

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 24-1135.01 Jane Ritter x4342

SENATE BILL 24-200

SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

Bacon and Joseph,

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Health & Human Services

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A BILL FOR AN ACT

101 **CONCERNING WAYS TO ADDRESS EQUITY, DIVERSITY, AND INCLUSION**
102 **DISPARITIES IN COLORADO'S CHILD WELFARE SYSTEM.**

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 creates multiple ways to promote equity, diversity, and inclusion (EDI) in Colorado's child welfare system. The state department of human services (department) is directed to work with county departments of human or social services to:

- Update the existing annual departmental EDI report using state data sources and national child welfare data

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.

HOUSE
Amended 2nd Reading
May 5, 2024

SENATE
3rd Reading Unamended
April 24, 2024

SENATE
Amended 2nd Reading
April 23, 2024

- clearinghouses;
- Identify necessary demographic or other data that is not currently collected in Colorado's child welfare case management system (system) and determine recommendations for improving data collection statewide;
 - Provide a report on the state's progress in addressing data collection and data entry challenges in the system; and
 - Provide a report on the state's progress in training child welfare staff on demographic data collection.

The department shall strengthen EDI training for child welfare staff and management.

The bill requires the department to provide recommendations for training requirements for other child welfare agencies and to offer specific EDI training for mandatory reporters to address disparities in reporting in Colorado's child welfare system.

The department shall use an internal evaluator to evaluate local policies, rules, or practices and to work with counties on incorporating EDI principles into their child welfare work.

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) The state of Colorado prioritizes providing equitable services
5 and ensuring equitable outcomes to the residents of Colorado;

6 (b) All people are equal. Inequities have been created in the
7 United States intentionally and unintentionally over time by people. These
8 same inequities are prevalent in the child welfare system in the United
9 States and cause harm.

10 (c) The general assembly seeks to understand how discrimination
11 has been directly linked to harmful practices, systems, and policies of the
12 state;

13 (d) Many factors contribute to the inequalities and inequities,
14 including the intentional and unintentional biases of individuals and the
15 systematizing of those biases in businesses, organizations, and

1 governmental institutions;

2 (e) The 2023 Colorado's Child Welfare System Interim Study
3 Committee studied how families of color, LGBTQ+ children, and people
4 with disabilities have a greater chance of coming into contact with the
5 child welfare system and experiencing poor outcomes while involved
6 with the child welfare system. The committee examined ways to reduce
7 child welfare system involvement for families of color and other
8 populations that face discrimination.

9 (f) Statewide, Black children are significantly overrepresented at
10 every key decision point on the child welfare case management
11 continuum. Hispanic and Latino children are slightly overrepresented at
12 every key decision point, while American Indian or Alaska Native
13 children are overrepresented in founded reports and entering and being
14 in foster care. At the same time, Asian and white children are
15 underrepresented at every key decision point.

16 (g) There is a strong need for further data collection and reporting
17 around disparity and disproportionality in the child welfare system to
18 examine where state and local practices, systems, and policies can be
19 improved to minimize disparity and disproportionality; and

20 (h) There is also a strong need for measurable proficiency in
21 equity, diversity, and inclusion training for those who work in the child
22 welfare system to minimize disparity and disproportionality at key
23 decision points in the child welfare system.

24 (2) Therefore, the general assembly declares that it is critical for
25 Colorado's entire child welfare system to identify and dismantle
26 disproportional impacts and inequities in its child welfare system to
27 ensure equitable treatment, equitable access to services, and positive

1 outcomes for all children and families in Colorado.

2 **SECTION 2.** In Colorado Revised Statutes, 26-5-109, **amend** (2)
3 introductory portion and (2)(c) as follows:

4 **26-5-109. Child welfare training academy established - rules.**

5 (2) On or before September 15, 2009, the state department shall
6 promulgate rules for the administration of the academy. The rules ~~shall~~
7 MUST include:

8 (c) Establishment of minimum standards of competence that a
9 person ~~shall be~~ IS required to demonstrate prior to receiving certification
10 from the academy. ~~which~~ THE standards of competence ~~shall~~ MUST
11 include, but ~~need not be~~ ARE NOT limited to, a demonstrated ability to
12 perform the duties described in section 19-3-313.5 (2) ~~C.R.S.~~; AND A
13 DEMONSTRATED UNDERSTANDING OF PRINCIPLES AND STRATEGIES TO
14 PROMOTE EQUITY, DIVERSITY, AND INCLUSION IN THE CHILD WELFARE
15 SYSTEM.

