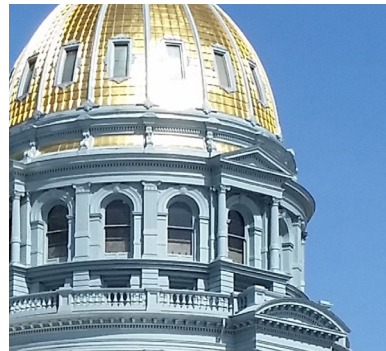


2022

Report to the Colorado General Assembly



Colorado Youth Advisory Council Review Committee



Prepared by Legislative Council Staff
Research Publication No. 784
December 2022

Colorado Youth Advisory Council Review Committee

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December 2022

To Members of the Seventy-fourth General Assembly:

Submitted herewith is the final report of the Colorado Youth Advisory Council (COYAC) Review Committee. This committee was created pursuant to Section 2-2-1305.5, Colorado Revised Statutes. The purpose of this committee is to review the COYAC's work and to recommend legislation regarding issues affecting Colorado youth.

At its meeting on October 14, 2022 the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2023 session was approved.

Sincerely,

/s/ Representative Alec Garnett
Chair

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This report is also available online at:

<https://leg.colorado.gov/committees/colorado-youth-advisory-council-committee/2022-regular-session>

Committee Charge

Pursuant to Section 2-2-1305.5, C.R.S., the Colorado Youth Advisory Council (COYAC) Review Committee was created to review the COYAC's work and to recommend legislation regarding issues affecting Colorado youth.

COYAC consists of 44 members and is charged with examining, evaluating, and discussing the issues, interests, and needs affecting Colorado youth. Members serve two-year terms and must be between 14 and 19 years old and be enrolled in and attending school in Colorado. Four legislative members of COYAC are appointed by House and Senate leadership to two-year terms. COYAC meets three to four times per year and receives organizational support from a vendor, Engaged Public, under contract with the General Assembly. Each school year, COYAC makes policy recommendations to the General Assembly.

COYAC is charged with examining, evaluating, and discussing the issues, interests, and needs affecting Colorado youth. The issues may include, but need not be limited to:

- education and skill development;
- employment, economic, and educational opportunities, including increased accessibility to opportunities for youth in rural communities;
- access to state and local government services;
- the environment;
- behavioral and physical health, including suicide prevention;
- safe environments for youth, including preventing bullying;
- substance abuse;
- poverty; and
- increased youth participation in state and local government.

Committee Activities

The committee held three meetings during the 2022 interim. COYAC student members prepared briefings and made presentations on the following subjects:

- disciplinary equity;
- completion of financial aid materials;
- licensed psychologists for youth mental health;
- substance abuse intervention in schools;
- youth input on education standards; and
- youth sexual and public health.

The following sections discuss the committee's activities during the 2022 interim.

Disciplinary Equity in Education

The committee heard presentations from the COYAC student representatives about the disparities among youth with regard to school discipline and the limited protections for students in this process.

Disparities among suspended and expelled students. The students presented data to support their concern that Colorado students of color, students with disabilities, students from low-income families, and English learners are overrepresented in school discipline. Suspended and expelled students are more likely to be left without supervision, fall behind in coursework, and be incarcerated, especially with a rise in arrests in schools.

Colorado school discipline laws. The COYAC student representatives discussed current Colorado school discipline laws that encourage, but do not require, schools and districts to consider if the student has a disability when suspending or expelling a student in grades three through 12. Students third grade and older who do not have this protection, COYAC students noted, may be more vulnerable to administrative and school biases when faced with potential suspension or expulsion.

COYAC policy recommendation. The COYAC students recommended two policy solutions to reduce these disparities. The students recommended that when a district or charter school identifies significant disparities during annual data collection, the district or school must submit a plan to reduce differences to the Colorado Department of Education (CDE). A designated CDE representative would review the proposal and submit feedback to the district or school and provide resources to aid in the plan execution. Additionally, the students recommended that Colorado should expand the factors considered prior to disciplinary action and that those factors should extend from kindergarten through 12th grade. Such factors would include a student's age, disciplinary history, the seriousness of the violation, safety concerns as well as disability status. The COYAC student representatives also recommended expanding the requirement to document alternatives attempted prior to suspension or expulsion to include grades three through 12.

Committee recommendations. As a result of its discussions, the committee recommended Bill C, to reduce the inequities in suspension and expulsion of marginalized students.

Increasing Completion of Financial Aid Applications

The committee heard presentations from COYAC student representatives concerning the low number of Colorado students that complete the Free Application for Federal Student Aid (FAFSA). The FAFSA is a federal program that awards need-based financial aid to students who plan to enroll in college. Students complete the FAFSA during their senior year of high school and each year while they are enrolled in higher education. The Colorado Application for State Financial Aid (CASFA) is a state program that awards need-based financial aid to Colorado students, including permanent residents and undocumented immigrants, who enroll in public, in-state, post-secondary institutions.

The students presented data showing that, for the class of 2021, only about 42 percent of Colorado 12th grade students completed the FAFSA compared to the national average of 57 percent. Colorado students are leaving about \$30 million in federal aid unclaimed by not completing these forms. These

financial aid programs are intended to make college more accessible to those students who cannot afford to pay for it themselves, particularly those in historically disadvantaged and low-income communities.

COYAC recommendation. The COYAC students recommended that the General Assembly expand the incentive program for schools and districts that require the FAFSA for high school graduation to a statewide requirement that high school seniors complete either the FAFSA or the CASFA to graduate from high school.

Committee recommendations. As a result of its discussions, the committee recommended a bill be drafted to require Colorado students to complete the FAFSA and CASFA forms, but the draft was withdrawn and therefore not approved by the committee.

Increasing the Number of Licensed Psychologists for Youth

The committee heard presentations from the COYAC student representatives about the challenges youth face with mental health and the shortage of licensed psychologists in schools. The students discussed how Colorado youth are struggling with mental health, the number of psychologists in schools, and the requirements to become a licensed psychologist.

Youth mental health. The COYAC student representatives discussed some of the challenges around youth mental health. They cited statistics from the 2021 Healthy Kids Colorado Survey that suggested that 39.6 percent of teens surveyed reported symptoms of depression; 46.8 percent report that stress levels are not manageable; 17.1 percent seriously considered suicide in the past year; and 7.2 percent reported attempting suicide in the past 12 months. The COYAC student representatives reported that these statistics had not improved since 2017 and that the COVID-19 pandemic had worsen people's mental health. Statistics provided by student representatives highlight that psychologists are reporting more anxiety and depression in patients and that Colorado saw a rise of suicides from 2019 to 2020. Finally, COYAC student representatives spoke about how students in rural areas and students of color are at greater risk of lacking access to a mental health provider or not getting the mental health resource they need.

Psychologists in schools. Next, the COYAC student representatives discussed the number of psychologists that are in schools. Students cited that the National Association of School Psychologists recommends that there be one psychologist for every 500 students. However, students highlighted that in Colorado, the Colorado Department of Education found that 124 of the 188 designated school districts had zero psychologists, with 31 districts having a psychologist to student ratio of 1 to 1,000.

Requirements to become psychologists. Finally, the COYAC student representatives discussed the shortage of psychologists and the requirements to become psychologists. Student representatives argued that lengthy and expensive education requirements correlate to the lack of available psychologists. Students pointed to statistics that show it could take up to 10 years and 3,000 hours of supervised counseling to become a licensed psychologist, which could cost up to \$109,000. In addition, student representatives also pointed to the high cost of living in Colorado as another barrier to college students to seek psychiatry degrees.

COYAC recommendation. The COYAC student representatives recommended two solutions to the committee. First, the COYAC student representatives recommended offering financial relief for students studying psychology or psychiatry to help incentive becoming a psychologist. Second, students recommended creating a grant program to help schools to pay for psychologist.

