

**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. 24-1154.02 Jessica Herrera x4218

HOUSE BILL 24-1444

HOUSE SPONSORSHIP

McLachlan and Herod,

SENATE SPONSORSHIP

Bridges and Simpson,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RECREATION OF THE FEDERAL INDIAN BOARDING**
102 **SCHOOL RESEARCH PROGRAM.**

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>.)

In 2022, the general assembly enacted House Bill 22-1327, which created the federal Indian boarding school research program (program) in the state historical society, commonly known as history Colorado. House Bill 22-1327 required the program to conduct research regarding the physical abuse and deaths that occurred at federal Indian boarding schools in Colorado and required history Colorado, in consultation with

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 Colorado commission of Indian affairs, the Southern Ute Indian Tribe, and the Ute Mountain Ute Tribe to develop recommendations to better understand the abuse that occurred and to support healing in tribal communities. Pursuant to the provisions of House Bill 22-1327, the program was repealed on December 31, 2023.

The bill recreates and reenacts the program and appropriates \$1 million from the general fund divided in equal annual payments for fiscal years 2024-25, 2025-26, and 2026-27 to implement the recommendations developed. The recommendations include:

- The continuation of the program until December 31, 2027;
- Authority for history Colorado, in partnership with the Colorado commission of Indian affairs, to conduct ongoing research and tribal consultations with different tribes and engage in listening sessions with American Indian and Alaska native communities on the history and impact of federal Indian boarding schools in Colorado;
- The collection of oral histories of survivors that highlight indigenous narratives;
- Quarterly updates from history Colorado to the Colorado commission of Indian affairs;
- Developing further recommendations to the general assembly to address the impact of federal, state, and local schooling systems on native communities;
- Developing further recommendations to the Colorado department of education and Colorado department of higher education to support education for native communities;
- Developing further recommendations to the Colorado department of human services and other state agencies on how to address the health, mental health, economic, and other impacts of the boarding school system; and
- Funding for 2 term-limited FTE to support the recommendations.

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) Beginning with the federal "Indian Civilization Act" enacted
5 in 1819, the United States enacted laws and implemented policies
6 establishing and supporting federal Indian boarding schools across the

1 nation. The purpose of federal Indian boarding schools was to culturally
2 assimilate American Indian children by forcibly relocating them from
3 their families and communities to distant residential facilities to suppress
4 the children's identities, language, and beliefs. For over one hundred fifty
5 years, hundreds of thousands of American Indian children were taken
6 from their communities. Over three hundred fifty federal Indian boarding
7 schools existed in the United States. By 1926, nearly eighty-three percent
8 of all American Indian children of school age were in boarding schools.

9 (b) The impact of the boarding schools on American Indian
10 families has been immeasurable. Families lost their traditional language,
11 parenting authority, and the ability to pass on American Indian culture
12 and traditions. The trauma from Indian boarding schools crosses
13 generational boundaries and the boarding school policy resulted in
14 long-standing intergenerational trauma, cycles of violence and abuse,
15 disappearance of American Indian people, premature deaths, mental
16 health disorders, and substance abuse in American Indian communities.

17 (c) In Colorado, there were at least seven federal Indian boarding
18 schools, including: the Teller Indian school in Grand Junction, the
19 Southern Ute boarding school in Ignacio, a boarding school in Towaoc
20 operated by the federal bureau of Indian affairs, and the original Fort
21 Lewis Indian school in Hesperus, Colorado;

22 (d) In order to heal from the generational trauma, we must
23 confront the past and shed light on the hidden cruelty;

24 (e) It is the intent of the general assembly to build on the first
25 report of the "Federal Indian Boarding Schools in Colorado: 1880-1990",
26 completed by History Colorado;

27 (f) There are still outstanding archival and physical research

1 questions to be answered about boarding schools in Colorado;

2 (g) Tribal representations noted that the work must include the
3 voices of American Indian peoples who are impacted, which will be
4 served by the oral history work; and

5 (h) The tribal consultations during the fiscal year 2023 were
6 focused on research updates, and there should be additional tribal
7 consultations with thirty-three tribal nations and listening sessions with
8 American Indian and Alaska Native communities in urban communities
9 to address and plan for a number of key topics including care and
10 memorialization at sites, support for impacted communities, and
11 education for impacted communities and Colorado in general.

12 **SECTION 2.** In Colorado Revised Statutes, **recreate and**
13 **reenact, with amendments,** 24-80-216 as follows:

14 **24-80-216. Indian boarding school research program -**
15 **recommendations - definitions - repeal.** (1) As used in this section,
16 unless the context otherwise requires:

17 (a) "AMERICAN INDIAN" MEANS AN INDIVIDUAL HAVING
18 DESCENDED FROM PEOPLE WHO WERE LIVING IN NORTH AMERICA PRIOR TO
19 THE TIME THAT PEOPLE FROM EUROPE BEGAN SETTLING IN NORTH
20 AMERICA.

21 (b) "COMMISSION" MEANS THE COLORADO COMMISSION OF INDIAN
22 AFFAIRS ESTABLISHED PURSUANT TO SECTION 24-44-102.

23 (c) "AMERICAN INDIAN BOARDING SCHOOL" MEANS A BOARDING
24 SCHOOL OPERATED AT ANY TIME IN COLORADO FOR AMERICAN INDIANS
25 THAT WAS AUTHORIZED BY THE FEDERAL GOVERNMENT, THE STATE,
26 RELIGIOUS ORGANIZATIONS, OR PRIVATE INSTITUTIONS THAT WERE NOT
27 LOCATED ON AN INDIAN RESERVATION.

1 (d) "HISTORICALLY IMPACTED AMERICAN INDIANS" MEANS
2 AMERICAN INDIANS, INCLUDING INDIVIDUALS WHO HAVE ATTENDED OR
3 ARE DESCENDED FROM PERSONS WHO HAVE ATTENDED INDIAN BOARDING
4 SCHOOLS.

5 (e) "PROGRAM" MEANS THE [REDACTED] INDIAN BOARDING SCHOOL
6 RESEARCH PROGRAM ESTABLISHED IN SUBSECTION (2)(a) OF THIS SECTION.

7 (f) "SOCIETY" MEANS THE STATE HISTORICAL SOCIETY.

8 (g) "STEERING COMMITTEE" MEANS THE AMERICAN INDIAN
9 STEERING COMMITTEE ESTABLISHED IN SUBSECTION (5)(a) OF THIS
10 SECTION.

11 (2) (a) THERE IS ESTABLISHED IN THE STATE HISTORICAL SOCIETY
12 THE [REDACTED] INDIAN BOARDING SCHOOL RESEARCH PROGRAM TO RESEARCH AND
13 DEVELOP RECOMMENDATIONS WITH TRIBAL CONSULTATION AND
14 LISTENING SESSIONS WITH AMERICAN INDIAN AND ALASKA NATIVE
15 COMMUNITIES TO PROMOTE COLORADANS' UNDERSTANDING OF THE
16 PHYSICAL AND EMOTIONAL ABUSE AND DEATHS THAT OCCURRED AT AND
17 IN RELATION TO [REDACTED] INDIAN BOARDING SCHOOLS IN COLORADO, INCLUDING
18 THE VICTIMIZATION OF AND INTERGENERATIONAL IMPACTS ON FAMILIES
19 OF THE YOUTH FORCED TO ATTEND THE BOARDING SCHOOLS. THESE
20 RECOMMENDATIONS MUST BE SHARED WITH THE COMMISSION AND THE
21 STEERING COMMITTEE BEFORE THE RECOMMENDATIONS ARE SHARED
22 PUBLICLY.

23 (b) THE STATE HISTORICAL SOCIETY, THROUGH THE PROGRAM,
24 SHALL CONDUCT ONGOING RESEARCH TO DEVELOP RECOMMENDATIONS TO
25 THE COLORADO DEPARTMENT OF EDUCATION, THE COLORADO
26 DEPARTMENT OF HIGHER EDUCATION, AND THE GENERAL ASSEMBLY TO
27 ADDRESS THE IMPACT OF FEDERAL, STATE, AND LOCAL SCHOOLING

1 SYSTEMS ON AMERICAN INDIAN COMMUNITIES AND IN PARTNERSHIP WITH
2 THE COMMISSION AND THE STEERING COMMITTEE. IN DEVELOPING THE
3 RECOMMENDATIONS, THE SOCIETY MUST:

4 (I) FORMALLY CONSULT WITH FEDERALLY RECOGNIZED INDIAN
5 TRIBES;

6 (II) CONDUCT RESEARCH RELATED TO OBJECTS, ARTIFACTS, AND
7 REAL OR PERSONAL PROPERTY. IF THE SOCIETY CONDUCTS A
8 COMPREHENSIVE REVIEW OF RESEARCH THAT FOCUSES ON OBJECTS,
9 ARTIFACTS, OR REAL OR PERSONAL PROPERTY THAT IS IN THE POSSESSION
10 OR CONTROL OF PRIVATE INDIVIDUALS, PRIVATE ENTITIES, OR
11 NON-FEDERAL GOVERNMENT ENTITIES WITHIN THE UNITED STATES, THE
12 SOCIETY MAY ENTER INTO A CONTRACT OR AGREEMENT TO ACQUIRE,
13 HOLD, CURATE, OR MAINTAIN THOSE OBJECTS, ARTIFACTS, OR REAL OR
14 PERSONAL PROPERTY UNTIL THE OBJECTS, ARTIFACTS, OR REAL OR
15 PERSONAL PROPERTY CAN BE PROPERLY REPATRIATED OR RETURNED,
16 CONSISTENT WITH APPLICABLE FEDERAL LAW AND REGULATIONS AND
17 SUBJECT TO THE CONDITION THAT NO FEDERAL FUNDS MAY BE USED TO
18 PURCHASE THOSE OBJECTS, ARTIFACTS, OR REAL OR PERSONAL PROPERTY.

19 (III) ENGAGE IN LISTENING SESSIONS WITH AMERICAN INDIAN
20 COMMUNITIES ON THE HISTORY AND IMPACT OF INDIAN BOARDING
21 SCHOOLS IN COLORADO. THE LISTENING SESSIONS MAY INCLUDE VISITS TO
22 BOARDING SCHOOL SITES INCLUDING BUT NOT LIMITED TO GRAND
23 JUNCTION INDIAN BOARDING SCHOOL, FORT LEWIS INDIAN BOARDING
24 SCHOOL, SOUTHERN UTE BOARDING SCHOOL, NAVAJO DAY SCHOOL,
25 ALLENDAY SCHOOL, TOWAOC DAY SCHOOL, GOOD SHEPHERD INDUSTRIAL
26 SCHOOL FOR GIRLS, STATE INDUSTRIAL SCHOOL FOR BOYS, IGNACIO
27 SCHOOL, THE COLORADO SCHOOL FOR THE DEAF AND BLIND, AND HOLY

1 CROSS ABBEY.

2 (IV) COLLECT CONFIDENTIAL ORAL HISTORIES FROM SURVIVORS
3 THAT HIGHLIGHT HISTORICALLY IMPACTED AMERICAN INDIAN
4 NARRATIVES. THE ORAL HISTORY PROJECTS MUST INCLUDE HISTORIES
5 FROM THE SOUTHERN UTE INDIAN TRIBE, THE UTE MOUNTAIN UTE TRIBE,
6 AND OTHER HISTORICALLY IMPACTED AMERICAN INDIANS AND TRIBAL
7 NATIONS THAT MAY HAVE HAD STUDENTS WHO ATTENDED COLORADO
8 INDIAN BOARDING SCHOOLS. ADDITIONAL CONFIDENTIAL ORAL HISTORY
9 PROJECTS WITH OTHER AMERICAN INDIAN OR ALASKA NATIVE
10 COMMUNITIES MUST BE CONDUCTED. "CONFIDENTIAL", FOR PURPOSES OF
11 THIS SUBSECTION (2)(b)(III), MEANS THAT ANY IDENTIFYING QUALITIES OF
12 AN INDIVIDUAL WILL NOT BE MADE PUBLIC.

