

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0255.02 Conrad Imel x2313

SENATE BILL 24-162

SENATE SPONSORSHIP

Marchman and Winter F.,

HOUSE SPONSORSHIP

Bacon and Herod,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING BEST PRACTICES FOR RESPONDING TO DISCRIMINATORY**
102 **CONDUCT IN SCHOOLS, AND, IN CONNECTION THEREWITH,**
103 **DEVELOPING TRAINING CONSISTENT WITH THE BEST PRACTICES.**

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 requires the department of education (department) to enter into an agreement with an organization (selected organization) to develop best practices for local education providers, and specifically public schools, to effectively respond to reports of harassment or discrimination. The selected organization shall submit a report to the department, the

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.

office of school safety, and the general assembly's education committees that includes an explanation of the best practices developed by the selected organization.

Current law requires public schools to provide training to all employees about harassment and discrimination, beginning no later than July 1, 2024. The bill repeals that deadline and instead requires harassment and discrimination training beginning with employee training for the 2025-26 school year, with the training beginning no later than December 31, 2025. The bill requires that harassment and discrimination training that occurs after August 1, 2025, be consistent with the best practices developed by the selected organization.

The bill requires the selected organization to develop a harassment or discrimination training program curriculum for use by schools that is consistent with the best practices developed by the selected organization and that complies with the requirements for public schools' harassment and discrimination training. The department shall make the training program curriculum available to public schools at no cost.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-1-143, **amend** (4)
3 introductory portion and (4)(a); and **add** (1)(b.5), (1)(e.5), (4.2), and (8)
4 as follows:

5 **22-1-143. Harassment or discrimination - policy required -**
6 **training and notification - definitions.** (1) As used in this section,
7 unless the context otherwise requires:

8 (b.5) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
9 CREATED IN SECTION 24-1-115.

10 (e.5) "OFFICE OF SCHOOL SAFETY" MEANS THE OFFICE OF SCHOOL
11 SAFETY CREATED IN SECTION 24-33.5-2702.

12 (4) **Beginning** WITH THE TRAINING CONDUCTED FOR EMPLOYEES
13 FOR THE 2025-26 SCHOOL YEAR, BUT BEGINNING no later than ~~July 1, 2024~~
14 DECEMBER 31, 2025, each public school shall provide training to all
15 employees about harassment and discrimination. Each new employee of
16 a public school ~~must~~ SHALL complete training upon hiring and at least

1 every three years thereafter; except that an employee ~~must~~ SHALL
2 complete training when transferring from a position working with
3 elementary school-aged students to a position working with secondary
4 school-aged students, or transferring from a position working with
5 secondary school-aged students to a position working with elementary
6 school-aged students. The training must be provided during the
7 employee's normal working hours. TRAINING PROVIDED ON AND AFTER
8 AUGUST 1, 2025, MUST BE CONSISTENT WITH THE BEST PRACTICES
9 DEVELOPED PURSUANT TO SUBSECTION (8) OF THIS SECTION. A PUBLIC
10 SCHOOL MAY USE THE TRAINING DEVELOPED AND MADE AVAILABLE TO
11 SCHOOLS PURSUANT TO SUBSECTION (8)(h) OF THIS SECTION. The training
12 must include, at a minimum, instruction on the following:

13 (a) Recognizing harassment or discrimination, including
14 indicators of grooming and child sexual abuse, AND DISTINGUISHING
15 HARASSMENT AND DISCRIMINATION FROM BULLYING;

16 (4.2) THE TRAINING FOR EMPLOYEES WHO HAVE DIRECT
17 SUPERVISION OF STUDENTS DESCRIBED IN SUBSECTION (4)(d) OF THIS
18 SECTION MUST INCLUDE INSTRUCTION THAT IS SPECIFIC BASED ON
19 WHETHER THE EMPLOYEE IS SUPERVISING ELEMENTARY SCHOOL-AGED
20 STUDENTS OR SECONDARY SCHOOL-AGED STUDENTS.