Committee recommendations. As a result of its discussions, the committee recommended that a bill on supporting school psychologists be drafted, but the draft bill was withdrawn and therefore, not approved by the committee.

Reforming Response to Substance Abuse in Secondary Schools

The committee heard presentations from the COYAC student representatives concerning the high rates of substance abuse among Colorado youth and the limited access to needed treatment.

School-based intervention programs. The students discussed the current limitations of school-based substance abuse programs. Many such programs used in schools are prevention, rather than intervention-based and lack a systemic and uniform approach to intervention within Colorado schools. As a result, the students found, intervention and referral to treatment relies on resources within each school and allows socioeconomic and other barriers to prevent students using substances from receiving high-quality care and treatment.

Limitations of crisis services. The COYAC student representatives argued that programs for crisis services that students are encouraged to access are underfunded. The Colorado Crisis Services is a hotline that serves Colorado citizens in the midst of behavior health crises, including substance abuse crises. The hotline call volume has increased 55 percent from 2017 to 2020 and the length of time callers waited on hold increased from 36 seconds to 1.5 minutes. Call abandonment increased by 329 percent over that same period. Students who are referred to the hotline by their school may not be receiving care through this service.

COYAC recommendation. The COYAC students recommended three policy solutions to the committee. First, the students recommended the state perform a needs assessment to determine how Colorado high schools are addressing substance abuse. Second, the students recommended increased funding to and expansion of the existing Screening, Brief Intervention, and Referral to Treatment – School Based Health Centers (SBIRT-SBHC) to all schools rather than just those with school based health centers. And, third, the students recommended increased funding and staff for the Colorado Crisis Services to ensure timely access to support and treatment services.

Committee recommendation. As a results of these discussions, the committee recommends Bill B to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment.

Youth Participation in Updating Educational Standards

The committee heard presentations from the COYAC student representatives about the lack of youth participation in updating educational standards.

Updates to educational standards. The COYAC student representatives discussed the current process of how Colorado updates its educational standards and how this process does not garner input from students. Students discussed how currently, review committees collaborate with the Colorado Department of Education (CDE) and other community members to make revision, but that students have had little participation in the process. Student representatives could not find one instance of a student being involved with a standards review and revision committee since 2008 and the number of students who provide feedback in general is low.

COYAC recommendation. The COYAC student representatives provided two recommendations to increase youth participation in updating educational standards. First, students recommended creating designated seats for youth on review committees, with one seat reserved for youth in urban areas and another in rural areas. Second, students recommend that CDE inform schools about the opportunity for youth to serve in these seats.

Committee recommendations. As a result of its discussions, the committee recommended that a bill on increasing youth participation in updating educational standards be drafted, but the draft bill was withdrawn and therefore, not approved by the committee.

Youth Public Health: Eating Disorders and Weight Discrimination

The committee heard presentations from the COYAC student representatives about the challenges youth face with eating disorders and weight discrimination. Student representatives discussed the risks of eating disorders, how the health curriculum at schools could be causing more disorders, the prevalence of weight-based teasing and discrimination, and the lack of data around eating disorders and weight-based teasing.

Risks of eating disorders. The COYAC student representatives discussed how disordered eating is the second deadliest mental illness after opioid overdose. Students pointed to statistics that shows that eating disorders in Colorado are higher than the US population as a whole and that the cultural roots of eating disorders can begin as early as 10 years old. In addition, students spoke about how the proportion of youth engaging in disorder eating is larger than in the adult population and that minority and LGBTQ+ populations are at a higher risk of suffering from eating disorder and are less likely to receive treatment.

Health curriculum at schools. The COYAC student representatives next discussed how Colorado's health curriculum could be exacerbating eating disorders. Students presented a study from Rogers Memorial Hospital that show that 15 percent of patients reported health classes as trigger for this disorder. Students also provided reports of concerns from parents and youth about eating disorders

and health classes in Colorado. Student representatives argued that negative self-perception and unhealthy attitudes and behaviors towards food could be because Colorado's current nutritional health curriculum was created without an eating disorder specialist.

Weight-based teasing. The COYAC student representatives then discussed how weight-based teasing impacts students' mental health. Students highlighted statistics that suggest that weight-based teasing is becoming more common in bullying behavior, that self-perception around weight is playing a significant role in teasing, that both underweight and overweight youth are increasingly teased, and that the most common sources of criticism were from peers, teachers, and family. Students also discussed the effects this has on youth including drops in school performance, increased suicidal ideation, decreased chance of seeking health care, and increased chance of being obese later in life.

Weight discrimination. COYAC student representatives then discussed weight discrimination in society. Students explained that weight is not protected from discrimination under the Americans with Disabilities Act and other federal law, and that the lack of laws around discrimination contributes to increased rates of weight-based discrimination in the work place. Students also provided surveys showing weight discrimination in healthcare settings.

Insufficient data. Finally, COYAC student representatives discussed the lack of data around eating disorders and weight discrimination at the state level. Students pointed out that eating disorders are not included in the Health Kids Colorado Survey and that weight-based teasing is not considered as a bullying metric.

COYAC recommendations. COYAC student representatives provided the committee with four recommendations. First, the students recommended that Colorado review health class standards to promote healthy body images and to reduce the impact of eating disorders. Second, the students recommended that the state include weight-based teasing in the definition of bullying. Third, students recommended that Colorado law prohibit weight-based discrimination in the workforce, healthcare coverage, and public accommodations. Finally, students recommended that Colorado improve awareness and data around eating disorders by creating the Office of Disordered Eating Prevention.

Committee recommendations. As a result of its discussions, the committee recommends Bill A, which concerns creating the Office of Disordered Eating Prevention in the Department of Public Health and Environment.

Youth Sexual Health: HIV Education and Prevention

The committee heard presentations from the COYAC student representatives concerning a lack of comprehensive education, prevention, and access to care among youth about human immunodeficiency virus (HIV).

HIV impact on youth. While individuals under the age of 25 make up about 17 percent of new diagnoses of HIV, severe stigma persists about HIV among younger populations. More than 25 percent of young adults have stated that they avoid shaking hands with individuals with HIV and 30 percent report they prefer not to interact with HIV positive individuals. Further, the COYAC students reported that HIV disproportionately impacts black, indigenous, and populations of color communities and impacts women of color more than any other population.

HIV education. The COYAC student representatives discussed a lack of education among youth about how HIV is transmitted and prevented. Knowledge of HIV has been declining and, as a result, the number of people aware of their HIV status has decreased and youth are the least likely age group to be aware of their status due to not knowing the symptoms or causes of HIV. Lack of education may result in stigmatizing individuals and, the students noted, an increase in transmission among groups that believe the virus does not affect them. Further, young people do not know how to access care to protect themselves and struggle to find the medication that can help them when they need it.

COYAC recommendations. The COYAC students presented four policy recommendations related to HIV awareness and education for youth in Colorado. First, the students recommended the state require HIV education as part of health class curriculum, including information about medical resources and access. Second, the students recommended a student-led program to create educational materials and awareness measures targeted toward youth. Third, the students recommended the General Assembly remove the requirement that a health care provider must notify a parent or legal guardian of a minor's HIV testing diagnosis to reduce the fear of testing among youth. Finally, the students recommended funding to family planning clinics and school health centers to provide youth with HIV testing and medication at low or no cost regardless of insured status.

Committee recommendations. As a result of its discussions, the committee recommended that a bill on improving youth education, awareness, and treatment for HIV be drafted, but the draft bill was withdrawn and therefore, not approved by the committee.

Summary of Recommendations

As a result of the committee's activities, the committee recommended three bills to the Legislative Council for consideration in the 2022 session. At its meeting on November 15, 2021, the Legislative Council approved all the recommended bills for introduction. The approved bills are described below.

