

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
9/20/23

BILL 1

LLS NO. 24-0228.01 Chelsea Princell x4335

INTERIM COMMITTEE BILL

Colorado Youth Advisory Council Review Committee

BILL TOPIC: Non-legal Name Changes

A BILL FOR AN ACT

101 **CONCERNING NON-LEGAL NAME CHANGES FOR STUDENTS IN 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 Review Committee. Section 1 of the bill:

- Requires public schools and institute charter schools (school) to use a student's preferred name, if a preferred name is requested by the student; and
- Deems a school's refusal to use a student's preferred name a form of discrimination.

Section 2 of the bill:

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

- Creates the non-legal name changes in schools task force (task force) in the department of education (department) consisting of 9 members appointed by the department to examine existing school policies and provide recommendations to schools on how to best implement student non-legal name change policies;
- Requires the department to appoint members to the task force by June 30, 2024;
- Requires the task force to submit a report to the department detailing the recommended policy guidelines by January 1, 2025;
- Requires the department to publish the report on its website and submit the report to the superintendent of each school district and chief administrator of each institute charter school by February 1, 2025;
- Requires a school to implement the task force's policy recommendations by July 1, 2025; and
- Repeals the task force, effective July 1, 2026.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 39 to title
3 22 as follows:

4 **ARTICLE 39**

5 **Use of a Preferred Name for a Student**

6 **22-39-101. Use of a preferred name for a student - definition.**

7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES, "PREFERRED NAME" MEANS ANY NAME THAT A STUDENT
9 REQUESTS TO BE KNOWN AS THAT IS DIFFERENT FROM THE STUDENT'S
10 LEGAL NAME.

11 (2) A PUBLIC SCHOOL OR INSTITUTE CHARTER SCHOOL SHALL
12 ADDRESS A STUDENT BY THE STUDENT'S PREFERRED NAME AND USE THE
13 STUDENT'S PREFERRED NAME IN SCHOOL; DURING EXTRACURRICULAR
14 ACTIVITIES; AND ON ROSTERS, ATTENDANCE LISTS, YEARBOOKS, STUDENT
15 IDENTIFICATION CARDS, AND ANY OTHER UNOFFICIAL SCHOOL RECORDING

1 REQUESTED BY THE STUDENT WITHOUT REQUIRING THE STUDENT TO
2 OBTAIN A COURT-ORDERED NAME OR GENDER CHANGE OR TO CHANGE THE
3 STUDENT'S OFFICIAL RECORDS. A SCHOOL'S REFUSAL TO RESPECT A
4 STUDENT'S REQUEST TO USE A PREFERRED NAME IS DISCRIMINATORY.
5 SUCH A REFUSAL INCLUDES THE REFUSAL TO USE A STUDENT'S PREFERRED
6 NAME IN SCHOOL; DURING EXTRACURRICULAR ACTIVITIES; AND ON
7 ROSTERS, ATTENDANCE LISTS, YEARBOOKS, STUDENT IDENTIFICATION
8 CARDS, AND ANY OTHER UNOFFICIAL SCHOOL RECORDING THE STUDENT
9 REQUESTS A PREFERRED NAME TO BE USED FOR WITHOUT REQUIRING THE
10 STUDENT TO OBTAIN A COURT-ORDERED NAME OR GENDER CHANGE OR TO
11 CHANGE THE STUDENT'S OFFICIAL RECORDS.

12 **SECTION 2.** In Colorado Revised Statutes, **add** article 108 to
13 title 22 as follows:

14 **ARTICLE 108**

15 **Non-legal Name Changes in Schools Task Force**

16 **22-108-101. Non-legal name changes in schools task force -**
17 **created - appointments - report - definitions - repeal.** (1) AS USED IN
18 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

19 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
20 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

21 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
22 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL BASED ON THE
23 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
24 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

25 (c) "TASK FORCE" MEANS THE NON-LEGAL NAME CHANGES IN
26 SCHOOLS TASK FORCE CREATED IN SUBSECTION (2) OF THIS SECTION.

27 (2) THE NON-LEGAL NAME CHANGES IN SCHOOLS TASK FORCE IS

1 CREATED IN THE DEPARTMENT TO EXAMINE EXISTING SCHOOL POLICIES
2 REGARDING STUDENT NON-LEGAL NAME CHANGES AND PROVIDE POLICY
3 IMPLEMENTATION RECOMMENDATIONS FOR SCHOOL DISTRICTS AND
4 INSTITUTE CHARTER SCHOOLS TO IMPLEMENT STUDENT NON-LEGAL NAME
5 CHANGE POLICIES.

