

Senate Education

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SB26-125 Disability Rights Protections in Public Schools

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Joy Waughtal For themselves	I strongly support this bill and ensuring that the IDEA and ADA complaint process is at the state level instead of having to wait for the federal government's complaint process which can take years. Special Education process can take SO MUCH time and energy for families who are already stretched thin. This removes one of the many barriers to ensure that children are able to access their education! I fully support this bill and hope you will move this quickly to become law.
Robyn Nick For themselves	This bill is important and I ask you to support it.
Sabrina Herrick For themselves	<p>Thank you for reading my testimony.</p> <p>As a parent of an autistic child, disability rights in education is an issue near and dear to my heart.</p> <p>In the last year, I have watched federal threats to my child's education. Calls for my child to end up in a concentration camp. Suggestions that IEP funding should be controlled by the man who invented the lie that autism is caused by Tylenol, not the genetic factors we've known about for years. The functional disabling of the Office of Civil Rights. If the feds won't protect IEP students, Colorado must.</p> <p>Meanwhile, my own Poudre School District already doesn't follow federal protections. IEP students are statistically under identified.</p>

	<p>Dyslexia programming is so poor that a dyslexic student attempted suicide in my child's middle school just this school year. And the headmaster of 1 of our charters, Liberty Commons High School, openly admitted to me that they deny enrollment because (paraphrase) "disabled kids are too much work to get the same high SAT scores." We need added state protections as an extra pathway to address these and other issues.</p> <p>As such, I hope I can particularly rely on committee member Kipp to support this bill. As she started her political career on PSD's school board, I imagine it must be particularly heartbreaking for her to hear how much IEP programming has broken down in our district.</p> <p>I have heard some criticize this bill as "an unfunded mandate." To which I say "so fund it."</p> <p>Disabled children are just as deserving of state level education protections as BIPOC children (CADA) and trans children (2025's Kelly Loving Act).</p> <p>Please show them the same level of respect other marginalized groups have already recieved and pass this bill.</p>
<p>Jeralee Gonzalez For themselves</p>	<p>Chair and Members of the Committee,</p> <p>My name is Jeralee Gonzalez and I live in Woodland Park. I am writing as both a special education parent and a special education grandparent, and I respectfully submit testimony in support of Colorado Senate Bill 26-125.</p> <p>Families raising children with disabilities understand how essential strong protections and clear accountability are within our schools. As both a parent and grandparent of students who rely on special education services, I have seen firsthand how important it is that students with disabilities are able to fully participate in school programs, services, and activities.</p> <p>SB26-125 helps reinforce those protections by clarifying expectations for public education providers and ensuring that students with</p>

	<p>disabilities have equal access to educational opportunities. While federal protections already exist under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, this bill helps make those expectations clearer and more consistent.</p> <p>I especially appreciate that this legislation reinforces that responsibility for protecting students with disabilities cannot be outsourced or avoided. When services are provided through outside programs, contracted services, or cooperative education programs, and families still need to know that the public education provider remains responsible for protecting their child’s rights and ensuring appropriate accommodations are provided.</p> <p>For families navigating special education, clear procedures and accountability matter. Requiring a designated disability rights coordinator and a defined grievance process helps families understand where to go if problems arise.</p> <p>Students with disabilities deserve the same access to opportunity, participation, and support as every other student. As both a special education parent and grandparent, I strongly support efforts that help ensure those protections are upheld.</p> <p>Thank you for your time and consideration.</p> <p>Jeralee Gonzalez Woodland Park</p>
<p>Jenny Thamer For themselves</p>	<p>Honorable Members of the Senate Education Committee:</p> <p>Thank you for the opportunity to submit written testimony in support of Colorado Senate Bill 26-125. Relying on the Federal Office of Civil Rights to review and resolve discrimination complaints is no longer a viable path for families and students. This bill provides a clear path to resolve concerns and establishes important safeguards for families and students when problems arise.</p> <p>The alternative to not having a working pathway to file complaints via OCR is for families to pursue litigation against their school district, a process that can require significant time and financial resources from both families and districts. The complaint and investigation process through the Colorado Department of Education offers a more</p>