Bill A — Disordered Eating Prevention

Bill A establishes the Office of Disordered Eating Prevention in the Department of Public Health and Environment and requires the office to create resources and partner or work with other agencies. The bill also creates the Disordered Eating Prevention Commission to advise the new office. The commission will have 17 members with professional or personal connections to disordered eating prevention. Finally, the bill creates the Disordered Eating Prevention Research Grant Program to provide financial assistance to eligible applicants to conduct research on risk factors for disordered eating, the impact disordered eating has on Colorado, or public health interventions that examine and address the root causes of disordered eating.

Bill B — Secondary School Student Substance Use

Bill B creates the Secondary School Student Substance Use Committee in the Department of Education to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment, offers a brief intervention, and refers the student to substance use treatment resources. The department is required to publicly publish a report of the committee's findings and submit the report to the superintendent of every school district and chief administrator of every institute charter school that is a secondary school.

Bill C — Disproportionate Discipline in Public Schools

Bill C requires each school district board of education, institute charter school board for a charter school authorized by the state charter school institute, or governing board of a board of cooperative services (BOCES) to adopt a policy to address disproportionate disciplinary practices in public schools. In addition, the bill requires school districts to consider current factors in law before suspending or expelling a student. Finally, the bill requires school districts to document in a student's record and compile in the Safe Schools report any alternative disciplinary attempts before suspending or expelling a student.

Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/content/committees>

Meeting Date and Topics Discussed

August 5, 2022

- ◆ Discussion on COYAC Recommendation 1: Disciplinary Equity in Education: Co-Creation and Accountability in Restorative Planning
- ◆ Discussion on COYAC Recommendation 2: Increasing Completion of Financial Aid Applications
- ◆ Discussion on COYAC Recommendation 3: Increasing the Number of Licensed Psychologists for Youth
- ◆ Discussion of COYAC Recommendation 4: Reforming Intervention Response to Substance Abuse in Secondary Schools
- ◆ Discussion of COYAC Recommendation 5: Youth Participation in Updating Educational Standards
- ◆ Discussion of COYAC Recommendation 6: Youth Public Health: Eating Disorders and Weight Discrimination
- ◆ Discussion of COYAC Recommendation 7: Youth Sexual Health: HIV Education and Prevention

August 19, 2022

- ◆ Discussion on all COYAC recommendations
- ◆ Discussion and voting on bill drafts

September 30, 2022

- ◆ Presentation and voting on committee legislation

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

BILL A

LLS NO. 23-0166.01 Alana Rosen x2606

SENATE BILL

SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

Lindsay,

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING ESTABLISHING THE OFFICE OF DISORDERED EATING**
102 **PREVENTION IN THE DEPARTMENT OF PUBLIC HEALTH AND**
103 **ENVIRONMENT.**

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/>.)

Colorado Youth Advisory Council Committee. The bill establishes the office of disordered eating prevention (office) in the department of public health and environment (department).

The office and the department are required to:

- Create and maintain a resource bank for research,

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.

intervention methods, treatment resources, information on crisis services, awareness programs, and educational resources regarding disordered eating prevention and care in Colorado;

- Collaborate with the office of suicide prevention, the behavioral health administration, and organizations within the health-care industry to close gaps in care and provide support to individuals with disordered eating who transition out of inpatient care, facilitate public outreach, and increase awareness regarding disordered eating prevention and care with a focus on impacted communities, such as youth, people of color, and lesbian, gay, bisexual, and transgender individuals;
- Create outreach resources directing youth on how to seek care for disordered eating and how to report concerns for other youth, with a focus on impacted communities, such as lesbian, gay, bisexual, and transgender youth and youth of color;
- Partner with the department of education to inform teachers, administrators, school staff, students, and parents on disordered eating preventions and treatment for youth;
- Collaborate with advocacy groups, including faith-based organizations, to support a shift in public perception regarding health-care systems and disordered eating treatment and prevention;
- Coordinate the disordered eating prevention research grant program; and
- Prepare written information for primary care offices and providers throughout the state. The information must be culturally specific concerning how to recognize and respond to a patient with disordered eating and include separate written information for providers and information that may be shared with an adult patient or a youth patient and the caregivers of the youth patient.

The bill creates the disordered eating prevention commission (commission) in the department. The commission will have 17 members with professional or personal connections to disordered eating prevention. The purpose of the commission is to:

- Provide public and private leadership on disordered eating prevention in Colorado;
- Set statewide, data-driven, evidence-based, and clinically informed priorities for disordered eating prevention in Colorado;
- Serve as the advisor to the office of disordered eating prevention;

- Establish and lead subgroups to set strategy and implementation plans for the office;
- Provide a forum for government agencies, community members, and lawmakers to examine the current status of disordered eating prevention policies;
- Provide a voice for youth and focus on youth issues;
- Provide a forum for diverse perspectives to support and inform diverse communities; and
- Provide a forum for perspectives from rural communities to support and inform rural communities.

The bill creates the disordered eating prevention research grant program (grant program) in the department. The purpose of the grant program is to provide financial assistance to eligible applicants to conduct research on risk factors for disordered eating, the impact disordered eating has on Colorado, or public health interventions that examine and address the root causes of disordered eating.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 20 to article
 3 20.5 of title 25 as follows:

4 **PART 20**

5 **OFFICE OF DISORDERED**

6 **EATING PREVENTION**

7 **25-20.5-2001. Legislative declaration.** (1) THE GENERAL
 8 ASSEMBLY FINDS AND DECLARES THAT:

9 (a) EATING DISORDERS ARE INCREASINGLY RECOGNIZED AS A
 10 LEADING CAUSE OF MORBIDITY AND MORTALITY;

11 (b) IN 2015, COLORADO HAD THE FIFTH-HIGHEST RATE OF EATING
 12 DISORDERS IN THE COUNTRY AMONG YOUTH;

13 (c) EATING DISORDERS ARE A MENTAL ILLNESS THAT HAVE THE
 14 HIGHEST MORTALITY RATE OF ANY PSYCHIATRIC ILLNESS;

15 (d) PEOPLE OF COLOR; LESBIAN, GAY, BISEXUAL, OR TRANSGENDER
 16 INDIVIDUALS; AND YOUTH ARE MORE LIKELY TO SUFFER FROM

1 DISORDERED EATING BUT LESS LIKELY TO RECEIVE EATING DISORDER
2 TREATMENT, CREATING A DISPROPORTIONATE GAP IN EATING DISORDER
3 PREVENTION AND CARE; AND

4 (e) THERE IS LIMITED STATE-SPECIFIC RESEARCH ON DISORDERED
5 EATING AND ITS IMPACTS ON THE STATE OF COLORADO.

6 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT TO
7 UNDERSTAND DISORDERED EATING AND ITS IMPACTS ON COLORADANS,
8 THE STATE MUST FOCUS ON DEVELOPING RESEARCH AND RESOURCES TO
9 EDUCATE COLORADANS ON THE SEVERITY OF DISORDERED EATING AND
10 SUPPORT COLORADANS WHO DEVELOP DISORDERED EATING. IT IS ALSO
11 IMPORTANT TO RECOGNIZE THAT DISORDERED EATING HARMS AND
12 INCREASES THE MORTALITY RATE OF PEOPLE OF COLOR; LESBIAN, GAY,
13 BISEXUAL, OR TRANSGENDER INDIVIDUALS; AND YOUTH.

14 **25-20.5-2002. Definitions.** AS USED IN THIS PART 20, UNLESS THE
15 CONTEXT OTHERWISE REQUIRES:

16 (1) "COMMISSION" MEANS THE DISORDERED EATING PREVENTION
17 COMMISSION CREATED IN SECTION 25-20.5-2004.

18 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
19 AND ENVIRONMENT CREATED PURSUANT TO SECTION 25-1-102.