13 (c) THE SOCIETY MUST PROVIDE PUBLIC-FACING, JOINT QUARTERLY
14 UPDATES TO THE COMMISSION AND STEERING COMMITTEE ON THE
15 REQUIREMENTS OF SUBSECTION (2)(b) OF THIS SECTION. THE SOCIETY
16 SHALL PROVIDE PRELIMINARY RECOMMENDATIONS, DEVELOPED WITH
17 TRIBAL CONSULTATION AND LISTENING SESSIONS WITH HISTORICALLY
18 IMPACTED AMERICAN INDIANS, TO THE COMMISSION NO LATER THAN
19 NOVEMBER 8, 2025, AND SHALL PROVIDE FINAL RECOMMENDATIONS BY
20 MAY 10, 2027.

21 (3) THE SOCIETY, IN CONSULTATION WITH THE STEERING
22 COMMITTEE, COMMISSION, TRIBAL NATIONS, AND HISTORICALLY IMPACTED
23 AMERICAN INDIANS, MUST PROVIDE RECOMMENDATIONS ON PROVIDING
24 THE BEST CARE AND MEMORIALIZATION AT ALL AMERICAN INDIAN
25 BOARDING SCHOOL SITES IN COLORADO, INCLUDING HESPERUS AND
26 GRAND JUNCTION AND ANY CEMETERY IN OLD FORT IN COLLABORATION
27 WITH FORT LEWIS COLLEGE AND THE COLORADO DEPARTMENT OF HUMAN

1 SERVICES THROUGH TRIBAL CONSULTATIONS. THE COLORADO
2 DEPARTMENT OF HUMAN SERVICES MUST COMPLETE TRIBAL
3 CONSULTATIONS BEFORE THE TRANSFER OR SALE OF LAND MANAGED BY
4 THE COLORADO DEPARTMENT OF HUMAN SERVICES AT THE GRAND
5 JUNCTION REGIONAL CENTER. THE SOCIETY MUST FOLLOW ALL
6 REQUIREMENTS OF THE "NATIVE AMERICAN GRAVE PROTECTION AND
7 REPATRIATION ACT", 25 U.S.C. SEC. 3001 ET SEQ.

8 (4) (a) A THIRD-PARTY ENTITY, WHICH MAY BE AN ENTITY OUTSIDE
9 OF COLORADO, THAT ENTERS INTO AN AGREEMENT WITH THE COMMISSION
10 OR SOCIETY TO CONDUCT RESEARCH PURSUANT TO SUBSECTIONS (2) AND
11 (3) OF THIS SECTION MUST MEET THE FOLLOWING CRITERIA:

12 (I) DEMONSTRATE EXPERIENCE WORKING WITH HISTORICALLY
13 IMPACTED AMERICAN INDIANS;

14 (II) DEMONSTRATE EXPERIENCE OF TRAUMA-INFORMED
15 APPROACHES; AND

16 (III) INDICATE AN UNDERSTANDING OF TRAUMA AND HOW IT
17 PASSES THROUGH GENERATIONS.

18 (b) WHEN THE SOCIETY OR COMMISSION IS CONSIDERING
19 CONTRACTING WITH A THIRD-PARTY ENTITY, THE SOCIETY OR COMMISSION
20 MUST GIVE PREFERENCE TO A THIRD-PARTY ENTITY THAT CONSISTS OF
21 INDIVIDUALS WHO ARE OF AMERICAN INDIAN DESCENT OR ARE
22 HISTORICALLY IMPACTED AMERICAN INDIANS.

23 (5) (a) THERE IS ESTABLISHED AN AMERICAN INDIAN STEERING
24 COMMITTEE IN THE SOCIETY. THE STEERING COMMITTEE'S PURPOSE IS TO
25 IDENTIFY AND ADVISE THE SOCIETY ON AREAS OF CONCERN REGARDING
26 INDIAN BOARDING SCHOOLS AND ISSUES RELATING TO ORGANIZING OR
27 CONDUCTING SEARCH EFFORTS RELATED TO GRAVES AT SCHOOL SITES,

1 DEVELOPMENT OF SUPPORT GROUPS, OR OTHER SUPPORTIVE EFFORTS
2 RELATED TO INDIAN BOARDING SCHOOLS. THE STEERING COMMITTEE
3 SHALL MEET AT LEAST ONCE PER QUARTER IN STATE FISCAL YEAR 2024-25,
4 AND BIANNUALLY THEREAFTER, AT DATES AND TIMES REQUESTED BY THE
5 COMMISSION. THE STEERING COMMITTEE MAY MEET ELECTRONICALLY.