21 (8)(a) THE DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH
22 AN ORGANIZATION TO DEVELOP BEST PRACTICES FOR LOCAL EDUCATION
23 PROVIDERS, INCLUDING PUBLIC SCHOOLS, TO EFFECTIVELY RESPOND TO
24 REPORTS OF HARASSMENT OR DISCRIMINATION.

25 (b) THE DEPARTMENT SHALL CONVENE AN EVALUATION
26 COMMITTEE TO SELECT THE ORGANIZATION. THE COMMISSIONER OF
27 EDUCATION SHALL DETERMINE THE COMPOSITION OF THE COMMITTEE;

1 EXCEPT THAT THE EVALUATION COMMITTEE MUST INCLUDE:

2 (I) TWO REPRESENTATIVES WHO EACH REPRESENT A SCHOOL
3 DISTRICT, ONE OF WHOM REPRESENTS A RURAL SCHOOL DISTRICT,
4 APPOINTED BY THE COMMISSIONER OF EDUCATION;

5 (II) TWO REPRESENTATIVES FROM THE COLORADO CIVIL RIGHTS
6 DIVISION IN THE DEPARTMENT OF REGULATORY AGENCIES, APPOINTED BY
7 THE DIRECTOR OF THE COLORADO CIVIL RIGHTS DIVISION; AND

8 (III) TWO REPRESENTATIVES FROM THE OFFICE OF SCHOOL SAFETY,
9 APPOINTED BY THE DIRECTOR OF THE OFFICE OF SCHOOL SAFETY.

10 (c) THE ORGANIZATION SELECTED PURSUANT TO THIS SUBSECTION
11 (8) MUST HAVE EXPERIENCE IN K-12 EDUCATION, HAVE EXPERTISE IN
12 TRAUMA-INFORMED RESPONSES TO HARASSMENT OR DISCRIMINATION FOR
13 K-12-AGED STUDENTS, AND HAVE EXPERTISE IN THE MINIMUM TRAINING
14 TOPICS SET FORTH IN SUBSECTION (4) OF THIS SECTION.

15 (d) THE SELECTED ORGANIZATION SHALL DEVELOP BEST
16 PRACTICES FOR THE FOLLOWING:

17 (I) NOTIFICATIONS BY SCHOOLS AND LOCAL EDUCATION
18 PROVIDERS TO STUDENTS AND PARENTS OF HARASSMENT OR
19 DISCRIMINATION POLICIES AND PROCEDURES;

20 (II) HOW EMPLOYEES ACCEPT AND RESPOND TO REPORTS OF
21 HARASSMENT OR DISCRIMINATION;

22 (III) IMPLEMENTING TRAUMA-INFORMED RESPONSES TO STUDENTS;
23 AND

24 (IV) TRAINING FOR EMPLOYEES ABOUT THEIR RESPONSIBILITIES
25 WHEN RESPONDING TO HARASSMENT OR DISCRIMINATION, INCLUDING
26 DISTINGUISHING BETWEEN BULLYING AND HARASSMENT OR
27 DISCRIMINATION, WHEN POSSIBLE.

1 (e) THE BEST PRACTICES DEVELOPED PURSUANT TO THIS
2 SUBSECTION (8) MUST BE ALIGNED WITH THE GOAL OF A LOCAL EDUCATION
3 PROVIDER OR SCHOOL CONDUCTING EFFECTIVE AND IMPARTIAL
4 INVESTIGATIONS OF REPORTS OF HARASSMENT OR DISCRIMINATION AND
5 COMPLY WITH THE REQUIREMENTS FOR THE TRAINING DESCRIBED IN
6 SUBSECTION (4) OF THIS SECTION.

7 (f) WHEN DEVELOPING THE BEST PRACTICES DESCRIBED IN
8 SUBSECTION (8)(d) OF THIS SECTION, THE SELECTED ORGANIZATION SHALL
9 EVALUATE A SAMPLE OF SCHOOL HARASSMENT OR DISCRIMINATION
10 POLICIES ADOPTED BY VARIOUS SCHOOLS NATIONWIDE AND SOLICIT AND
11 CONSIDER INPUT FROM SCHOOLS AND LOCAL EDUCATION PROVIDERS
12 STATEWIDE; THE DEPARTMENT; AND THE OFFICE OF SCHOOL SAFETY. THE
13 SELECTED ORGANIZATION SHALL ALSO CONSIDER THE RESOURCES OF
14 RURAL SCHOOLS AND LOCAL EDUCATION PROVIDERS. UPON REQUEST OF
15 THE ORGANIZATION, THE DEPARTMENT SHALL ASSIST THE ORGANIZATION
16 IN SOLICITING FEEDBACK FROM SCHOOLS AND LOCAL EDUCATION
17 PROVIDERS.

18 (g) (I) ON OR BEFORE DECEMBER 31, 2024, THE ORGANIZATION
19 SHALL SUBMIT A REPORT TO THE DEPARTMENT, THE OFFICE OF SCHOOL
20 SAFETY, AND THE HOUSE OF REPRESENTATIVES EDUCATION COMMITTEE
21 AND THE SENATE EDUCATION COMMITTEE, OR THEIR SUCCESSOR
22 COMMITTEES. THE REPORT MUST INCLUDE AN EXPLANATION OF THE BEST
23 PRACTICES DEVELOPED PURSUANT TO SUBSECTION (8)(d) OF THIS SECTION
24 AND ANY OTHER RELEVANT RECOMMENDATIONS OF THE ORGANIZATION.
25 THE DEPARTMENT SHALL POST THE REPORT ON ITS WEBSITE AND PROVIDE
26 THE REPORT TO EACH LOCAL EDUCATION PROVIDER.

27 (II) THE DEPARTMENT SHALL INCLUDE, AS PART OF ITS

1 PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY
2 SECTION 2-7-203 THAT OCCURS DURING THE 2025 REGULAR LEGISLATIVE
3 SESSION, INFORMATION CONCERNING THE ORGANIZATION'S REPORT.

4 (h) THE ORGANIZATION SHALL DEVELOP A HARASSMENT OR
5 DISCRIMINATION TRAINING PROGRAM _____ FOR USE BY SCHOOLS. THE
6 TRAINING PROGRAM ___ MUST BE CONSISTENT WITH THE BEST PRACTICES
7 DEVELOPED BY THE ORGANIZATION PURSUANT TO THIS SUBSECTION (8)
8 AND COMPLY WITH THE REQUIREMENTS FOR THE TRAINING DESCRIBED IN
9 SUBSECTION (4) OF THIS SECTION. ON OR BEFORE APRIL 1, 2025, THE
10 ORGANIZATION SHALL PROVIDE THE TRAINING PROGRAM MATERIALS TO
11 THE DEPARTMENT. THE DEPARTMENT SHALL MAKE THE TRAINING
12 PROGRAM MATERIALS AVAILABLE TO PUBLIC SCHOOLS AT NO COST TO THE
13 SCHOOL.

14 **SECTION 2.** In Colorado Revised Statutes, 24-34-302, **add** (3)
15 as follows:

16 **24-34-302. Civil rights division - director - powers and duties**
17 **- repeal.** (3) (a) THE DIRECTOR SHALL APPOINT REPRESENTATIVES OF THE
18 DIVISION TO SERVE ON THE EVALUATION COMMITTEE TO SELECT AN
19 ORGANIZATION TO DEVELOP BEST PRACTICES RELATED TO HARASSMENT
20 OR DISCRIMINATION PURSUANT TO SECTION 22-1-143 (8).

21 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JUNE 30, 2026.

22 **SECTION 3. Safety clause.** The general assembly finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety or for appropriations for
25 the support and maintenance of the departments of the state and state
26 institutions.