

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 24-069

BY SENATOR(S) Kolker and Kirkmeyer, Bridges, Coleman, Cutter, Exum, Fields, Gonzales, Marchman, Priola, Rodriguez, Winter F., Zenzinger, Fenberg;
also REPRESENTATIVE(S) Young and Garcia, Amabile, Bacon, Bird, Boesenecker, Brown, Duran, English, Epps, Froelich, Hamrick, Hernandez, Jodeh, Kipp, Lindsay, Lukens, McLachlan, Ortiz, Pugliese, Sirota, Story, Valdez, McCluskie.

CONCERNING MEASURES TO CLARIFY INDIVIDUALIZED EDUCATION PROGRAM INFORMATION THROUGH A PUBLICLY AVAILABLE TRAINING PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 22-20-122 as follows:

22-20-122. Special education parents - training program - publish materials - legislative declaration - definition. (1) (a) THE GENERAL ASSEMBLY FINDS THAT:

(I) IN THE 2017-18 SCHOOL YEAR, TWENTY-ONE THOUSAND ONE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

HUNDRED NINE STUDENTS IN COLORADO PUBLIC SCHOOLS WERE ELIGIBLE TO RECEIVE SPECIAL EDUCATION SERVICES PURSUANT TO THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET SEQ.;

(II) IN THE 2022-23 SCHOOL YEAR, TWELVE PERCENT OF STUDENTS IN COLORADO PUBLIC SCHOOLS WERE IDENTIFIED AS HAVING A DISABILITY THAT QUALIFIED THOSE STUDENTS FOR SPECIAL EDUCATION SERVICES PURSUANT TO THE FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ. AND THIS ARTICLE 20;

(III) APPROXIMATELY FIFTEEN PERCENT OF STUDENTS IN COLORADO PUBLIC SCHOOLS ARE CHILDREN WHO HAVE AN INDIVIDUALIZED EDUCATION PROGRAM OR A SECTION 504 ACCOMMODATION; AND

(IV) FEDERAL AND STATE LAWS, AND RELATED PROCESSES REGARDING INDIVIDUALIZED EDUCATION PROGRAMS, ARE COMPLEX AND CHALLENGING TO NAVIGATE.

(b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS AN IMPORTANT PRIORITY TO PROVIDE ASSISTANCE TO PARENTS AND THE PUBLIC TO HELP PROMOTE UNDERSTANDING OF INDIVIDUALIZED EDUCATION PROGRAMS AND PARTICIPATION IN OUR CHILDREN'S EDUCATION.

(2) (a) ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL CREATE, DELIVER, AND MAKE PUBLICLY AVAILABLE A TRAINING PROGRAM. THE TRAINING PROGRAM MUST PRESENT COMPREHENSIVE INFORMATION, IN PLAIN AND EASY-TO-UNDERSTAND LANGUAGE, REGARDING FEDERAL AND STATE LAWS AND PROCEDURES REGARDING INDIVIDUALIZED EDUCATION PROGRAMS, INCLUDING, BUT NOT LIMITED TO, PARENT AND STUDENT RIGHTS. THE DEPARTMENT MAY INCLUDE INTERPERSONAL AND COMMUNICATION STRATEGY EXERCISES IN THE TRAINING PROGRAM.

(b) THE DEPARTMENT SHALL DELIVER THE TRAINING PROGRAM IN PERSON AND MAKE THE TRAINING ACCESSIBLE ONLINE. THE GENERAL ASSEMBLY ENCOURAGES ANYONE WHO WISHES TO PARTICIPATE TO COMPLETE THE TRAINING PROGRAM IN PERSON, IF PRACTICABLE, IN ORDER TO BENEFIT FROM ANY INTERPERSONAL AND COMMUNICATION STRATEGY EXERCISES OFFERED DURING THE TRAINING PROGRAM.

(c) THE DEPARTMENT SHALL COLLABORATE WITH STAKEHOLDERS TO

CREATE THE TRAINING PROGRAM. AT A MINIMUM, THE DEPARTMENT IS ENCOURAGED TO COLLABORATE WITH PARENTS OF CHILDREN WHO HAVE AN INDIVIDUALIZED EDUCATION PROGRAM, TEACHERS, PERSONS WITH DISABILITIES, SCHOOL DISTRICT REPRESENTATIVES, AND MEMBERS OF THE PUBLIC.

(3) (a) ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL PUBLISH, AND UPDATE AS NECESSARY, THE FOLLOWING MATERIALS ON THE DEPARTMENT'S WEBSITE:

(I) A RECORDING OF THE TRAINING DELIVERED PURSUANT TO THIS SECTION; AND

(II) ANY RESOURCES OR MATERIALS DEVELOPED TO ACCOMPANY THE TRAINING PROGRAM CREATED AND DELIVERED PURSUANT TO THIS SECTION.

(b) THE MATERIALS AND RESOURCES PUBLISHED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE AVAILABLE TO THE PUBLIC AND IN PLAIN AND EASY-TO-UNDERSTAND LANGUAGE.

(3.5) SUBJECT TO AVAILABLE APPROPRIATIONS, THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY TO THE DEPARTMENT FOR PURPOSES OF THIS SECTION IN STATE FISCAL YEARS 2024-25 AND 2025-26. FOR STATE FISCAL YEAR 2026-27, AND EACH FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL NOT APPROPRIATE MONEY TO THE DEPARTMENT FOR PURPOSES OF THIS SECTION, AND THE DEPARTMENT SHALL PERFORM ANY DUTIES REQUIRED PURSUANT TO THIS SECTION WITHIN EXISTING RESOURCES.

(4) UPON THE REQUEST OF A SCHOOL DISTRICT, SCHOOL, STATE OR LOCAL SPECIAL EDUCATION ADVISORY COMMITTEE, OR COMMUNITY GROUP, THE DEPARTMENT SHALL PROVIDE TRAINING PROGRAM MATERIALS TO THE REQUESTOR.

(5) UPON THE REQUEST OF ANY PERSON, THE DEPARTMENT SHALL PROVIDE ANY RESOURCES OR MATERIALS DEVELOPED TO ACCOMPANY THE TRAINING PROGRAM IN THE LANGUAGE REQUESTED BY THE PERSON.

SECTION 2. Appropriation. For the 2024-25 state fiscal year, \$75,288 is appropriated to the department of education for use by student learning. This appropriation is from the general fund and is based on an

assumption that the division will require an additional 0.4 FTE. To implement this act, the division may use this appropriation for individualized education plans training program.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO