

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

**PREAMENDED**

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

LLS NO. 26-0291.02 Conrad Imel x2313

**HOUSE BILL 26-1141**

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**HOUSE SPONSORSHIP**

**Bacon,**

**SENATE SPONSORSHIP**

**Kolker,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING CIVIL RIGHTS VIOLATIONS INVOLVING DISCRIMINATORY**  
102 **PRACTICES IN PUBLIC SCHOOLS.**

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**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 makes it a discriminatory education practice and unlawful for a public school, including a public school that enrolls students in any of grades kindergarten through 12 or a public institution of higher education, or employee of a public school or school district to take certain actions related to access to a public school because of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression,

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.*

marital status, national origin, or ancestry.

An individual aggrieved by a discriminatory education practice, or the Colorado civil rights commission, a commissioner, or the attorney general on their own motion, may file a charge against the public school (respondent) with the civil rights division (division) in the department of regulatory agencies. A complainant who files a charge may indicate that they are interested in early mediation with the respondent. If the complainant indicates that they are interested in early mediation, the division shall notify the respondent of the charge and that the complainant has requested early mediation. If the respondent wants to engage in early mediation, the division shall facilitate the mediation.

If the charge is not resolved by early mediation, the respondent has up to 60 days to cure any deficiency in its practices that gave rise to the charge. If the director determines that the respondent has cured the deficiency, the director shall dismiss the charge. If the director determines that the respondent has not cured the deficiency, the director, assisted by the division's staff, shall investigate the charge. The division's policies and procedures for investigating and hearing charges of discriminatory or unfair practices, and judicial review, apply.

The Colorado civil rights commission (commission) shall monitor a public school's compliance with the terms of a settlement agreement or commission order.

The division may consult with the department of education on matters related to the structure, governance, and operation of K-12 education and shall provide the department of education with data about discriminatory education practice charges filed with the division each year. The department of education shall employ one or more individuals to serve as a liaison to the division.

The bill requires each public institution of higher education (institution) to designate an individual to serve as the Title VI coordinator for the institution. The Title VI coordinator is responsible for ensuring the institution's compliance with the requirements of Title VI of the federal "Civil Rights Act of 1964", enforcing the institution's Title VI grievance procedures, identifying institutional issues related to Title VI compliance, and aggregating and making publicly available data about alleged violations of Title VI at the institution.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-601, **add**  
3 **(2)(c)** as follows:

4 **24-34-601. Discrimination in places of public accommodation.**

1 (2) (c) (I) AN EDUCATIONAL INSTITUTION, INCLUDING AN  
2 ELEMENTARY OR SECONDARY SCHOOL AND AN INSTITUTION OF HIGHER  
3 EDUCATION, DENIES A PERSON THE FULL AND EQUAL ENJOYMENT OF A  
4 PLACE OF PUBLIC ACCOMMODATION WHEN THE EDUCATIONAL  
5 INSTITUTION:

6 (A) ON THE BASIS OF ONE OR MORE OF THE PROTECTED CLASSES  
7 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION, EXCLUDES A STUDENT  
8 FROM PARTICIPATION IN, DENIES A STUDENT THE BENEFITS OF, OR  
9 OTHERWISE SUBJECTS A STUDENT TO DISCRIMINATION IN ANY OF THE  
10 EDUCATIONAL INSTITUTION'S PROGRAMS OR ACTIVITIES;

11 (B) WITHOUT A LEGITIMATE, NONDISCRIMINATORY,  
12 NONPRETEXTUAL BASIS, AND BASED ON ONE OR MORE OF THE PROTECTED  
13 CLASSES DESCRIBED IN SUBSECTION (2)(a) THIS SECTION, DENIES  
14 EDUCATIONAL SERVICES, BENEFITS, OR OPPORTUNITIES TO A STUDENT OR  
15 GROUP OF STUDENTS BY TREATING THEM DIFFERENTLY FROM A SIMILARLY  
16 SITUATED STUDENT WHO IS, OR GROUP OF STUDENTS WHO ARE, PART OF A  
17 DIFFERENT SUBGROUP OF STUDENTS WITHIN THE SAME PROTECTED CLASS;  
18 OR

19 (C) HAS ACTUAL OR CONSTRUCTIVE NOTICE THAT A HOSTILE  
20 ENVIRONMENT BASED ON ONE OR MORE OF THE PROTECTED CLASSES  
21 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION EXISTS AT THE  
22 EDUCATIONAL INSTITUTION BUT FAILS TO TAKE PROMPT AND EFFECTIVE  
23 STEPS REASONABLY CALCULATED TO ELIMINATE THE HOSTILE  
24 ENVIRONMENT, END THE HARASSMENT THAT GAVE RISE TO THE HOSTILE  
25 ENVIRONMENT, AND PREVENT THE HARASSMENT FROM RECURRING.

26 (II) IN INTERPRETING THE STANDARDS IN SUBSECTION (2)(c)(I) OF  
27 THIS SECTION, THE DIVISION AND THE COMMISSION MAY CONSIDER

1 FEDERAL NONDISCRIMINATION LAW AS PERSUASIVE BUT NONBINDING  
2 AUTHORITY. STATE LAW GOVERNS IN THE CASE OF A CONFLICT BETWEEN  
3 APPLICABLE STATE AND FEDERAL LAW.