20 (3) "DISORDERED EATING" MEANS A RANGE OF IRREGULAR EATING
21 DISORDERS THAT MAY WARRANT A DIAGNOSIS.

22 (4) "DISORDERED EATING PREVENTION RESEARCH GRANT
23 PROGRAM" OR "GRANT PROGRAM" MEANS THE DISORDERED EATING
24 PREVENTION RESEARCH GRANT PROGRAM CREATED IN SECTION
25 25-20.5-2005.

26 (5) "OFFICE OF DISORDERED EATING PREVENTION" MEANS THE
27 OFFICE OF DISORDERED EATING PREVENTION CREATED IN SECTION

1 25-20.5-2003.

2 (6) "YOUTH" MEANS AN INDIVIDUAL WHO IS LESS THAN
3 TWENTY-FIVE YEARS OF AGE.

4 **25-20.5-2003. Office of disordered eating prevention - creation**
5 **- reports.** (1) ON OR BEFORE JULY 1, 2024, THE OFFICE OF DISORDERED
6 EATING PREVENTION IS CREATED IN THE DEPARTMENT UNDER THE
7 AUSPICES OF THE PREVENTION SERVICES DIVISION, ESTABLISHED IN
8 SECTION 25-20.5-103. THE OFFICE OF DISORDERED EATING PREVENTION
9 SERVES AS THE COORDINATOR FOR EATING DISORDER PROGRAMS
10 THROUGHOUT THE STATE, INCLUDING THE DISORDERED EATING
11 PREVENTION RESEARCH GRANT PROGRAM.

12 (2) THE DEPARTMENT AND THE OFFICE OF DISORDERED EATING
13 PREVENTION SHALL:

14 (a) CREATE AND MAINTAIN A RESOURCE BANK FOR RESEARCH,
15 INTERVENTION METHODS, TREATMENT RESOURCES, INFORMATION ON
16 CRISIS SERVICES, AWARENESS PROGRAMS, AND EDUCATIONAL RESOURCES
17 REGARDING DISORDERED EATING PREVENTION AND CARE IN COLORADO.
18 THE RESOURCE BANK MUST BE YOUTH-FRIENDLY, CULTURALLY SENSITIVE,
19 AND, WHEN POSSIBLE, AVAILABLE IN BOTH ENGLISH AND SPANISH. IN
20 CREATING THE RESOURCE BANK, THE DEPARTMENT AND OFFICE OF
21 DISORDERED EATING PREVENTION SHALL SOLICIT INPUT FROM PERSONS,
22 INCLUDING YOUTH AND ADULTS, WITHIN AND OUTSIDE OF THE MENTAL
23 HEALTH PROFESSION, INCLUDING BOTH COMMUNITY AND SCHOOL MENTAL
24 HEALTH PROFESSIONALS.

25 (b) COLLABORATE WITH THE OFFICE OF SUICIDE PREVENTION,
26 CREATED IN SECTION 25-1.5-101 (1)(w), THE BEHAVIORAL HEALTH
27 ADMINISTRATION CREATED IN SECTION 27-50-102, AND ORGANIZATIONS

1 WITHIN THE HEALTH-CARE INDUSTRY TO CLOSE GAPS IN CARE, PROVIDE
2 SUPPORT TO INDIVIDUALS WITH DISORDERED EATING WHO TRANSITION OUT
3 OF INPATIENT CARE, FACILITATE PUBLIC OUTREACH, AND INCREASE
4 AWARENESS REGARDING DISORDERED EATING PREVENTIONS AND CARE
5 WITH A FOCUS ON IMPACTED COMMUNITIES, SUCH AS YOUTH, PEOPLE OF
6 COLOR, AND LESBIAN, GAY, BISEXUAL, AND TRANSGENDER INDIVIDUALS;

7 (c) CREATE OUTREACH RESOURCES DIRECTING YOUTH ON HOW TO
8 SEEK CARE FOR DISORDERED EATING AND HOW TO REPORT CONCERN FOR
9 OTHER YOUTH. THE OUTREACH RESOURCES MUST HAVE A FOCUS ON
10 IMPACTED COMMUNITIES, SUCH AS LESBIAN, GAY, BISEXUAL, AND
11 TRANSGENDER YOUTH AND YOUTH OF COLOR.

12 (d) PARTNER WITH THE DEPARTMENT OF EDUCATION TO INFORM
13 TEACHERS, ADMINISTRATORS, SCHOOL STAFF, STUDENTS, AND PARENTS ON
14 DISORDERED EATING PREVENTION AND TREATMENT OF YOUTH;

15 (e) COLLABORATE WITH ADVOCACY GROUPS, INCLUDING
16 FAITH-BASED ORGANIZATIONS, TO SUPPORT A SHIFT IN PUBLIC PERCEPTION
17 REGARDING HEALTH-CARE SYSTEMS AND DISORDERED EATING TREATMENT
18 AND PREVENTION;

19 (f) COORDINATE THE DISORDERED EATING PREVENTION RESEARCH
20 GRANT PROGRAM; AND

21 (g) PREPARE WRITTEN INFORMATION FOR PRIMARY CARE OFFICES
22 AND PROVIDERS THROUGHOUT THE STATE. THE INFORMATION MUST BE
23 CULTURALLY SPECIFIC CONCERNING HOW TO RECOGNIZE AND RESPOND TO
24 A PATIENT WITH DISORDERED EATING AND INCLUDE SEPARATE WRITTEN
25 INFORMATION FOR PROVIDERS AND INFORMATION THAT MAY BE SHARED
26 WITH AN ADULT PATIENT OR A YOUTH PATIENT AND THE CAREGIVERS OF
27 THE YOUTH PATIENT.

1 (3) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
2 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
3 PURPOSES OF THIS SECTION.

4 (4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
5 BEFORE NOVEMBER 1, 2024, AND EVERY NOVEMBER 1 THEREAFTER, THE
6 OFFICE OF DISORDERED EATING PREVENTION SHALL SUBMIT TO THE
7 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE
8 PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE OF
9 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A
10 REPORT THAT SUMMARIZES THE RECOMMENDATIONS FROM THE
11 COMMISSION PURSUANT TO SECTION 25-20.5-2004 (4) AND THE
12 INFORMATION THE DEPARTMENT RECEIVES REGARDING THE DISORDERED
13 EATING PREVENTION RESEARCH GRANT PROGRAM PURSUANT TO SECTION
14 25-20.5-2005 (3)(b). THE OFFICE OF DISORDERED EATING PREVENTION
15 SHALL INCLUDE IN THE REPORT ANY FINDINGS AND RECOMMENDATIONS IT
16 HAS TO IMPROVE DISORDERED EATING PREVENTION IN THE STATE.

17 **25-20.5-2004. Disordered eating prevention commission -**
18 **creation - responsibilities - repeal.** (1) THERE IS CREATED IN THE
19 DEPARTMENT THE DISORDERED EATING PREVENTION COMMISSION. THE
20 PURPOSE OF THE COMMISSION IS TO:

21 (a) PROVIDE PUBLIC AND PRIVATE LEADERSHIP ON DISORDERED
22 EATING PREVENTION IN COLORADO;

23 (b) SET STATEWIDE, DATA-DRIVEN, EVIDENCE-BASED, AND
24 CLINICALLY INFORMED PRIORITIES FOR DISORDERED EATING PREVENTION
25 IN COLORADO;

26 (c) SERVE AS THE ADVISOR TO THE OFFICE OF DISORDERED EATING
27 PREVENTION;

1 (d) ESTABLISH AND LEAD SUBGROUPS TO SET STRATEGY AND
2 IMPLEMENTATION PLANS FOR THE OFFICE OF DISORDERED EATING
3 PREVENTION. SUBGROUP TOPICS MAY INCLUDE HOSPITALIZATION,
4 INSURANCE, HEALTH CARE, AND YOUTH.

5 (e) PROVIDE A FORUM FOR GOVERNMENT AGENCIES, COMMUNITY
6 MEMBERS, AND LAWMAKERS TO EXAMINE THE CURRENT STATUS OF
7 DISORDERED EATING PREVENTION POLICIES;

8 (f) PROVIDE A FORUM FOR YOUTH AND TO FOCUS ON YOUTH
9 ISSUES;

10 (g) PROVIDE A FORUM FOR DIVERSE PERSPECTIVES TO SUPPORT
11 AND INFORM DIVERSE COMMUNITIES;

12 (h) PROVIDE A FORUM FOR PERSPECTIVES FROM RURAL
13 COMMUNITIES TO SUPPORT AND INFORM RURAL COMMUNITIES; AND

14 (i) DEVELOP RECOMMENDATIONS FOR LEGISLATION.

15 (2) (a) ON OR BEFORE DECEMBER 31, 2024, THE EXECUTIVE
16 DIRECTOR OF THE DEPARTMENT SHALL APPOINT TO THE COMMISSION THE
17 FOLLOWING MEMBERS:

18 (I) A REPRESENTATIVE FROM THE OFFICE OF DISORDERED EATING
19 PREVENTION IN THE DEPARTMENT, WHICH OFFICE IS THE ADMINISTRATOR
20 AND COORDINATOR OF THE COMMISSION;

21 (II) A REPRESENTATIVE FROM THE BEHAVIORAL HEALTH
22 ADMINISTRATION, CREATED IN SECTION 27-50-102;

23 (III) A REPRESENTATIVE FROM THE COLORADO YOUTH ADVISORY
24 COUNCIL, CREATED IN SECTION 2-2-1302;

25 (IV) A REPRESENTATIVE FROM HIGHER EDUCATION;

26 (V) A REPRESENTATIVE FROM K-12 EDUCATION;

27 (VI) A REPRESENTATIVE FROM A COLORADO-BASED MENTAL

1 HEALTH ORGANIZATION;

2 (VII) A LICENSED MENTAL HEALTH PROFESSIONAL;

3 (VIII) A PRIMARY CARE DOCTOR;

4 (IX) A REPRESENTATIVE FROM A HOSPITAL;

5 (X) A REPRESENTATIVE FROM A TREATMENT FACILITY THAT

6 SPECIALIZES IN INPATIENT AND OUTPATIENT DISORDERED EATING CARE;

7 (XI) A REPRESENTATIVE FROM AN INSURANCE PROVIDER;

8 (XII) A REPRESENTATIVE FROM A NONPROFIT ORGANIZATION THAT

9 SPECIALIZES IN DISORDERED EATING TREATMENT AND CARE;

10 (XIII) A REPRESENTATIVE FROM A FOR-PROFIT ORGANIZATION

11 THAT SPECIALIZES IN DISORDERED EATING TREATMENT AND CARE;

12 (XIV) A REPRESENTATIVE FROM AN INTERFAITH ORGANIZATION;

13 (XV) A PERSON WHO LIVES IN AN URBAN AREA, HAS HAD AN

14 EATING DISORDER, RECOVERED, AND IS NOW THRIVING;

15 (XVI) A PERSON WHO LIVES IN A RURAL AREA, HAS HAD AN

16 EATING DISORDER, RECOVERED, AND IS NOW THRIVING; AND

17 (XVII) A FAMILY MEMBER OF A PERSON WHO HAS EXPERIENCED

18 DISORDERED EATING.

19 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL

20 APPOINT COMMISSION MEMBERS WHO REPRESENT DIVERSE RACIAL,

21 CULTURAL, SOCIOECONOMIC, GENDER, AND ABILITY GROUPS.

22 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL

23 APPOINT TWO COMMISSION MEMBERS TO SERVE AS CO-CHAIRS OF THE

24 COMMISSION.

25 (d) MEMBERS OF THE COMMISSION SERVE WITHOUT

26 COMPENSATION; EXCEPT THAT THE MEMBERS MAY SEEK REIMBURSEMENT

27 FOR MEETING EXPENSES AS APPROPRIATE.

1 (e) THE COMMISSION SHALL CONSIDER HOLDING VIRTUAL
2 MEETINGS AND SCHEDULING MEETINGS OUTSIDE OF BUSINESS HOURS TO
3 ALLOW YOUTH MEMBERS TO PARTICIPATE.

4 (3) THE DEPARTMENT SHALL COORDINATE ALL COMMISSION
5 ACTIVITIES, INCLUDING MEETING LOGISTICS, AGENDA DEVELOPMENT,
6 FOLLOW-UP AFTER MEETINGS, AND ORGANIZING AND ORIENTING
7 COMMISSION MEMBERS.

8 (4) THE OFFICE OF DISORDERED EATING PREVENTION SHALL
9 INCLUDE THE RECOMMENDATIONS OF THE COMMISSION DESCRIBED IN
10 SUBSECTION (1)(i) OF THIS SECTION IN ITS ANNUAL REPORT SUBMITTED TO
11 THE GENERAL ASSEMBLY PURSUANT TO SECTION 25-20.5-2003 (4).

12 (5) (a) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2033.

13 (b) PRIOR TO THE REPEAL, THE DEPARTMENT OF REGULATORY
14 AGENCIES SHALL REVIEW THE COMMISSION PURSUANT TO SECTION
15 2-3-1203.

16 **25-1.5-2005. Disordered eating prevention research grant**
17 **program - creation - process - reporting requirements - definitions -**
18 **repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES:

20 (a) "ELIGIBLE APPLICANT" MEANS AN INDIVIDUAL, NONPROFIT
21 ORGANIZATION, OR FOR-PROFIT ORGANIZATION THAT CONDUCTS
22 RESEARCH ON DISORDERED EATING AND PREVENTION IN YOUTH AND
23 ADULTS OR SERVES YOUTH AND ADULTS WHO HAVE DISORDERED EATING
24 TRAITS.

25 (b) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE
26 DEPARTMENT SELECTS TO RECEIVE MONEY THROUGH THE GRANT
27 PROGRAM.

1 (2) (a) THERE IS CREATED IN THE DEPARTMENT THE DISORDERED
2 EATING PREVENTION RESEARCH GRANT PROGRAM. THE PURPOSE OF THE
3 GRANT PROGRAM IS TO PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE
4 APPLICANTS TO CONDUCT RESEARCH ON RISK FACTORS FOR DISORDERED
5 EATING IN YOUTH AND ADULTS, THE IMPACT DISORDERED EATING HAS ON
6 COLORADO, OR PUBLIC HEALTH INTERVENTIONS FOR DISORDERED EATING
7 THAT EXAMINE AND ADDRESS THE ROOT CAUSES FOR DISORDERED EATING.

8 (b) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN
9 CONSULTATION WITH THE OFFICE OF DISORDERED EATING PREVENTION.

10 (c) ON OR BEFORE OCTOBER 1, 2024, THE OFFICE OF DISORDERED
11 EATING PREVENTION SHALL MAKE RECOMMENDATIONS TO THE
12 DEPARTMENT REGARDING THE ADMINISTRATION OF THE GRANT PROGRAM,
13 AND THE DEPARTMENT SHALL ADOPT GUIDELINES FOR THE GRANT
14 PROGRAM. THE GUIDELINES MUST INCLUDE:

15 (I) APPLICATION PROCEDURES BY WHICH ELIGIBLE APPLICANTS
16 MAY APPLY FOR A GRANT PURSUANT TO THIS SECTION;

17 (II) CRITERIA TO USE IN SELECTING ELIGIBLE APPLICANTS TO
18 RECEIVE GRANT MONEY AND DETERMINING THE AMOUNT OF GRANT
19 MONEY TO BE AWARDED TO EACH GRANT RECIPIENT; AND

20 (III) PROCEDURES FOR THE ADMINISTRATION OF THE GRANT
21 PROGRAM, INCLUDING THE DATES THE DEPARTMENT AND THE OFFICE OF
22 DISORDERED EATING PREVENTION ANNOUNCE THE GRANT PROGRAM,
23 BEGIN ACCEPTING APPLICATIONS, ALLOW ELIGIBLE APPLICANTS TO SUBMIT
24 APPLICATIONS, AND BEGIN DISTRIBUTING GRANT MONEY TO THE
25 GRANTEES.

26 (d) THE DEPARTMENT SHALL GRANT AT LEAST ONE-QUARTER OF
27 THE AMOUNT APPROPRIATED TO THE GRANT PROGRAM TO GRANT

1 RECIPIENTS WHOSE RESEARCH FOCUSES ON DISORDERED EATING IN YOUTH.

2 (3) (a) EACH GRANT RECIPIENT SHALL SUBMIT A WRITTEN REPORT
3 TO THE DEPARTMENT NO LATER THAN SIX MONTHS AFTER THE EXPIRATION
4 OF THE TERM OF ITS GRANT. THE REPORT MUST INCLUDE A SUMMARY OF
5 THE RESEARCH MADE POSSIBLE BY THE GRANT MONEY.

6 (b) THE DEPARTMENT SHALL INCLUDE IN THE REPORT REQUIRED
7 PURSUANT TO SECTION 25-20.5-2003 (4) THE FOLLOWING INFORMATION
8 REGARDING THE ADMINISTRATION OF THE GRANT PROGRAM DURING THE
9 PRECEDING YEAR:

10 (I) THE NUMBER OF GRANT RECIPIENTS THAT RECEIVED MONEY
11 FROM THE GRANT PROGRAM;

12 (II) THE AMOUNT OF EACH GRANT AWARD TO EACH GRANT
13 RECIPIENT;

14 (III) A SUMMARY OF GRANT RECIPIENTS' WRITTEN REPORTS
15 DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION.

16 (4) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
17 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
18 PURPOSES OF THIS SECTION.

19 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

20 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-101, **add**
21 (1)(dd) as follows:

22 **25-1.5-101. Powers and duties of department - laboratory cash**
23 **fund - office of suicide prevention - suicide prevention coordination**
24 **cash fund - report - dispensation of payments under contracts with**
25 **grantees - definitions.** (1) The department has, in addition to all other
26 powers and duties imposed upon it by law, the powers and duties
27 provided in this section as follows:

1 (dd) TO OPERATE THE OFFICE OF DISORDERED EATING PREVENTION
2 CREATED IN SECTION 25-20.5-2003 IN THE DEPARTMENT UNDER THE
3 AUSPICES OF THE PREVENTION SERVICES DIVISION, ESTABLISHED IN
4 SECTION 25-20.5-103.

5 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add** (24)
6 as follows:

7 **2-3-1203. Sunset review of advisory committees - legislative**
8 **declaration - definition - repeal.** (24) ~~Reserved.~~ THE FOLLOWING
9 STATUTORY AUTHORIZATIONS FOR THE DESIGNATED ADVISORY
10 COMMITTEES WILL REPEAL ON SEPTEMBER 1, 2033:

11 (a) THE DISORDERED EATING PREVENTION COMMISSION CREATED
12 IN SECTION 25-20.5-2004.

13 (b) THIS SUBSECTION (24) IS REPEALED, EFFECTIVE SEPTEMBER 1,
14 2035.

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2024 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

BILL B

LLS NO. 23-0167.02 Jacob Baus x2173

HOUSE BILL

HOUSE SPONSORSHIP

Lindsay,

SENATE SPONSORSHIP

Moreno,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE SERVICES FOR STUDENTS WHO**
102 **USE SUBSTANCES.**

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/>.)

Colorado Youth Advisory Council Committee. The bill creates the secondary school student substance use committee (committee) in the department of education (department) to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment, offers a brief intervention, and refers the student to substance use treatment resources.

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.

The department is required to publicly publish a report of the committee's findings and submit the report to the superintendent of every school district and chief administrator of every institute charter school that is a secondary school.

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) Substance use is a major issue afflicting Colorado youth;

5 (b) Colorado has higher levels of substance use, particularly
6 among youth, than most other states;

7 (c) Colorado schools' substance use intervention programs lack
8 uniformity, resulting in inequitable interventions and treatment referrals
9 for youth;

10 (d) A screening, brief intervention, and referral to treatment
11 methodology has been adopted by schools with school-based health
12 centers, and this methodology has revolutionized substance use treatment
13 for youth;

14 (e) The screening, brief intervention, and referral to treatment
15 methodology, if modified appropriately, may be implemented in
16 secondary schools without school-based health centers in order to provide
17 more support to youth who use substances;

18 (f) Access to the crisis response system is critical for youth
19 suffering from behavioral health and substance use crises; and

20 (g) Adequate funding for the crisis response system is necessary
21 to ensure that youth suffering from behavioral health and substance use
22 crises may seek and receive timely support in order to prevent avoidable
23 outcomes.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-148 as
2 follows:

3 **22-2-148. Secondary school student substance use - committee**
4 **- definitions - repeal.** (1) (a) THERE IS CREATED IN THE DEPARTMENT THE
5 SECONDARY SCHOOL STUDENT SUBSTANCE USE COMMITTEE, REFERRED TO
6 IN THIS SECTION AS THE "COMMITTEE". ON OR BEFORE AUGUST 1, 2023,
7 THE COMMISSIONER SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE
8 ON THE COMMITTEE:

9 (I) TWO MEMBERS WHO ARE STUDENTS AT A PUBLIC SECONDARY
10 SCHOOL, ONE WHO ATTENDS A SCHOOL THAT IS LOCATED IN A RURAL
11 SCHOOL DISTRICT AND ONE WHO ATTENDS A SCHOOL THAT IS NOT
12 LOCATED IN RURAL SCHOOL DISTRICT;

13 (II) TWO MEMBERS WHO ARE TEACHERS AT A PUBLIC SECONDARY
14 SCHOOL, ONE WHO TEACHES AT A SCHOOL THAT IS LOCATED IN A RURAL
15 SCHOOL DISTRICT AND ONE WHO TEACHES AT A SCHOOL THAT IS NOT
16 LOCATED IN A RURAL SCHOOL DISTRICT;

17 (III) TWO MEMBERS WHO ARE SCHOOL COUNSELORS AT A PUBLIC
18 SECONDARY SCHOOL, ONE WHO IS A SCHOOL COUNSELOR AT A SCHOOL
19 THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A SCHOOL
20 COUNSELOR AT A SCHOOL THAT IS NOT LOCATED IN A RURAL SCHOOL
21 DISTRICT;

22 (IV) TWO MEMBERS WHO ARE SCHOOL ADMINISTRATORS AT A
23 PUBLIC SECONDARY SCHOOL, ONE WHO IS A SCHOOL ADMINISTRATOR AT
24 A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO
25 IS A SCHOOL ADMINISTRATOR AT A SCHOOL THAT IS NOT LOCATED IN A
26 RURAL SCHOOL DISTRICT;

27 (V) TWO MEMBERS WHO ARE PARENTS OR LEGAL GUARDIANS OF

1 A STUDENT ATTENDING A PUBLIC SECONDARY SCHOOL, ONE WHO IS A
2 PARENT OR LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT
3 IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A PARENT OR
4 LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT NOT IS
5 LOCATED IN A RURAL SCHOOL DISTRICT; AND

6 (VI) TWO MEMBERS WHO ARE LICENSED MEDICAL PROFESSIONALS
7 WITH EXPERTISE IN ADOLESCENT SUBSTANCE USE DISORDERS, ONE WHO
8 PRACTICES IN A RURAL REGION AND ONE WHO PRACTICES IN AN URBAN OR
9 SUBURBAN REGION.