6 (b) THE STEERING COMMITTEE CONSISTS OF THE FOLLOWING
7 MEMBERS, WHO MUST BE APPOINTED BY THE SOCIETY WITH INCLUSIVE
8 REPRESENTATION FROM ORGANIZATIONS THAT ARE LED BY AND SERVE
9 AMERICAN INDIAN COMMUNITIES IN COLORADO:

10 (I) AN INDIVIDUAL WHO REPRESENTS THE UTE MOUNTAIN UTE
11 TRIBE AND WHO IS CONFIRMED BY THE UTE MOUNTAIN UTE TRIBAL
12 COUNCIL;

13 (II) AN INDIVIDUAL WHO REPRESENTS THE SOUTHERN UTE INDIAN
14 TRIBE AND WHO IS CONFIRMED BY THE SOUTHERN UTE TRIBAL COUNCIL;

15 (III) TWO INDIVIDUALS WHO ARE CITIZENS OF OTHER TRIBAL
16 NATIONS IDENTIFIED AS HAVING MEMBERS ENROLLED AT ANY TIME IN AN
17 INDIAN BOARDING SCHOOL IN COLORADO;

18 (IV) THREE SURVIVORS OF INDIAN BOARDING SCHOOLS IN
19 COLORADO;

20 (V) THREE DESCENDANTS OF COLORADO INDIAN BOARDING
21 SCHOOL SURVIVORS;

22 (VI) ONE AMERICAN INDIAN IN THE CULTURAL RESOURCE
23 MANAGEMENT PROFESSION;

24 (VII) ONE TRAUMA-INFORMED MENTAL HEALTH PROFESSIONAL;

25 (VIII) ONE AMERICAN INDIAN EMPLOYEE OF THE SOCIETY;

26 (IX) ONE INDIVIDUAL WHO HAS EXPERTISE IN RESEARCHING THE
27 HISTORY AND IMPACT OF INDIAN BOARDING SCHOOLS; AND

1 (X) ONE TRIBAL HISTORIC PRESERVATION OFFICER FROM ANY OF
2 THE IDENTIFIED TRIBAL NATIONS THAT HAD STUDENTS ATTEND A
3 BOARDING SCHOOL IN COLORADO.

4 (c) THE SOCIETY SHALL APPOINT MEMBERS OF THE STEERING
5 COMMITTEE AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
6 SECTION, BUT NO LATER THAN SEPTEMBER 1, 2024.

7 (d) THE STEERING COMMITTEE MEMBERS SERVE WITHOUT
8 COMPENSATION AND WITHOUT REIMBURSEMENT FOR ANY EXPENSES
9 INCURRED RELATED TO SERVING ON THE COMMITTEE.

10 (6) FOR STATE FISCAL YEAR 2024-25, THE GENERAL ASSEMBLY
11 SHALL APPROPRIATE THREE HUNDRED THIRTY-THREE THOUSAND THREE
12 HUNDRED THIRTY-FOUR DOLLARS, AND FOR EACH OF STATE FISCAL YEARS
13 2025-26 AND 2026-27, THE GENERAL ASSEMBLY SHALL APPROPRIATE
14 THREE HUNDRED THIRTY-THREE THOUSAND THREE HUNDRED
15 THIRTY-THREE DOLLARS FROM THE GENERAL FUND TO THE STATE
16 HISTORICAL SOCIETY, ESTABLISHED IN SECTION 24-80-201, TO FUND TWO
17 TERM-LIMITED, FULL-TIME EMPLOYEES WITH AMERICAN INDIAN HIRING
18 PREFERENCE AND TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.
19 ANY MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (4) THAT IS
20 NOT EXPENDED OR ENCUMBERED AT THE END OF THE STATE FISCAL YEAR
21 FOR WHICH IT WAS APPROPRIATED REMAINS AVAILABLE FOR EXPENDITURE
22 IN SUBSEQUENT FISCAL YEARS WITHOUT FURTHER APPROPRIATION.

23 (7) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2027.

24 **SECTION 3. 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.