16 **SECTION 3.** In Colorado Revised Statutes, **add** 26-5-118 as
17 follows:

18 **26-5-118. Equity, diversity, and inclusion in child welfare**
19 **system - data collection - assessment - resource and training**
20 **expansion - reporting - definitions.** (1) TO PROMOTE EQUITY,
21 DIVERSITY, AND INCLUSION IN THE CHILD WELFARE SYSTEM; EXPAND
22 ACCESS TO CULTURALLY AND LINGUISTICALLY APPROPRIATE SERVICE
23 PROVIDERS; AND ENHANCE EQUITY TRAINING FOR CHILD WELFARE STAFF
24 AND ENTITIES, THE STATE DEPARTMENT SHALL, AS SOON AS PRACTICABLE
25 BUT NO LATER THAN JUNE 30, 2025, AND EACH JUNE 30 THEREAFTER,
26 WORK WITH COUNTY DEPARTMENTS AND OTHER CHILD WELFARE
27 STAKEHOLDERS, INCLUDING STAKEHOLDERS DIRECTLY IMPACTED BY OR

1 INVOLVED IN THE CHILD WELFARE SYSTEM, TO UPDATE THE EXISTING
2 ANNUAL DEPARTMENTAL EQUITY, DIVERSITY, AND INCLUSION REPORT
3 THAT IS AVAILABLE ON THE STATE DEPARTMENT'S WEBSITE.
4 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE STATE DEPARTMENT
5 SHALL SUBMIT THE REPORT TO THE SENATE HEALTH AND HUMAN SERVICES
6 COMMITTEE AND HOUSE HEALTH AND HUMAN SERVICES COMMITTEE, OR
7 THEIR SUCCESSOR COMMITTEES, BEGINNING SEPTEMBER 2025 AND EACH
8 SUBSEQUENT YEAR. UPDATES MUST:

9 (a) USE AGGREGATED AND DE-IDENTIFIED DATA FROM THE
10 STATEWIDE COMPREHENSIVE CHILD WELFARE CASE MANAGEMENT
11 SYSTEM, AS WELL AS OTHER STATE AND NATIONAL CHILD WELFARE
12 CLEARINGHOUSES, AS APPROPRIATE. THE UPDATED REPORT MUST
13 INCLUDE, AT A MINIMUM, AN ANALYSIS OF THE DISPROPORTIONALITIES
14 AND DISPARITIES IMPACTING DIFFERENT DEMOGRAPHIC GROUPS OF
15 CHILDREN AND YOUTH AND THEIR FAMILIES AT KEY DECISION POINTS IN
16 THE CHILD WELFARE SYSTEM. THE DEMOGRAPHIC DATA ANALYZED
17 PURSUANT TO THIS SUBSECTION (1)(a) MUST INCLUDE, IF AVAILABLE, BUT
18 IS NOT LIMITED TO:

- 19 (I) RACE;
- 20 (II) ETHNICITY;
- 21 (III) LANGUAGE;
- 22 (IV) GENDER EXPRESSION;
- 23 (V) DISABILITY STATUS;
- 24 (VI) SEXUAL ORIENTATION;
- 25 (VII) NATIONAL ORIGIN; AND
- 26 (VIII) INCOME;

27 (b) IDENTIFY ADDITIONAL NECESSARY DEMOGRAPHIC OR OTHER

1 DATA ABOUT CHILDREN, FAMILIES, AND PEOPLE WORKING IN THE CHILD
2 WELFARE SYSTEM THAT IS NOT CURRENTLY COLLECTED IN THE STATEWIDE
3 COMPREHENSIVE CHILD WELFARE CASE MANAGEMENT SYSTEM, THE CHILD
4 WELFARE WORKER TRAINING SYSTEM, OR OTHER COMPONENTS AND DATA
5 SYSTEMS OF THE CHILD WELFARE SYSTEM, AND, IN COLLABORATION WITH
6 COUNTIES, DETERMINE INTERNAL OR EXTERNAL PROCESSES AND MAKE
7 RECOMMENDATIONS FOR IMPROVING DATA COLLECTION AND REPORTING
8 STATEWIDE;

