

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 22-1010.02 Alana Rosen x2606

SENATE BILL 22-207

SENATE SPONSORSHIP

Winter, Bridges, Buckner, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Pettersen, Story, Zenzinger

HOUSE SPONSORSHIP

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Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE PREVENTION OF TITLE IX MISCONDUCT ON PUBLIC**
102 **SCHOOL CAMPUSES, AND, IN CONNECTION THEREWITH, MAKING**
103 **AN APPROPRIATION.**

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>.)

To comply with federal law, the bill requires covered public schools to adopt a Title IX policy pursuant to Title IX of the federal "Education Amendments of 1972". The bill outlines the information that must be included in the Title IX policy, including definitions of forms of misconduct and the procedures for reporting and investigating misconduct

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

HOUSE
Amended 3rd Reading
May 11, 2022

HOUSE
Amended 2nd Reading
May 10, 2022

SENATE
3rd Reading Unamended
May 3, 2022

SENATE
Amended 2nd Reading
May 2, 2022

under Title IX. The bill requires covered public schools to provide their Title IX policy to the department of education.

To comply with federal law, the bill requires covered public schools to designate at least one employee as the Title IX coordinator, who is responsible for coordinating the school's compliance with Title IX, including investigating or adjudicating complaints under the covered public school's Title IX policy.

The bill requires covered public schools to promote on their websites awareness and prevention of misconduct, the covered public school's Title IX policy, and the name and contact information of the Title IX coordinator. Covered public schools are required to annually distribute through electronic or other means of communication the covered public school's Title IX policy as part of the covered public school's handbook to parents with students enrolled in kindergarten through fifth grade and to students enrolled in sixth through twelfth grade.

The bill requires covered public schools to provide training for employees, parents, and students on the Title IX policy. The bill outlines the training requirements, which include how to promote awareness and prevention of misconduct, an explanation of the Title IX policy, and an explanation of relevant federal and state law that affect the Title IX policy.

The bill creates the rural school district Title IX implementation grant program (grant program). The purpose of the grant program is to award money to rural school districts to assist rural schools with creating, implementing, or updating Title IX policies and procedures to comply with federal and state law. The state board of education shall promulgate rules for the grant program.

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

2 SECTION 1. In Colorado Revised Statutes, add 22-1-134 as
3 follows:

4 22-1-134. Title IX regulation study - definitions - repeal.

5 (1) (a) THERE IS CREATED IN THE DEPARTMENT THE TITLE IX
6 REGULATION STUDY, REFERRED TO IN THIS SECTION AS THE "STUDY". THE
7 DEPARTMENT SHALL CONTRACT WITH A THIRD PARTY CONTRACTOR TO
8 CONDUCT THE STUDY. THE THIRD PARTY CONTRACTOR SHALL CONSULT
9 WITH THE DEPARTMENT, A SEXUAL MISCONDUCT ADVISORY COMMITTEE
10 WITHIN THE DEPARTMENT OF HIGHER EDUCATION, A K-12 ADVOCACY

1 ORGANIZATION, AND A COLORADO STUDENT GOVERNMENT
2 ORGANIZATION. THE THIRD PARTY CONTRACTOR SHALL STUDY THE
3 AMENDMENTS TO THE TITLE IX REGULATIONS ISSUED BY THE UNITED
4 STATES DEPARTMENT OF EDUCATION'S OFFICE FOR CIVIL RIGHTS.

5 (b) THE STUDY MUST INCLUDE AN EXAMINATION OF THE
6 FOLLOWING:

7 (I) BEST PRACTICES FOR PREVENTION, NOTIFICATION, TRAINING,
8 AND RESPONDING TO SEX-BASED DISCRIMINATION AND HARASSMENT IN
9 PUBLIC SCHOOLS;

10 (II) THE GAPS BETWEEN STATE AND FEDERAL LAW REGARDING
11 TITLE IX; AND

12 (III) WHETHER TITLE IX REGULATIONS PLACE LIMITS ON STATE
13 LAW AND WHETHER THE COLORADO GENERAL ASSEMBLY MAY ADOPT
14 MORE STRINGENT STANDARDS IN STATE STATUTE.

15 (c) (I) IF THE DEPARTMENT CONTRACTS WITH A PUBLIC UNIVERSITY
16 AS THE THIRD PARTY CONTRACTOR, THE DEPARTMENT SHALL SUBMIT THE
17 RESULTS OF THE STUDY ON JANUARY 31, 2023, TO THE EDUCATION
18 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR
19 THEIR SUCCESSOR COMMITTEES.

20 (II) IF THE DEPARTMENT CONTRACTS WITH A THIRD PARTY
21 CONTRACTOR THAT IS NOT A PUBLIC UNIVERSITY, THE DEPARTMENT SHALL
22 SUBMIT THE RESULTS OF THE STUDY ON MARCH 30, 2023, TO THE
23 EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
24 REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES.

25 (2) (a) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
26 CREATED IN SECTION 24-1-115.

27 (b) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A

1 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
2 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
3 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
4 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
5 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22.

6 (c) "TITLE IX" MEANS TITLE IX OF THE FEDERAL "EDUCATION
7 AMENDMENTS OF 1972", 20 U.S.C. SECS. 1681 TO 1688, AS AMENDED.

8 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

9 **SECTION 2. Appropriation.** For the 2022-23 state fiscal year,
10 \$57,850 is appropriated to the department of education. This
11 appropriation is from the general fund. To implement this act, the
12 department may use this appropriation for a title IX regulation study.

13 **SECTION 3. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety.