necessary to
12 meaningfully engage families, which does not include financial support
13 from the federal government; and

14 (d) By adding translation services to the "Exceptional Children's
15 Educational Act" pursuant to article 20 of title 22, Colorado Revised
16 Statutes, school districts can access resources from the state to support the
17 translation of IEPs, including draft documents, into the dominant
18 language spoken in the home of the parents, guardians, or legal
19 custodians receiving the IEP.

20 (2) The general assembly finds, therefore, that children who
21 require an IEP deserve the best chance at success, which includes
22 engaging parents, guardians, or legal custodians by translating IEPs into
23 the dominant language spoken in the home of the parents, guardians, or
24 legal custodians. It also includes engagement between parents, guardians,
25 or legal custodians and critical school district partners.

1 **SECTION 2.** In Colorado Revised Statutes, 22-20-108, **add** (4.8)
2 as follows:

3 **22-20-108. Determination of disability - enrollment.** (4.8) IN
4 DEVELOPING AN IEP PURSUANT TO SUBSECTION (4) OF THIS SECTION FOR
5 A CHILD WHO IS AN ENGLISH LANGUAGE LEARNER, IN ADDITION TO ANY
6 OTHER REQUIREMENTS ESTABLISHED BY THE STATE BOARD, THE IEP
7 SHALL CONSIDER THE RELATED SERVICES AND PROGRAM OPTIONS THAT
8 PROVIDE THE CHILD WITH AN APPROPRIATE AND EQUAL OPPORTUNITY FOR
9 COMMUNICATION ACCESS. THE IEP TEAM SHALL CONSIDER THE CHILD'S
10 SPECIFIC COMMUNICATION NEEDS AND, TO THE EXTENT POSSIBLE,
11 ADDRESS THOSE NEEDS AS APPROPRIATE IN THE CHILD'S IEP. IN
12 CONSIDERING THE CHILD'S NEEDS, THE IEP TEAM MAY TRANSLATE ANY
13 IEP DRAFT DOCUMENTS INTO THE DOMINANT LANGUAGE SPOKEN IN THE
14 HOME OF THE CHILD'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN. THE IEP
15 TEAM SHALL TRANSLATE THE FINAL IEP DOCUMENT INTO THE DOMINANT
16 LANGUAGE SPOKEN IN THE HOME OF THE CHILD'S PARENT, GUARDIAN, OR
17 LEGAL CUSTODIAN.

18 **SECTION 3. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly; except
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V
22 of the state constitution against this act or an item, section, or part of this
23 act within such period, then the act, item, section, or part will not take
24 effect unless approved by the people at the general election to be held in
25 November 2024 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.