9 (c) PROVIDE, IN COLLABORATION WITH COUNTIES, AN UPDATED
10 REPORT ON THE STATE'S PROGRESS IN ADDRESSING DATA COLLECTION AND
11 DATA ENTRY CHALLENGES IN THE STATEWIDE COMPREHENSIVE CHILD
12 WELFARE CASE MANAGEMENT SYSTEM TO ENSURE ACCURATE REPORTING
13 OF DEMOGRAPHIC DATA; AND

14 (d) PROVIDE, IN COLLABORATION WITH COUNTIES, AN UPDATED
15 REPORT ON THE STATE'S PROGRESS IN TRAINING CHILD WELFARE STAFF ON:

16 (I) PROTOCOLS FOR REQUESTING DEMOGRAPHIC INFORMATION
17 FROM CHILDREN AND YOUTH AND THEIR FAMILIES;

18 (II) IMPROVEMENTS TO THE STATEWIDE COMPREHENSIVE CHILD
19 WELFARE CASE MANAGEMENT SYSTEM FOR ACCURATE REPORTING OF
20 CLIENT RESPONSES CONSISTENT WITH NATIONAL BEST PRACTICES FOR
21 DATA COLLECTION OF DEMOGRAPHIC INFORMATION; AND

22 (III) IMPROVEMENTS TO PRACTICES FOR FAMILIES TO SELF-REPORT
23 DEMOGRAPHIC INFORMATION TO COUNTIES;

24 (e) IN PARTNERSHIP WITH THE OFFICE OF THE CHILD PROTECTION
25 OMBUDSMAN, CREATED IN SECTION 19-3.3-102, REPORT ON ANY EFFORTS
26 TO IMPLEMENT THE RECOMMENDATIONS FROM THE MANDATORY
27 REPORTER TASK FORCE FINAL REPORT, PURSUANT TO SECTION 19-3-304.2

1 (10), ON TRAINING MANDATORY REPORTERS HOW TO DECREASE THE
2 DISPROPORTIONATE IMPACTS AND DISPARITIES THAT IMPACT THE CHILD
3 WELFARE SYSTEM; AND

4 (f) REPORT ON THE STATE'S PROGRESS IN TRAINING THE CHILD
5 WELFARE WORKFORCE IN REDUCING BIAS AND IN PROMOTING EQUITY,
6 DIVERSITY, AND INCLUSION, AND ON PROGRESS IN THE TRAINING'S
7 ALIGNMENT WITH CURRENT RESEARCH AND BEST PRACTICES IN
8 PROMOTING EQUITY, DIVERSITY, AND INCLUSION PURSUANT TO
9 SUBSECTION (2) OF THIS SECTION.

10 (2) (a) THE STATE DEPARTMENT SHALL STRENGTHEN EQUITY,
11 DIVERSITY, AND INCLUSION TRAINING FOR CHILD WELFARE STAFF TO
12 ENSURE ALL CHILDREN AND FAMILIES ARE EQUITABLY SERVED BY THE
13 CHILD WELFARE SYSTEM. EQUITY, DIVERSITY, AND INCLUSION TRAINING
14 MUST BE PROVIDED AS A COMPONENT OF THE REQUIRED ANNUAL CHILD
15 WELFARE WORK TRAINING FOR CHILD WELFARE WORKERS, AND EQUITY,
16 DIVERSITY, AND INCLUSION TRAINING MUST BE INCLUDED WITH THE
17 TRAINING WITH THE CHILD WELFARE TRAINING ACADEMY FOR NEW CHILD
18 WELFARE STAFF ESTABLISHED IN SECTION 26-5-109.