	<p>accessible, efficient, and transparent way to address potential violations and promote compliance.</p> <p>In addition, the training and technical assistance provided to local education providers will help schools better understand their obligations and implement these protections effectively, preventing problems and reducing the overall number of complaints.</p> <p>Students with disabilities deserve the same opportunities as their peers to learn, participate, and thrive in school communities. SB 26-125 makes clear that schools are accountable not deny opportunities, limit participation, or implement policies that discriminate against students because of their disabilities. Thank you for your consideration of this important legislation.</p> <p>Sincerely, Jenny Thamer</p>
<p>Gail Gerig For themselves</p>	<p>I urge you to vote for this bill. Legislation is the only way to make school districts and their personnel accountable. This is needed for the special group of students. Thank you.</p>
<p>Carally A Gamet For themselves</p>	<p>I am writing in support of strengthening civil rights protections for disabled students as outlined in this bill. I parent 2 young adults and one teen with developmental disabilities including Autism, ADHD, Dyslexia, Anxiety, Depression and genetic rare diseases that manifest as chronic autoimmune/autoinflammatory disorders. I have advocated for them in CO since 2010. We experienced retaliation in DCSD after I became active in advocating for disabled students along with my own kids at school board meetings and hiring advocates. Our Attorney-advocate advised us social services would be called as that was typical in that district when she was retained. We had 2 different schools retaliate against us simultaneously. The administration at the ele school illegally used law enforcement to threaten, bully & intimidate my then 10 year old autistic son and I when he reported being shoved by a teacher at school. The deputy</p>

	<p>involved had a personal relationship & connections with those administrators, and they all made a plan to threaten "harrasment" charges against my son because they determined (without substantiating evidence) that our child had lied. I was very plugged into the advocacy community and even worked to help similarly situated families. That particular school admin team I found out had done similar things to other kids whose parents advocated when their kids needs were unmet. The district was complicit as well.</p> <p>The charter middle school called social services and reported (without substantiating evidence) I have "Munchausen by Proxy", a mental health disorder where a parent fakes a child's illness to gain attention for themselves. A case was never opened because the claim was retaliatory in nature.</p> <p>Despite our greatest efforts to collaborate and meet our kids needs, the district refused to mediate with us and we were eventually financially drained for all of the educational services, a lawyer and two special education advocates we employed to help us. When law enforcement willingly participated in retaliation plots and personally threatened us and our disabled child, we were scared. Our attempts to utilize dispute resolution processes via the civil rights department, the CDE and due process were limited because of unfair practices and lack of funding. We ended up moving because our only option was to remove our children and ourselves out of danger. We hope sharing *part our story helps build a better system for CO students.</p>
<p>Jessica Capsel For themselves</p>	<p>My name is Jessica Capsel. I am representing myself today, and I am here in strong support of SB125.</p> <p>I want to put something on the table right up front.</p> <p>Federal law already requires schools to give every child " every single child " equal access, reasonable accommodations, and a free appropriate public education.</p> <p>These are NOT new ideas. They have been the law for decades.</p>

	<p>And yet families are still fighting their school districts to get these things.</p> <p>Every. Single. Day. In Colorado. Right now.</p> <p>Why? Because when a school doesn't comply, there is nowhere to go. There is no floor. There is no accountability. Because the feds are no longer enforcing these laws.</p> <p>The only option right now is a lawsuit " and that is an impossible option for most families.</p> <p>This bill fixes that. It takes what the federal government used to enforce and plants it permanently in Colorado law " so these rights belong to Colorado's students regardless of what happens in Washington.</p> <p>It creates a real complaint process, with real remedies, that ordinary people can actually use.</p> <p>No attorney required.</p> <p>This administration says it wants education decisions back at the state level.</p> <p>This is our chance to do exactly that.</p> <p>Now " someone will raise the cost argument. So let me address it directly.</p> <p>Providing services and accommodations are required of these schools NOW. Again, this is nothing new put upon them.</p> <p>The only time this bill creates a financial burden on a school</p>
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	<p>is when that school is not following the law.</p> <p>If a district is doing right by its students, they will never have to worry about any of this. Not once. Not ever.</p> <p>But if a district is targeting students or denying students what they are legally owed “</p> <p>” then, yes, this will cost them.</p> <p>And every punitive cost they incur at that point is one they brought entirely on themselves.</p> <p>Please vote YES on SB26-125. Thank you!</p>
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