

CASB BRIEF



Legal Newsletter

Welcome to the 2024-25 school year! As we begin a new school year, it's a great time to review recent changes in Colorado and federal laws to ensure your district is prepared for the future. Key legal developments in the below areas may impact your district's policies and practices.

Recent Legal Developments

Special Education:

A new Colorado law, HB24-1063, will change the process for sending special education students home early or prescribing shortened educational days, addressing concerns that some special education students aren't receiving required instructional hours. The CDE will be developing a sample policy, which districts must adopt. There will also be new reporting requirements starting July 1, 2026. This school year is a great opportunity to review your current processes for abbreviated school days, in anticipation of these future changes.

Additionally, HB24-1320 establishes a task force to examine aggressive behavior against teachers, which includes special education considerations. The meetings and recommendations of the task force should provide guidance to districts, particularly those facing staffing shortages. The task force will meet throughout the year and will make recommendations by July 30, 2025.

Gun safety:

Two new Colorado bills, HB24-1174 and SB24-131, revise concealed carry permit processes and prohibit firearms in sensitive spaces, which includes school buildings. Districts with armed staff should review their policies to ensure compliance.

Harassment/Bullying/Title IX:

Following the release of new Title IX regulations in 2024 and the implementation date of August 1, districts must ensure their policies are compliant. Keep in mind that some districts may be exempt, due to ongoing legal challenges (see [CASB Legal Update](#)). A recent Supreme Court ruling also addressed this issue, but the ruling was only applicable to lawsuits in other states. Colorado also expanded its bullying statute (HB24-1285) to include protections based on weight, height, and body size. Additionally, SB24-162 extended the deadlines to train staff on new requirements from last year's SB23-296, an extensive bill protecting students from harassment

and discrimination. Even though training has been delayed until late 2025, districts still need to follow the new requirements and may need to develop training earlier than required.

Technology:

With the rise of artificial intelligence, Colorado formed a task force to study its use (HB24-1468), and banned AI "deepfakes," in elections (HB24-1147). The U.S. Congress is currently considering two bills surrounding AI, which, if passed, would provide guidance to schools for the best uses of AI, and provide professional development. For the time being, decisions on artificial intelligence should be made by boards and superintendents. Boards can use multiple forms of guidance to study the issue in their own district, including [Colorado Roadmap for AI in K-12 Education](#) by Colorado Education Initiative, and [Artificial Intelligence \(AI\) Policy Guidance](#) from CASB.

Additionally, districts must comply with new accessibility rules as of this summer (HB21-1110). Review CASB's [Overview of Website Accessibility Requirements](#), and be sure to publish an [accessibility statement](#) as soon as possible to ensure compliance.

Recent Resources

CASB's Member Legal Resources team frequently publishes legal resources with pertinent information and also assists in publishing Special Policy Updates. Our most recently released resources provide more information on recent legislation and guidance on implementing new laws. As a reminder, you can access our extensive library of legal resources [here](#) (login required).

- [June 28, 2024 Special Policy Update](#)
- [May 10, 2024 Special Policy Update](#)
- [Guide to Harassment and Discrimination Protections and Policy Changes](#)
- [Overview and FAQ of Rights for Students in Foster Care and the Juvenile Justice System](#)
- [Protecting Opportunities and Workers' Rights Act \(POWR\) FAQ](#)
- [Overview of Website Accessibility Requirements](#)

[Title IX Webinar Recording Can Be Found Here!](#)

Upcoming Events

Saturday, 28 September

[CASB Boardsmanship Academy](#)

Durango, Colo. | 10 a.m. - 2:30 p.m.

Mastering the Art of Effective School Board Meetings; Legal Topics that Affect Your District and Students

Saturday, 28 September

[CASB Boardsmanship Academy](#)

Grand Junction, Colo. | 10 a.m. - 2:30 p.m.

Using Local & State Data for Effective Governance; The Governance Essentials: Clarifying Roles and Responsibilities