4 (III) THE COMMISSION MAY ADOPT RULES SPECIFIC TO COMPLAINTS  
5 OF DISCRIMINATION INVOLVING EDUCATIONAL INSTITUTIONS.

6 **SECTION 2.** In Colorado Revised Statutes, 22-1-143, **amend**  
7 (1)(d)(I) introductory portion as follows:

8 **22-1-143. Harassment or discrimination - policy required -**  
9 **training and notification - legislative declaration - definitions.**

10 (1) As used in this section, unless the context otherwise requires:

11 (d) (I) "Harassment or discrimination" means to engage in, or the  
12 act of engaging in, any unwelcome physical or verbal conduct or any  
13 written, pictorial, or visual communication by a student or employee that  
14 is directed at a student or group of students because of that student's or  
15 group's membership in, or perceived membership in, a protected class  
16 based on disability, race, creed, color, sex, sexual orientation, gender  
17 identity, gender expression, family composition, PREGNANCY, PARENTAL  
18 STATUS, religion, age, national origin, or ancestry, which conduct or  
19 communication is objectively offensive to a reasonable individual who is  
20 a member of the same protected class. The conduct or communication  
21 need not be severe or pervasive to constitute harassment or discrimination  
22 and constitutes harassment or discrimination if:

23 **SECTION 3.** In Colorado Revised Statutes, **add** 23-5-151 as  
24 follows:

25 **23-5-151. Title VI compliance - coordinator required -**  
26 **definitions.**

27 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2 (a) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION"  
3 MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN  
4 SECTION 23-18-102 (10)(a); A LOCAL DISTRICT COLLEGE, AS DEFINED IN  
5 SECTION 23-71-102; OR AN AREA TECHNICAL COLLEGE, AS DEFINED IN  
6 SECTION 23-60-103.

7 (b) "TITLE VI" MEANS TITLE VI OF THE FEDERAL "CIVIL RIGHTS  
8 ACT OF 1964", 42 U.S.C. SEC. 2000d ET SEQ.

9 (2) EACH INSTITUTION OF HIGHER EDUCATION SHALL ESTABLISH  
10 GRIEVANCE PROCEDURES FOR A PERSON TO FILE A COMPLAINT ALLEGING  
11 A VIOLATION OF TITLE VI. THE INSTITUTION SHALL MAKE THE GRIEVANCE  
12 PROCEDURES AVAILABLE ON A PUBLICLY ACCESSIBLE PAGE OF THE  
13 INSTITUTION'S WEBSITE AND, AT LEAST ANNUALLY, INFORM STUDENTS AND  
14 EMPLOYEES OF THE EXISTENCE OF THE GRIEVANCE PROCEDURES.

15 (3) (a) EACH INSTITUTION OF HIGHER EDUCATION SHALL  
16 DESIGNATE AN INDIVIDUAL TO SERVE AS THE TITLE VI COORDINATOR FOR  
17 THE INSTITUTION.

18 (b) EACH INSTITUTION SHALL DETERMINE THE TITLE VI  
19 COORDINATOR'S SPECIFIC DUTIES AND RESPONSIBILITIES, WHICH MUST  
20 INCLUDE THAT THE TITLE VI COORDINATOR IS RESPONSIBLE FOR:

21 (I) ENSURING THE INSTITUTION'S COMPLIANCE WITH THE  
22 REQUIREMENTS OF TITLE VI, INCLUDING RESPONDING TO COMPLAINTS OF  
23 DISCRIMINATION AND ALLEGATIONS OF HARASSMENT;

24 (II) RESPONDING TO ALLEGATIONS OF HARASSMENT AND  
25 DISCRIMINATION THAT HAVE A DISPARATE IMPACT;

26 (III) ENFORCING THE INSTITUTION'S TITLE VI GRIEVANCE  
27 PROCEDURES, INCLUDING REVIEWING COMPLAINTS FILED UNDER THE

1 PROCEDURES;

2 (IV) TRACKING COMPLAINTS TO IDENTIFY INSTITUTIONAL ISSUES  
3 RELATED TO TITLE VI COMPLIANCE; AND

4 (V) AGGREGATING DATA ABOUT ALLEGED VIOLATIONS OF TITLE  
5 VI AT THE INSTITUTION AND MAKING THE DATA PUBLICLY AVAILABLE.  
6 THE DATA MUST NOT INCLUDE PERSONALLY IDENTIFYING INFORMATION  
7 ABOUT A PERSON.

8 (4) THE TITLE VI COORDINATOR SHALL PROVIDE TRAINING TO THE  
9 INSTITUTION'S EMPLOYEES ABOUT TITLE VI COMPLIANCE.

10 **SECTION 4. Act subject to petition - effective date -**

11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
12 the expiration of the ninety-day period after final adjournment of the  
13 general assembly (August 12, 2026, if adjournment sine die is on May 13,  
14 2026); except that, if a referendum petition is filed pursuant to section 1  
15 (3) of article V of the state constitution against this act or an item, section,  
16 or part of this act within such period, then the act, item, section, or part  
17 will not take effect unless approved by the people at the general election  
18 to be held in November 2026 and, in such case, will take effect on the  
19 date of the official declaration of the vote thereon by the governor.

20 (2) This act applies to discriminatory practices committed on or  
21 after the applicable effective date of this act.