6 (3) THE TASK FORCE CONSISTS OF THE FOLLOWING:

7 (a) TWO MEMBERS WHO ARE SUPERINTENDENTS. AT A MINIMUM,
8 ONE SUPERINTENDENT MUST BE FROM A RURAL SCHOOL DISTRICT.

9 (b) TWO MEMBERS WHO ARE CHIEF ADMINISTRATORS OF AN
10 INSTITUTE CHARTER SCHOOL. AT A MINIMUM, ONE CHIEF ADMINISTRATOR
11 MUST BE FROM AN INSTITUTE CHARTER SCHOOL LOCATED IN A RURAL
12 AREA.

13 (c) ONE MEMBER WHO IS A REPRESENTATIVE OF THE DEPARTMENT;

14 (d) TWO MEMBERS WHO ARE SCHOOL COUNSELORS. AT A
15 MINIMUM, ONE SCHOOL COUNSELOR MUST BE FROM A RURAL SCHOOL
16 DISTRICT.

17 (e) ONE MEMBER WHO IS A PRIMARY SCHOOL TEACHER; AND

18 (f) ONE MEMBER WHO IS A SECONDARY SCHOOL TEACHER.

19 (4) NO LATER THAN JUNE 30, 2024, THE DEPARTMENT SHALL MAKE
20 ALL APPOINTMENTS TO THE TASK FORCE AND SCHEDULE THE FIRST
21 MEETING FOR THE TASK FORCE. THE TASK FORCE SHALL APPOINT A CHAIR
22 OF THE TASK FORCE AT ITS FIRST MEETING.

23 (5) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT
24 COMPENSATION BUT MAY BE REIMBURSED FOR ANY REASONABLE
25 EXPENSES THEY INCUR IN THE PERFORMANCE OF THEIR DUTIES PURSUANT
26 TO THIS SECTION.

27 (6) THE TASK FORCE SHALL MEET AT THE CALL OF THE CHAIR AT

1 LEAST THREE TIMES FROM JULY 2024 THROUGH DECEMBER 2024.

2 (7) THE TASK FORCE SHALL, AT A MINIMUM, ANALYZE AND
3 DETERMINE THE FOLLOWING:

4 (a) GUIDELINES FOR COMMUNICATION PLANS FOR A STUDENT WHO
5 DOES NOT GO BY THE STUDENT'S PREFERRED NAME IN THE STUDENT'S
6 HOME;

7 (b) PROCEDURES RELATED TO PARENTAL NOTIFICATION;

8 (c) A PROCESS FOR UPDATING UNOFFICIAL SCHOOL RECORDS WITH
9 A STUDENT'S PREFERRED NAME; AND

10 (d) ANY OTHER TOPIC THAT THE TASK FORCE BELIEVES IS
11 NECESSARY TO ADEQUATELY PROVIDE GUIDANCE AND RECOMMENDATIONS
12 TO SCHOOL DISTRICTS AND INSTITUTE CHARTER SCHOOLS IN
13 IMPLEMENTING NON-LEGAL NAME CHANGE POLICIES.

14 (8) ON OR BEFORE JANUARY 1, 2025, THE TASK FORCE SHALL
15 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED
16 GUIDELINES PURSUANT TO SUBSECTION (2) OF THIS SECTION.

17 (9) ON OR BEFORE FEBRUARY 1, 2025, THE DEPARTMENT SHALL
18 PUBLISH THE REPORT RECEIVED PURSUANT TO SUBSECTION (8) OF THIS
19 SECTION ON ITS WEBSITE AND SUBMIT THE REPORT TO THE
20 SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE CHIEF
21 ADMINISTRATOR OF EACH INSTITUTE CHARTER SCHOOL.

22 (10) NO LATER THAN JULY 1, 2025, A PUBLIC SCHOOL OR
23 INSTITUTE CHARTER SCHOOL SHALL IMPLEMENT THE POLICY
24 RECOMMENDATIONS RECEIVED PURSUANT TO SUBSECTION (9) OF THIS
25 SECTION.

26 (11) THIS ARTICLE 108 IS REPEALED, EFFECTIVE JULY 1, 2026.

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.