

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-1135.01 Jane Ritter x4342

SENATE BILL 24-200

SENATE SPONSORSHIP

Michaelson Jenet and Coleman,

HOUSE SPONSORSHIP

Bacon and Joseph,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING WAYS TO ADDRESS EQUITY, DIVERSITY, AND INCLUSION
102 DISPARITIES IN COLORADO'S CHILD WELFARE SYSTEM.

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 creates multiple ways to promote equity, diversity, and inclusion (EDI) in Colorado's child welfare system. The state department of human services (department) is directed to work with county departments of human or social services to:

- Update the existing annual departmental EDI report using state data sources and national child welfare data

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.

- clearinghouses;
- Identify necessary demographic or other data that is not currently collected in Colorado's child welfare case management system (system) and determine recommendations for improving data collection statewide;
 - Provide a report on the state's progress in addressing data collection and data entry challenges in the system; and
 - Provide a report on the state's progress in training child welfare staff on demographic data collection.

The department shall strengthen EDI training for child welfare staff and management.

The bill requires the department to provide recommendations for training requirements for other child welfare agencies and to offer specific EDI training for mandatory reporters to address disparities in reporting in Colorado's child welfare system.

The department shall use an internal evaluator to evaluate local policies, rules, or practices and to work with counties on incorporating EDI principles into their child welfare work.

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 state of Colorado prioritizes providing equitable services
5 and ensuring equitable outcomes to the residents of Colorado;

6 (b) All people are equal. Inequities have been created in the
7 United States intentionally and unintentionally over time by people. These
8 same inequities are prevalent in the child welfare system in the United
9 States and cause harm.

10 (c) The general assembly seeks to understand how discrimination
11 has been directly linked to harmful practices, systems, and policies of the
12 state;

13 (d) Many factors contribute to the inequalities and inequities,
14 including the intentional and unintentional biases of individuals and the
15 systematizing of those biases in businesses, organizations, and

1 governmental institutions;

2 (e) The 2023 Colorado's Child Welfare System Interim Study
3 Committee studied how families of color, LGBTQ+ children, and people
4 with disabilities have a greater chance of coming into contact with the
5 child welfare system and experiencing poor outcomes while involved
6 with the child welfare system. The committee examined ways to reduce
7 child welfare system involvement for families of color and other
8 populations that face discrimination.

9 (f) Statewide, Black children are significantly overrepresented at
10 every key decision point on the child welfare case management
11 continuum. Hispanic and Latino children are slightly overrepresented at
12 every key decision point, while American Indian or Alaska Native
13 children are overrepresented in founded reports and entering and being
14 in foster care. At the same time, Asian and white children are
15 underrepresented at every key decision point.

16 (g) There is a strong need for further data collection and reporting
17 around disparity and disproportionality in the child welfare system to
18 examine where state and local practices, systems, and policies can be
19 improved to minimize disparity and disproportionality; and

20 (h) There is also a strong need for measurable proficiency in
21 equity, diversity, and inclusion training for those who work in the child
22 welfare system to minimize disparity and disproportionality at key
23 decision points in the child welfare system.

24 (2) Therefore, the general assembly declares that it is critical for
25 Colorado's entire child welfare system to identify and dismantle
26 disproportional impacts and inequities in its child welfare system to
27 ensure equitable treatment, equitable access to services, and positive

1 outcomes for all children and families in Colorado.

2 **SECTION 2.** In Colorado Revised Statutes, 26-5-109, **amend** (2)
3 introductory portion and (2)(c) as follows:

4 **26-5-109. Child welfare training academy established - rules.**

5 (2) On or before September 15, 2009, the state department shall
6 promulgate rules for the administration of the academy. The rules ~~shall~~
7 MUST include:

8 (c) Establishment of minimum standards of competence that a
9 person ~~shall be~~ IS required to demonstrate prior to receiving certification
10 from the academy. ~~which~~ THE standards of competence ~~shall~~ MUST
11 include, but ~~need not be~~ ARE NOT limited to, a demonstrated ability to
12 perform the duties described in section 19-3-313.5 (2) ~~C.R.S.~~; AND A
13 DEMONSTRATED UNDERSTANDING OF PRINCIPLES AND STRATEGIES TO
14 PROMOTE EQUITY, DIVERSITY, AND INCLUSION IN THE CHILD WELFARE
15 SYSTEM.

