

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 25, 2024
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB24-1444 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, after line 1 insert:

2 **"SECTION 1. Legislative declaration.** (1) The general
3 assembly 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
7 nation. The purpose of federal Indian boarding schools was to culturally
8 assimilate American Indian children by forcibly relocating them from
9 their families and communities to distant residential facilities to suppress
10 the children's identities, language, and beliefs. For over one hundred fifty
11 years, hundreds of thousands of American Indian children were taken
12 from their communities. Over three hundred fifty federal Indian boarding
13 schools existed in the United States. By 1926, nearly eighty-three percent
14 of all American Indian children of school age were in boarding schools.

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

23 (c) In Colorado, there were at least seven federal Indian boarding
24 schools, including: the Teller Indian school in Grand Junction, the
25 Southern Ute boarding school in Ignacio, a boarding school in Towaoc
26 operated by the federal bureau of Indian affairs, and the original Fort
27 Lewis Indian school in Hesperus, Colorado;

- 1 (d) In order to heal from the generational trauma, we must
2 confront the past and shed light on the hidden cruelty;
- 3 (e) It is the intent of the general assembly to build on the first
4 report of the "Federal Indian Boarding Schools in Colorado: 1880-1990",
5 completed by History Colorado;
- 6 (f) There are still outstanding archival and physical research
7 questions to be answered about boarding schools in Colorado;
- 8 (g) Tribal representations noted that the work must include the
9 voices of American Indian peoples who are impacted, which will be
10 served by the oral history work; and
- 11 (h) The tribal consultations during the fiscal year 2023 were
12 focused on research updates, and there should be additional tribal
13 consultations with thirty-three tribal nations and listening sessions with
14 American Indian and Alaska Native communities in urban communities
15 to address and plan for a number of key topics including care and
16 memorialization at sites, support for impacted communities, and
17 education for impacted communities and Colorado in general."

18 Renumber succeeding sections accordingly.

19 Page 2, line 4, strike "**Federal**".

20 Page 2, after line 6 insert:

21 (a) "AMERICAN INDIAN" MEANS AN INDIVIDUAL HAVING
22 DESCENDED FROM PEOPLE WHO WERE LIVING IN NORTH AMERICA PRIOR TO
23 THE TIME THAT PEOPLE FROM EUROPE BEGAN SETTLING IN NORTH
24 AMERICA."

25 Reletter succeeding paragraphs accordingly.

26 Page 3, line 3, strike "'FEDERAL INDIAN" and substitute "'AMERICAN
27 INDIAN".

28 Page 3, strike lines 4 and 5 and substitute "SCHOOL OPERATED AT ANY
29 TIME IN COLORADO FOR AMERICAN INDIANS THAT WAS AUTHORIZED BY
30 THE FEDERAL GOVERNMENT, THE STATE, RELIGIOUS ORGANIZATIONS, OR
31 PRIVATE INSTITUTIONS THAT WERE NOT LOCATED ON AN INDIAN
32 RESERVATION."

33 Page 3, after line 5 insert:

34 "(d) "HISTORICALLY IMPACTED AMERICAN INDIANS" MEANS
35 AMERICAN INDIANS, INCLUDING INDIVIDUALS WHO HAVE ATTENDED OR
36 ARE DESCENDED FROM PERSONS WHO HAVE ATTENDED INDIAN BOARDING

