

1977

**Amending 22-24-102 (1), 22-24-103 (13), 22-24-106 (1) (b),  
22-24-112 (1), 22-24-114 (3), and 22-24-118, Colorado Revised  
Statutes 1973, as Amended, Concerning Bilingual and Bicultural  
Education, and Making an Appropriation Therefor**

Colorado General Assembly

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## CHAPTER 255

## EDUCATION

## BILINGUAL AND BICULTURAL EDUCATION

SENATE BILL NO. 369, BY SENATORS H. Fowler, Harding, Schieffelin, Kinnie, Mock, Cole, Wham, Strickland, and Stockton; also REPRESENTATIVES Tancred, Showalter, Sears, Durham, Brown, Cantrell, Dick, Gorsuch, Gustafson, Hayes, Jones, McElerry, Neale, Strahle, Taylor, Wayland, Younglund, and Zakhem.

## AN ACT

AMENDING 22-24-102 (1), 22-24-103 (13), 22-24-106 (1) (b), 22-24-112 (1), 22-24-114 (3), AND 22-24-118, COLORADO REVISED STATUTES 1973, AS AMENDED, CONCERNING BILINGUAL AND BICULTURAL EDUCATION, AND MAKING AN APPROPRIATION THEREFOR.

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

Section 1. The introductory portion to 22-24-102 (1), Colorado Revised Statutes 1973, as amended, is amended to read:

**22-24-102. Legislative declaration.** (1) The general assembly hereby declares that there are substantial numbers of students in this state with linguistically different skills due to the influence of another language in their family, community, or peer group or AND due to their cultural environment, and that public school classes in which instruction is given only in English may be inadequate for the education of these students. The general assembly recognizes the need to provide for TRANSITIONAL programs to perfect the English language skills and cultural development of these students and finds that this could best be accomplished through bilingual and bicultural programs in grades kindergarten through third grade which provide cognitive and affective development of these students by: Utilizing the linguistic skills of these students in the curriculum; providing these students with opportunities to expand their conceptual and linguistic abilities and potentials in a successful and positive manner; and developing cultural and ethnic pride and understanding among these and other students. IT IS ALSO THE INTENT OF THE GENERAL ASSEMBLY THAT A LINGUISTICALLY DIFFERENT CHILD MAY REMAIN IN AN EXISTING BILINGUAL-BICULTURAL PROGRAM UNTIL THE CONCLUSION OF THE THIRD GRADE IF HIS PARENTS SO CHOOSE, BUT WILL NOT BE COUNTED IN THE CENSUS AFTER HE MEETS OR EXCEEDS HIS DISTRICT MEAN OR

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

**STUDENT EXPECTANCY LEVEL FOR ENGLISH LANGUAGE SKILL DEVELOPMENT AND THE STANDARDS OF STUDENT ACHIEVEMENT OF PROGRAM GOALS AS ADOPTED BY THE STATE BOARD OF EDUCATION IN ACCORDANCE WITH SECTION 22-24-106. A CHILD WILL BE CONSIDERED TO HAVE COMPLETED HIS TRANSITION WHEN HE HAS ACHIEVED SUCH PROGRAM GOALS OR HAS COMPLETED THIRD GRADE.** The general assembly recognizes the need to provide for programs directed toward the achievement of the following objectives:

Section 2. 22-24-103 (13), Colorado Revised Statutes 1973, as amended, is **REPEALED AND REENACTED, WITH AMENDMENTS**, and the said 22-24-103 is further amended **BY THE ADDITION OF A NEW SUBSECTION**, to read:

**22-24-103. Definitions.** (9.5) "Full-time program" means a program developed as a part of the plan requirements of section 22-24-117 that has the following characteristics:

- (a) Is a full-year program;
- (b) Presents the customs, traditions, and heritage of students with linguistically different skills within the curricula of the school, but such program shall not be required on a daily basis;
- (c) Promotes the integration of students during program activities; and
- (d) Utilizes the language of the students with linguistically different skills on a daily basis and to the extent necessary to achieve the objectives of this article and reinforces the English language skill development of such students.

(13) "Students with linguistically different skills" means students whose English language skill development is below the district mean or student expectancy level and who come from an environment of different customs and traditions which does include the influence of another language upon the students in their families, communities, or peer groups. A child with a surname usually associated with a minority group shall not be automatically presumed to be linguistically and culturally different.

Section 3. 22-24-106 (1) (b), Colorado Revised Statutes 1973, as amended, is amended to read:

**22-24-106. Powers and duties of state board of education.** (1) (b) Adopt all rules, regulations, and procedures which it deems necessary for the implementation of this article. **SUCH RULES AND REGULATIONS SHALL INCLUDE STANDARDS FOR THE DETERMINATION OF STUDENT ACHIEVEMENT OF PROGRAM GOALS IN ACCORDANCE WITH THE TRANSITIONAL NATURE OF THE PROGRAM BUT SHALL NOT INCLUDE A STATEWIDE TESTING PROGRAM OF STUDENTS.** The state board of education shall conduct public hearings with adequate notice to the general public prior to the adoption of any rules, regulations, or procedures pursuant to this article and shall present an annual report to the general assembly concerning the overall progress of the programs.

Section 4. 22-24-112 (1), Colorado Revised Statutes 1973, as amended, is amended to read:

**22-24-112. Content of programs — extracurricular activities — location of courses — class composition and size.** (1) A bilingual and bicultural program shall be a full-time program of instruction in which appropriate subjects shall be given in the language of the students with linguistically different skills and in English; in which the necessary skills of comprehension, speaking, reading, and writing are taught in both languages; and in which the history, culture, and cultural contributions associated with the language of the students with linguistically different skills and the history and culture of the United States are presented to the students in the languages which reflect the cultures of the students in the classroom. A BILINGUAL AND BICULTURAL PROGRAM SHALL PROVIDE FOR A FULL-TIME PROGRAM OF THE NECESSARY SCOPE AND DURATION TO MEET THE EDUCATIONAL NEEDS OF THE STUDENT AS THEY RELATE TO THE FOUR OBJECTIVES STATED IN SECTION 22-24-102 (1).

Section 5. 22-24-114 (3), Colorado Revised Statutes 1973, as amended, is amended to read:

**22-24-114. Teachers' aides — training — community coordinators.** (3) Any district which conducts bilingual and bicultural programs pursuant to this article shall ~~employ~~ PROVIDE IN THE PLAN FOR THE EMPLOYMENT OF one or more full-time or part-time community coordinators if there are fifty or more students enrolled in the program. Community coordinators shall promote communication, understanding, and cooperation between the public schools and the community and shall visit the homes of children who are to be enrolled in a bilingual and bicultural program in order to convey information about the program. An affirmative effort shall be made by the school board to seek, recruit, and employ a coordinator who is bilingual.

Section 6. **Repeal.** 22-24-118, Colorado Revised Statutes 1973, as amended, is repealed.

Section 7. **Appropriation.** In addition to any other appropriation, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 1977, the sum of two million four hundred eighty-five thousand dollars (\$2,485,000), or so much thereof as may be necessary, for transitional bilingual-bicultural education in kindergarten through the third grade pursuant to article 24 of title 22, Colorado Revised Statutes 1973, of which two hundred thousand dollars (\$200,000) shall be allocated for the tutorial program provided for in section 22-24-119, Colorado Revised Statutes 1973.

Section 8. **Effective date.** This act shall take effect July 1, 1977.

Section 9. **Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 29, 1977