16 **SECTION 3.** In Colorado Revised Statutes, **add** 26-5-118 as
17 follows:

18 **26-5-118. Equity, diversity, and inclusion in child welfare**
19 **system - data collection - assessment - resource and training**
20 **expansion - reporting - definitions.** (1) TO PROMOTE EQUITY,
21 DIVERSITY, AND INCLUSION IN THE CHILD WELFARE SYSTEM; EXPAND
22 ACCESS TO CULTURALLY AND LINGUISTICALLY APPROPRIATE SERVICE
23 PROVIDERS; AND ENHANCE EQUITY TRAINING FOR CHILD WELFARE STAFF
24 AND ENTITIES, THE STATE DEPARTMENT SHALL, AS SOON AS PRACTICABLE
25 BUT NO LATER THAN JANUARY 1, 2025, AND EACH JANUARY 1
26 THEREAFTER, WORK WITH COUNTY DEPARTMENTS AND OTHER CHILD
27 WELFARE STAKEHOLDERS TO UPDATE THE EXISTING ANNUAL

1 DEPARTMENTAL EQUITY, DIVERSITY, AND INCLUSION REPORT THAT IS
2 AVAILABLE ON THE STATE DEPARTMENT'S WEBSITE. UPDATES MUST:

3 (a) USE DATA FROM THE STATEWIDE COMPREHENSIVE CHILD
4 WELFARE CASE MANAGEMENT SYSTEM, AS WELL AS OTHER STATE AND
5 NATIONAL CHILD WELFARE CLEARINGHOUSES, AS APPROPRIATE. THE
6 UPDATED REPORT MUST INCLUDE, AT A MINIMUM, AN ANALYSIS OF THE
7 DISPROPORTIONALITIES AND DISPARITIES IMPACTING DIFFERENT
8 DEMOGRAPHIC GROUPS OF CHILDREN AND YOUTH AND THEIR FAMILIES AT
9 KEY DECISION POINTS IN THE CHILD WELFARE SYSTEM. THE DEMOGRAPHIC
10 DATA ANALYZED PURSUANT TO THIS SUBSECTION (1)(a) MUST INCLUDE, IF
11 AVAILABLE, BUT IS NOT LIMITED TO:

- 12 (I) RACE;
- 13 (II) ETHNICITY;
- 14 (III) LANGUAGE;
- 15 (IV) GENDER EXPRESSION;
- 16 (V) DISABILITY STATUS;
- 17 (VI) SEXUAL ORIENTATION;
- 18 (VII) NATIONAL ORIGIN; AND
- 19 (VIII) INCOME;

20 (b) IDENTIFY ADDITIONAL NECESSARY DEMOGRAPHIC OR OTHER
21 DATA THAT IS NOT CURRENTLY COLLECTED IN THE STATEWIDE
22 COMPREHENSIVE CHILD WELFARE CASE MANAGEMENT SYSTEM AND, IN
23 COLLABORATION WITH COUNTIES, DETERMINE INTERNAL OR EXTERNAL
24 PROCESSES AND RECOMMENDATIONS FOR IMPROVING DATA COLLECTION
25 STATEWIDE;

26 (c) PROVIDE, IN COLLABORATION WITH COUNTIES, AN UPDATED
27 REPORT ON THE STATE'S PROGRESS IN ADDRESSING DATA COLLECTION AND

1 DATA ENTRY CHALLENGES IN THE STATEWIDE COMPREHENSIVE CHILD
2 WELFARE CASE MANAGEMENT SYSTEM TO ENSURE ACCURATE REPORTING
3 OF DEMOGRAPHIC DATA; AND

4 (d) PROVIDE, IN COLLABORATION WITH COUNTIES, AN UPDATED
5 REPORT ON THE STATE'S PROGRESS IN TRAINING CHILD WELFARE STAFF ON:

6 (I) PROTOCOLS FOR REQUESTING DEMOGRAPHIC INFORMATION
7 FROM CHILDREN AND YOUTH AND THEIR FAMILIES;

8 (II) IMPROVEMENTS TO THE STATEWIDE COMPREHENSIVE CHILD
9 WELFARE CASE MANAGEMENT SYSTEM FOR ACCURATE REPORTING OF
10 CLIENT RESPONSES CONSISTENT WITH NATIONAL BEST PRACTICES FOR
11 DATA COLLECTION OF DEMOGRAPHIC INFORMATION; AND

12 (III) IMPROVEMENTS TO PRACTICES FOR FAMILIES TO SELF-REPORT
13 DEMOGRAPHIC INFORMATION TO COUNTIES; AND

14 (e) REPORT ON THE STATE'S PROGRESS IMPLEMENTING THE
15 RECOMMENDATIONS FROM THE MANDATORY REPORTER TASK FORCE FINAL
16 REPORT, PURSUANT TO SECTION 19-3-304.2 (10), ON TRAINING
17 MANDATORY REPORTERS HOW TO DECREASE THE DISPROPORTIONATE
18 IMPACTS AND DISPARITIES THAT IMPACT THE CHILD WELFARE SYSTEM.

19 (2) (a) THE STATE DEPARTMENT SHALL STRENGTHEN EQUITY,
20 DIVERSITY, AND INCLUSION TRAINING FOR CHILD WELFARE STAFF TO
21 ENSURE ALL CHILDREN AND FAMILIES ARE EQUITABLY SERVED BY THE
22 CHILD WELFARE SYSTEM. EQUITY, DIVERSITY, AND INCLUSION TRAINING
23 MUST BE PROVIDED AS A COMPONENT OF THE REQUIRED ANNUAL CHILD
24 WELFARE WORK TRAINING FOR CHILD WELFARE WORKERS, AND EQUITY,
25 DIVERSITY, AND INCLUSION TRAINING MUST BE INCLUDED WITH THE
26 TRAINING WITH THE CHILD WELFARE TRAINING ACADEMY FOR NEW CHILD
27 WELFARE STAFF ESTABLISHED IN SECTION 26-5-109.