- 1 SCHOOLS."
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 3, line 6, strike "FEDERAL".
- 4 Page 3, line 7, after "IN" insert "SUBSECTION (2)(a) OF".
- 5 Page 3, after line 8 insert:
6 "(g) "STEERING COMMITTEE" MEANS THE AMERICAN INDIAN
7 STEERING COMMITTEE ESTABLISHED IN SUBSECTION (5)(a) OF THIS
8 SECTION."
- 9 Page 3, line 10, strike "FEDERAL".
- 10 Page 3, line 11, strike "MAKE" and substitute "DEVELOP" and after
11 "RECOMMENDATIONS" insert "WITH TRIBAL CONSULTATION AND
12 LISTENING SESSIONS WITH AMERICAN INDIAN AND ALASKA NATIVE
13 COMMUNITIES".
- 14 Page 3, line 13, strike "FEDERAL".
- 15 Page 3, line 16, after "SCHOOLS." add "THESE RECOMMENDATIONS MUST
16 BE SHARED WITH THE COMMISSION AND THE STEERING COMMITTEE BEFORE
17 THE RECOMMENDATIONS ARE SHARED PUBLICLY."
- 18 Page 3, line 22, strike "NATIVE" and substitute "AMERICAN INDIAN".
- 19 Page 3, line 23, strike "COMMISSION." and substitute "COMMISSION AND
20 THE STEERING COMMITTEE."
- 21 Page 3, line 25, strike "CONSULT" and substitute "FORMALLY CONSULT".
- 22 Page 3, after line 25 insert:
23 "(II) CONDUCT RESEARCH RELATED TO OBJECTS, ARTIFACTS, AND
24 REAL OR PERSONAL PROPERTY. IF THE SOCIETY CONDUCTS A
25 COMPREHENSIVE REVIEW OF RESEARCH THAT FOCUSES ON OBJECTS,
26 ARTIFACTS, OR REAL OR PERSONAL PROPERTY THAT IS IN THE POSSESSION
27 OR CONTROL OF PRIVATE INDIVIDUALS, PRIVATE ENTITIES, OR
28 NON-FEDERAL GOVERNMENT ENTITIES WITHIN THE UNITED STATES, THE
29 SOCIETY MAY ENTER INTO A CONTRACT OR AGREEMENT TO ACQUIRE,
30 HOLD, CURATE, OR MAINTAIN THOSE OBJECTS, ARTIFACTS, OR REAL OR
31 PERSONAL PROPERTY UNTIL THE OBJECTS, ARTIFACTS, OR REAL OR

- 1 PERSONAL PROPERTY CAN BE PROPERLY REPATRIATED OR RETURNED,
2 CONSISTENT WITH APPLICABLE FEDERAL LAW AND REGULATIONS AND
3 SUBJECT TO THE CONDITION THAT NO FEDERAL FUNDS MAY BE USED TO
4 PURCHASE THOSE OBJECTS, ARTIFACTS, OR REAL OR PERSONAL
5 PROPERTY."
- 6 Renumber succeeding subparagraphs accordingly.
- 7 Page 3, lines 26 and 27, strike "AND ALASKA NATIVE".
- 8 Page 3, line 27, strike "FEDERAL".
- 9 Page 4, lines 2 and 3, strike "IN DURANGO, HESPERUS, AND GRAND
10 JUNCTION." and substitute "INCLUDING BUT NOT LIMITED TO GRAND
11 JUNCTION INDIAN BOARDING SCHOOL, FORT LEWIS INDIAN BOARDING
12 SCHOOL, SOUTHERN UTE BOARDING SCHOOL, NAVAJO DAY SCHOOL,
13 ALLENDAY SCHOOL, TOWAOC DAY SCHOOL, GOOD SHEPHERD INDUSTRIAL
14 SCHOOL FOR GIRLS, STATE INDUSTRIAL SCHOOL FOR BOYS, IGNACIO
15 SCHOOL, THE COLORADO SCHOOL FOR THE DEAF AND BLIND, AND HOLY
16 CROSS ABBEY."
- 17 Page 4, line 4, after "COLLECT" insert "CONFIDENTIAL".
- 18 Page 4, line 5, strike "INDIGENOUS" and substitute "HISTORICALLY
19 IMPACTED AMERICAN INDIAN".
- 20 Page 4, line 6, strike "TRIBE AND" and substitute "TRIBE,".
- 21 Page 4, line 7, strike "TRIBE." and substitute "TRIBE, AND OTHER
22 HISTORICALLY IMPACTED AMERICAN INDIANS AND TRIBAL NATIONS THAT
23 MAY HAVE HAD STUDENTS WHO ATTENDED COLORADO INDIAN BOARDING
24 SCHOOLS." and after "ADDITIONAL" insert "CONFIDENTIAL".
- 25 Page 4, line 8, strike "MAY" and substitute "MUST".
- 26 Page 4, line 9, after "CONDUCTED." add ""CONFIDENTIAL", FOR PURPOSES
27 OF THIS SUBSECTION (2)(b)(III), MEANS THAT ANY IDENTIFYING QUALITIES
28 OF AN INDIVIDUAL WILL NOT BE MADE PUBLIC."
- 29 Page 4, line 10, after "PROVIDE" insert "PUBLIC-FACING, JOINT".
- 30 Page 4, line 11, after "COMMISSION" insert "AND STEERING COMMITTEE".