10 (b) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
11 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND
12 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

13 (c) MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE
14 COMMISSIONER, AND SERVE WITHOUT COMPENSATION OR PER DIEM.

15 (2) THE COMMITTEE SHALL DEVELOP A PRACTICE, OR IDENTIFY OR
16 MODIFY AN EXISTING PRACTICE, FOR SECONDARY SCHOOLS TO IMPLEMENT
17 THAT IDENTIFIES STUDENTS WHO NEED SUBSTANCE USE TREATMENT,
18 OFFERS A BRIEF INTERVENTION, AND REFERS THE STUDENTS TO SUBSTANCE
19 USE TREATMENT RESOURCES. THE COMMITTEE SHALL CONSIDER EXISTING
20 AND AVAILABLE INFORMATION CONCERNING SECONDARY SCHOOL
21 STUDENT SUBSTANCE USE IN COLORADO, AND HOW THE PRACTICE MUST
22 ADDRESS THE CHALLENGES, RESOURCES, AND NEEDS IDENTIFIED FROM THE
23 EXISTING AND AVAILABLE INFORMATION.

24 (3) ON OR BEFORE JANUARY 5, 2024, THE COMMITTEE SHALL
25 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED
26 PRACTICE PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE
27 DEPARTMENT SHALL PUBLISH THE REPORT ON ITS WEBSITE AND SUBMIT

1 THE REPORT TO THE SUPERINTENDENT OF EVERY SCHOOL DISTRICT AND
2 THE CHIEF ADMINISTRATOR OF EVERY INSTITUTE CHARTER SCHOOL THAT
3 IS A SECONDARY SCHOOL.

4 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES:

6 (a) "LICENSED MEDICAL PROFESSIONAL" MEANS A PSYCHOLOGIST
7 OR PHYSICIAN LICENSED TO PRACTICE IN COLORADO.

8 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
9 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE
10 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
11 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

12 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

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.

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

BILL C

LLS NO. 23-0170.01 Alana Rosen x2606

SENATE BILL

SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

Lindsay,

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING ADDRESSING DISPROPORTIONATE DISCIPLINE IN PUBLIC**
102 **SCHOOLS.**

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/>.)

Colorado Youth Advisory Council Committee. The bill requires each school district board of education, institute charter school board for a charter school authorized by the state charter school institute, or governing board of a board of cooperative services (BOCES) to adopt a policy to address disproportionate disciplinary practices in public schools. Each school district, charter school, institute charter school, or BOCES

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.

(local education provider) shall develop, implement, and annually review improvement plans if the data reported to the department of education pursuant to the safe school reporting requirements shows disproportionate discipline practices at the local education provider. In implementing an improvement plan to address disproportionate discipline practices, each local education provider shall provide to the parents of the students enrolled in the school written notice of the improvement plan and issues identified by the local education provider as giving rise to the need for the plan. The written notice must include the timeline for developing and adopting the improvement plan and the dates, times, and locations of the public meeting to solicit input from parents concerning disproportionate discipline and the contents of the plan before the plan is written and a public hearing to review the plan prior to final adoption.

Current law encourages school districts to consider certain factors before suspending or expelling a student. The bill requires school districts to consider those factors before suspending or expelling a student.

The bill requires school districts to document in a student's record and compile in the safe school report any alternative disciplinary attempts before suspending or expelling a student.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-33-112 as
3 follows:

4 **22-33-112. Addressing disproportionate discipline - policy -**
5 **communications - legislative declaration - definitions.** (1) (a) THE

6 GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7 (I) STUDENTS WHO ARE SUSPENDED AND EXPELLED ARE MORE
8 LIKELY TO BE WITHOUT SUPERVISION DURING THE SUSPENSION OR
9 EXPULSION PERIOD, CAUSING STUDENTS TO FALL BEHIND IN COURSE WORK;

10 (II) SUSPENDED AND EXPELLED STUDENTS ARE FIFTY-ONE PERCENT
11 MORE LIKELY TO BE ARRESTED TWO OR MORE TIMES THAN THEIR PEERS
12 WHO ARE NOT SUSPENDED OR EXPELLED FROM SCHOOL;

13 (III) FOR THE 2018-19 SCHOOL YEAR IN COLORADO, BLACK
14 STUDENTS WERE 3.2 TIMES MORE LIKELY TO BE SUSPENDED THAN WHITE

1 STUDENTS, AND HISPANIC STUDENTS WERE 1.7 TIMES MORE LIKELY TO BE
2 SUSPENDED THAN WHITE STUDENTS; AND

3 (IV) LONGITUDINAL RESEARCH SHOWS THAT TWELVE YEARS
4 AFTER A SUSPENSION, SUSPENDED YOUTH ARE LESS LIKELY THAN
5 NONSUSPENDED YOUTH TO HAVE EARNED A HIGH SCHOOL DIPLOMA OR A
6 BACHELOR'S DEGREE. SUSPENDED YOUTH ARE MORE LIKELY TO HAVE BEEN
7 ARRESTED AND ON PROBATION, WHICH SUGGESTS THAT SUSPENSION,
8 RATHER THAN SELECTION BIAS, EXPLAINS NEGATIVE OUTCOMES.

9 (b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT
10 DISCRIMINATION PLAYS A SIGNIFICANT ROLE IN PERPETUATING SCHOOL
11 SAFETY POLICIES THAT PUSH STUDENTS INTO THE CRIMINAL JUSTICE
12 SYSTEM. RESEARCH DEMONSTRATES THAT BLACK AND HISPANIC
13 STUDENTS ARE OFTEN PUNISHED MORE HARSHLY FOR THE SAME
14 INFRACTIONS THAN WHITE STUDENTS, WHICH REINFORCES THE ROLE OF
15 RACIAL BIAS IN THE SCHOOL DISCIPLINE SYSTEM. IT IS CRITICAL TO
16 UNDERSTAND DISPROPORTIONATE DISCIPLINE POLICIES AND TAKE STEPS TO
17 ADDRESS AND PREVENT THE PROGRESSION FROM SCHOOL TO THE CRIMINAL
18 JUSTICE SYSTEM FROM OCCURRING.

19 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "BOARD OF COOPERATIVE SERVICES" OR "BOCES" MEANS A
22 BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT
23 TO ARTICLE 5 OF THIS TITLE 22 THAT OPERATES ONE OR MORE PUBLIC
24 SCHOOLS.

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

27 (c) "DISAGGREGATED STUDENT DATA" MEANS STUDENT DATA

1 DISAGGREGATED BY GENDER, GRADE LEVEL, RACE, ETHNICITY,
2 DISABILITY, WHETHER THE STUDENT HAS FEDERAL SECTION 504
3 ACCOMMODATIONS OR AN INDIVIDUALIZED EDUCATION PLAN, ENGLISH
4 LANGUAGE LEARNER STATUS, FREE AND REDUCED-PRICE LUNCH STATUS,
5 AND HOMELESS STATUS, COLLECTED PURSUANT TO SECTION 22-32-109.1
6 (2)(b.5).

7 (d) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
8 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
9 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
10 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
11 30.5 OF THIS TITLE 22, OR A BOCES THAT OPERATES A SCHOOL.

12 (e) "LOCAL SCHOOL BOARD" MEANS A SCHOOL DISTRICT BOARD OF
13 EDUCATION, AN INSTITUTE CHARTER SCHOOL BOARD FOR A CHARTER
14 SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE, OR THE
15 GOVERNING BOARD OF A BOCES.

16 (3)(a) EACH LOCAL SCHOOL BOARD SHALL ADOPT, AND THE LOCAL
17 EDUCATION PROVIDER SHALL IMPLEMENT, A POLICY TO ADDRESS
18 DISPROPORTIONATE DISCIPLINARY PRACTICES IN SCHOOLS BASED ON THE
19 DATA CONCERNING THE NUMBER AND TYPES OF DISCIPLINARY INCIDENTS,
20 THE DISCIPLINARY ACTIONS TAKEN IN RESPONSE TO SUCH INCIDENTS, AND
21 DISAGGREGATED STUDENT DATA COLLECTED PURSUANT TO SECTION
22 22-32-109.1 (2)(b.5). IN ADOPTING THE POLICY, THE LOCAL SCHOOL
23 BOARD MAY TAKE INTO ACCOUNT, BUT NEED NOT BE LIMITED TO, THE
24 PRACTICES AND STRATEGIES IDENTIFIED IN THE CONDUCT AND DISCIPLINE
25 CODE AND THE SAFE SCHOOL REPORTING REQUIREMENTS DESCRIBED IN
26 SECTION 22-32-109.1.

27 (b) AS PART OF THE POLICY TO ADDRESS DISPROPORTIONATE

1 DISCIPLINE, EACH LOCAL EDUCATION PROVIDER IS ENCOURAGED TO
2 PROVIDE TRAINING CONCERNING BEST PRACTICES AND SKILLS TO ADDRESS
3 DISPROPORTIONATE DISCIPLINE AND TO CREATE NEW, INCLUSIONARY
4 APPROACHES TO DISCIPLINE.

5 (c) EACH LOCAL EDUCATION PROVIDER SHALL IDENTIFY AN
6 EMPLOYEE OF THE LOCAL EDUCATION PROVIDER TO ACT AS THE POINT OF
7 CONTACT FOR DISCIPLINE TRAINING AND RESOURCES. THE IDENTIFIED
8 PERSON SHALL ALSO SERVE AS THE LIAISON BETWEEN THE LOCAL
9 EDUCATION PROVIDER AND THE DEPARTMENT AND SHALL FACILITATE THE
10 EFFORTS OF THE LOCAL EDUCATION PROVIDER TO ADDRESS
11 DISPROPORTIONATE DISCIPLINE. THE LOCAL EDUCATION PROVIDER SHALL
12 SUBMIT TO THE DEPARTMENT THE NAME OF THE IDENTIFIED EMPLOYEE.

13 (4) (a) EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY
14 REVIEW THE DATA CONCERNING THE NUMBER AND TYPES OF DISCIPLINARY
15 INCIDENTS, THE DISCIPLINARY ACTIONS TAKEN IN RESPONSE TO SUCH
16 INCIDENTS, AND DISAGGREGATED STUDENT DATA COLLECTED PURSUANT
17 TO SECTION 22-32-109.1 (2)(b.5).

18 (b) IF THE DATA DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION
19 REFLECTS DISPROPORTIONATE DISCIPLINE, THE LOCAL EDUCATION
20 PROVIDER SHALL DEVELOP, IMPLEMENT, AND ANNUALLY REVIEW AN
21 IMPROVEMENT PLAN TO ADDRESS DISPROPORTIONATE DISCIPLINE
22 PRACTICES BASED ON THE DATA COLLECTED PURSUANT TO SECTION
23 22-32-109.1 (2)(b.5). IN IMPLEMENTING AN IMPROVEMENT PLAN TO
24 ADDRESS DISPROPORTIONATE DISCIPLINE PRACTICES, THE LOCAL
25 EDUCATION PROVIDER SHALL PROVIDE WRITTEN NOTICE TO THE PARENTS
26 OF THE STUDENTS ENROLLED IN THE LOCAL EDUCATION PROVIDER OF THE
27 IMPROVEMENT PLAN AND ISSUES IDENTIFIED BY THE LOCAL EDUCATION

1 PROVIDER AS GIVING RISE TO THE NEED FOR THE PLAN. THE WRITTEN
2 NOTICE MUST INCLUDE THE TIMELINE FOR DEVELOPING AND ADOPTING THE
3 IMPROVEMENT PLAN AND THE DATES, TIMES, AND LOCATIONS OF THE
4 PUBLIC MEETING DESCRIBED IN SUBSECTION (4)(c) OF THIS SECTION AND
5 THE PUBLIC HEARING DESCRIBED IN SUBSECTION (4)(d) OF THIS SECTION.

6 (c) THE LOCAL EDUCATION PROVIDER SHALL HOLD A PUBLIC
7 MEETING TO SOLICIT INPUT FROM PARENTS CONCERNING
8 DISPROPORTIONATE DISCIPLINE AND THE CONTENTS OF THE IMPROVEMENT
9 PLAN BEFORE THE PLAN IS WRITTEN. AT THE PUBLIC MEETING, THE
10 SUPERINTENDENT OF THE LOCAL EDUCATION PROVIDER SHALL REVIEW THE
11 PROGRESS OF THE LOCAL EDUCATION PROVIDER IN ITS APPROACH TO
12 DISCIPLINE FOR THE PRECEDING YEAR.

13 (d) THE LOCAL SCHOOL BOARD SHALL HOLD A PUBLIC HEARING
14 AFTER THE PLAN IS WRITTEN TO REVIEW THE PLAN PRIOR TO FINAL
15 ADOPTION. THE DATE OF THE PUBLIC HEARING MUST BE AT LEAST THIRTY
16 DAYS AFTER THE DATE ON WHICH THE LOCAL EDUCATION PROVIDER
17 PROVIDES THE WRITTEN NOTICE OF THE PUBLIC HEARING.

18 (5) FOR THE 2023-24 BUDGET YEAR, THE GENERAL ASSEMBLY
19 SHALL APPROPRIATE TO THE DEPARTMENT THREE HUNDRED THOUSAND
20 DOLLARS FOR DISTRIBUTION TO LOCAL EDUCATION PROVIDERS TO OFFSET
21 THE COSTS INCURRED IN IMPLEMENTING THIS SECTION. THE DEPARTMENT
22 SHALL DETERMINE THE AMOUNT TO DISTRIBUTE TO EACH LOCAL
23 EDUCATION PROVIDER.

24 **SECTION 2.** In Colorado Revised Statutes, 22-33-106, **amend**
25 (1.2) as follows:

26 **22-33-106. Grounds for suspension, expulsion, and denial of**
27 **admission.** (1.2) (a) Each school district ~~is encouraged to~~ SHALL consider

1 each of the following factors before suspending or expelling a student
2 pursuant to ~~a provision of~~ subsection (1) of this section:

- 3 ~~(a)~~ (I) The age of the student;
- 4 ~~(b)~~ (II) The disciplinary history of the student;
- 5 ~~(c)~~ (III) Whether the student has a disability;
- 6 ~~(d)~~ (IV) The seriousness of the violation committed by the
7 student;
- 8 ~~(e)~~ (V) Whether the violation committed by the student threatened
9 the safety of any student or staff member; and
- 10 ~~(f)~~ (VI) Whether a lesser intervention would properly address the
11 violation committed by the student.

12 (b) IN ADDITION TO SUBSECTION (1.2)(a) OF THIS SECTION, EACH
13 SCHOOL DISTRICT SHALL DOCUMENT IN A STUDENT'S RECORD AND COMPILE
14 IN THE SAFE SCHOOL REPORT PURSUANT TO SECTION 22-32-109.1
15 (2)(b)(IV) ANY ALTERNATIVE DISCIPLINARY MEASURES USED BEFORE
16 SUSPENDING OR EXPELLING THE STUDENT PURSUANT TO SUBSECTION (1)
17 OF THIS SECTION.

18 **SECTION 3. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly; except
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V
22 of the state constitution against this act or an item, section, or part of this
23 act within such period, then the act, item, section, or part will not take
24 effect unless approved by the people at the general election to be held in
25 November 2024 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.