19 (b) COUNTY AND STATE CHILD WELFARE WORKERS, SUPERVISORS,
20 AND DIRECTORS SHALL PARTICIPATE IN THE TRAINING PROVIDED
21 PURSUANT TO THIS SUBSECTION (2) TO PROMOTE EQUITY, DIVERSITY, AND
22 INCLUSION. QUALIFIED TRAINERS WITH EXPERIENCE IN PROMOTING AND
23 TEACHING PRINCIPLES AND STRATEGIES OF EQUITY, DIVERSITY, AND
24 INCLUSION IN CHILD WELFARE MUST PROVIDE THE TRAINING. TRAINING
25 TOPICS MAY INCLUDE, BUT ARE NOT LIMITED TO:

26 (I) THE HISTORICAL INEQUITIES IN COLORADO'S CHILD WELFARE
27 AND EDUCATION SYSTEMS;

- 1 (II) IMPLICIT AND EXPLICIT BIAS;
- 2 (III) READING DATA ADDRESSING DISPROPORTIONALITIES;
- 3 (IV) ADDRESSING DISPROPORTIONALITIES IN CHILD WELFARE
- 4 SYSTEMS;
- 5 (V) IDENTIFYING AND DEFEATING BIAS;
- 6 (VI) EFFECTIVE COMMUNICATION ON RACIAL AND ETHNIC
- 7 IDENTITY WITH FAMILIES TO COLLECT DATA AND PROVIDE CULTURALLY
- 8 AND LINGUISTICALLY APPROPRIATE SERVICES; AND
- 9 (VII) HOW TO POSITIVELY ENGAGE FAMILIES IN DECISION-MAKING
- 10 TO BETTER SUPPORT FAMILIES OF VARYING BACKGROUNDS.

11 (c) THE TRAINING MUST BE EVALUATED FOR ITS IMPACT AND
12 OUTCOMES, INCLUDING, BUT NOT LIMITED TO, THE TRAINING'S IMPACT IN
13 REDUCING BIAS AMONG PARTICIPANTS, IMPROVING POSITIVE FAMILY
14 ENGAGEMENT, AND INCREASING FAMILY ENGAGEMENT IN
15 DECISION-MAKING.

16 (d) THE STATE DEPARTMENT SHALL CONSIDER PROVIDING EQUITY,
17 DIVERSITY, AND INCLUSION TRAINING TO OTHER ENTITIES AND AGENCIES
18 INVOLVED IN CHILD WELFARE MATTERS TO ENSURE PROFICIENCY IN
19 ADDRESSING DISPARITIES AND DISPROPORTIONALITY IN THE STATE'S CHILD
20 WELFARE SYSTEM.

21 (3) ANY CHANGES TO THE CHILD WELFARE ALLOCATIONS FUNDING
22 MODEL ESTABLISHED IN SECTION 26-5-103.7 MUST CONSIDER RESOURCES
23 TO IMPROVE EQUITABLE OUTCOMES.

24 (4) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
25 OTHERWISE REQUIRES:

26 (a) "DISPARITY" MEANS A SITUATION IN WHICH INEQUITABLE
27 OUTCOMES ARE EXPERIENCED BY ONE RACIAL, ETHNIC, OR OTHER

1 DEMOGRAPHIC GROUP AS COMPARED TO ANOTHER RACIAL, ETHNIC, OR
2 OTHER DEMOGRAPHIC GROUP AT THE SAME DECISION-MAKING POINT IN
3 TIME.

4 (b) "DISPROPORTIONALITY" MEANS A SITUATION IN WHICH THE
5 PROPORTION OF ONE GROUP IN THE CHILD WELFARE POPULATION IS EITHER
6 PROPORTIONATELY OVERREPRESENTED OR UNDERREPRESENTED WHEN
7 COMPARED TO THE GENERAL POPULATION.

8 (c) "EQUITY" MEANS A POINT WHEN ALL PEOPLE ACHIEVE EQUAL
9 OUTCOMES, ARE TREATED FAIRLY AND JUSTLY, AND WHEN DEMOGRAPHIC
10 FACTORS DO NOT DETERMINE OR INFLUENCE CHILD WELFARE OUTCOMES.

11 (d) "KEY DECISION POINTS" INCLUDE, BUT ARE NOT LIMITED TO, A
12 CHILD'S OR YOUTH'S REFERRAL, ASSESSMENT, FOUNDED REPORT, ENTRY
13 INTO FOSTER CARE, TIME DURING FOSTER CARE, AND EXIT FROM FOSTER
14 CARE.

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.