1 Page 4, line 13, strike "CONSULTATION," and substitute "CONSULTATION
2 AND LISTENING SESSIONS WITH HISTORICALLY IMPACTED AMERICAN
3 INDIANS,".

4 Page 4, line 16, strike "SOCIETY" and substitute "SOCIETY, IN
5 CONSULTATION WITH THE STEERING COMMITTEE, COMMISSION, TRIBAL
6 NATIONS, AND HISTORICALLY IMPACTED AMERICAN INDIANS,".

7 Page 4, line 17, after "AT" insert "ALL AMERICAN INDIAN".

8 Page 4, line 18, after the first "IN" insert "COLORADO, INCLUDING".

9 Page 4, line 20, strike "SERVICES." and substitute "SERVICES THROUGH
10 TRIBAL CONSULTATIONS. THE COLORADO DEPARTMENT OF HUMAN
11 SERVICES MUST COMPLETE TRIBAL CONSULTATIONS BEFORE THE TRANSFER
12 OR SALE OF LAND MANAGED BY THE COLORADO DEPARTMENT OF HUMAN
13 SERVICES AT THE GRAND JUNCTION REGIONAL CENTER. THE SOCIETY MUST
14 FOLLOW ALL REQUIREMENTS OF THE "NATIVE AMERICAN GRAVE
15 PROTECTION AND REPATRIATION ACT", 25 U.S.C. SEC. 3001 ET SEQ.".

16 Page 4, after line 20 insert:

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

22 (I) DEMONSTRATE EXPERIENCE WORKING WITH HISTORICALLY
23 IMPACTED AMERICAN INDIANS;

24 (II) DEMONSTRATE EXPERIENCE OF TRAUMA-INFORMED
25 APPROACHES; AND

26 (III) INDICATE AN UNDERSTANDING OF TRAUMA AND HOW IT
27 PASSES THROUGH GENERATIONS.

28 (b) WHEN THE SOCIETY OR COMMISSION IS CONSIDERING
29 CONTRACTING WITH A THIRD-PARTY ENTITY, THE SOCIETY OR COMMISSION
30 MUST GIVE PREFERENCE TO A THIRD-PARTY ENTITY THAT CONSISTS OF
31 INDIVIDUALS WHO ARE OF AMERICAN INDIAN DESCENT OR ARE
32 HISTORICALLY IMPACTED AMERICAN INDIANS.

33 (5) (a) THERE IS ESTABLISHED AN AMERICAN INDIAN STEERING
34 COMMITTEE IN THE SOCIETY. THE STEERING COMMITTEE'S PURPOSE IS TO
35 IDENTIFY AND ADVISE THE SOCIETY ON AREAS OF CONCERN REGARDING
36 INDIAN BOARDING SCHOOLS AND ISSUES RELATING TO ORGANIZING OR
37 CONDUCTING SEARCH EFFORTS RELATED TO GRAVES AT SCHOOL SITES,
38 DEVELOPMENT OF SUPPORT GROUPS, OR OTHER SUPPORTIVE EFFORTS

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (d) THE STEERING COMMITTEE MEMBERS SERVE WITHOUT
34 COMPENSATION AND WITHOUT REIMBURSEMENT FOR ANY EXPENSES
35 INCURRED RELATED TO SERVING ON THE COMMITTEE."

36

37 Renumber succeeding subsections accordingly.

38 Page 5, line 1, after "EMPLOYEES" insert "WITH AMERICAN INDIAN HIRING
39 PREFERENCE".

40 Page 5, line 2, after the period insert "ANY MONEY APPROPRIATED
41 PURSUANT TO THIS SUBSECTION (4) THAT IS NOT EXPENDED OR

1 ENCUMBERED AT THE END OF THE STATE FISCAL YEAR FOR WHICH IT WAS
2 APPROPRIATED REMAINS AVAILABLE FOR EXPENDITURE IN SUBSEQUENT
3 FISCAL YEARS WITHOUT FURTHER APPROPRIATION."

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