1 (b) COUNTY AND STATE CHILD WELFARE WORKERS, SUPERVISORS,
2 AND DIRECTORS SHALL PARTICIPATE IN THE TRAINING PROVIDED
3 PURSUANT TO THIS SUBSECTION (2) TO PROMOTE EQUITY, DIVERSITY, AND
4 INCLUSION. QUALIFIED TRAINERS WITH EXPERIENCE IN PROMOTING AND
5 TEACHING PRINCIPLES AND STRATEGIES OF EQUITY, DIVERSITY, AND
6 INCLUSION IN CHILD WELFARE MUST PROVIDE THE TRAINING. TRAINING
7 TOPICS MAY INCLUDE, BUT ARE NOT LIMITED TO:

8 (I) THE HISTORICAL INEQUITIES IN COLORADO'S CHILD WELFARE
9 AND EDUCATION SYSTEMS;

10 (II) IMPLICIT BIAS;

11 (III) READING DATA ADDRESSING DISPROPORTIONALITIES;

12 (IV) ADDRESSING DISPROPORTIONALITIES IN CHILD WELFARE
13 SYSTEMS;

14 (V) RECOGNIZING AND ELIMINATING INTERPERSONAL BIAS;

15 (VI) EFFECTIVE COMMUNICATION ON RACIAL AND ETHNIC
16 IDENTITY WITH FAMILIES TO COLLECT DATA AND PROVIDE CULTURALLY
17 AND LINGUISTICALLY APPROPRIATE SERVICES; AND

18 (VII) HOW TO POSITIVELY ENGAGE FAMILIES IN DECISION-MAKING
19 TO BETTER SUPPORT FAMILIES OF VARYING BACKGROUNDS.

20 (c) THE TRAINING MUST BE EVALUATED FOR ITS IMPACT AND
21 OUTCOMES, INCLUDING, BUT NOT LIMITED TO, THE TRAINING'S IMPACT IN
22 REDUCING BIAS AMONG PARTICIPANTS, IMPROVING POSITIVE FAMILY
23 ENGAGEMENT, AND INCREASING FAMILY ENGAGEMENT IN
24 DECISION-MAKING.

25 (d) THE STATE DEPARTMENT SHALL CONSIDER PROVIDING EQUITY,
26 DIVERSITY, AND INCLUSION TRAINING TO OTHER ENTITIES AND AGENCIES
27 INVOLVED IN CHILD WELFARE MATTERS TO ENSURE PROFICIENCY IN

1 ADDRESSING DISPARITIES AND DISPROPORTIONALITY IN THE STATE'S CHILD
2 WELFARE SYSTEM.

3 (3) ANY CHANGES TO THE CHILD WELFARE ALLOCATIONS FUNDING
4 MODEL ESTABLISHED IN SECTION 26-5-103.7 MUST CONSIDER RESOURCES
5 TO IMPROVE EQUITABLE OUTCOMES.

6 (4) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
7 OTHERWISE REQUIRES:

8 (a) "DISPARITY" MEANS A SITUATION IN WHICH INEQUITABLE
9 OUTCOMES ARE EXPERIENCED BY ONE RACIAL, ETHNIC, OR OTHER
10 DEMOGRAPHIC GROUP AS COMPARED TO ANOTHER RACIAL, ETHNIC, OR
11 OTHER DEMOGRAPHIC GROUP AT THE SAME DECISION-MAKING POINT IN
12 TIME.

13 (b) "DISPROPORTIONALITY" MEANS A SITUATION IN WHICH THE
14 PROPORTION OF ONE GROUP IN THE CHILD WELFARE POPULATION IS EITHER
15 PROPORTIONATELY OVERREPRESENTED OR UNDERREPRESENTED WHEN
16 COMPARED TO THE GENERAL POPULATION.

17 (c) "EQUITY" MEANS A POINT WHEN ALL PEOPLE ACHIEVE EQUAL
18 OUTCOMES, ARE TREATED FAIRLY AND JUSTLY, AND WHEN DEMOGRAPHIC
19 FACTORS DO NOT DETERMINE OR INFLUENCE CHILD WELFARE OUTCOMES.

20 (d) "KEY DECISION POINTS" INCLUDE, BUT ARE NOT LIMITED TO, A
21 CHILD'S OR YOUTH'S REFERRAL, ASSESSMENT, FOUNDED REPORT, ENTRY
22 INTO FOSTER CARE, TIME DURING FOSTER CARE, AND EXIT FROM FOSTER
23 CARE.

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.