

CASB BRIEF - February 4 Vol. 24



Legal Newsletter

We have received many questions from members surrounding recent changes and executive orders announced by the Trump administration, raising questions about the impact on schools. We wanted to provide information, guidance, and resources on some of the recent changes. CASB remains committed to assisting you in serving your students and community. We are here to support you in interpreting new changes and ensuring that the needs of all Colorado students are met. Read more in today's [Legal Update](#).

NEW! Legal Update

Title IX: Districts were required to adopt new Title IX regulations in 2024. In January 2025, a federal court ruled the Biden Administration's 2024 regulations unconstitutional, leading the Trump administration to reinstate the 2020 regulations, which do not recognize gender identity-based harassment as sexual harassment under Title IX. However, Colorado law still prohibits discrimination based on gender identity, so schools must address such complaints under state law and ensure that policies, training, and enforcement align with both federal and state requirements.

Immigration: On January 20, 2025, the Trump administration changed immigration policy, allowing ICE agents to take immigration actions at schools, reversing a Biden-era policy that treated schools as "sensitive areas." Schools now face the possibility of ICE requests or visits regarding students' or parents' immigration status, but students still have constitutional protections, including the right to public education regardless of immigration status. Schools should follow established policies when responding to ICE requests, ensuring staff are trained on student rights, the appropriate responses to ICE, and the conditions under which student records may be shared.

Executive Orders: President Trump issued executive orders recognizing only two biological sexes, prioritizing school choice programs, and directing federal agencies to defund K-12 schools that promote gender ideology or critical race theory. These orders **do not** require districts to take any steps at the moment. Additionally, the sweeping orders may not be enforceable as executive orders cannot change existing law, especially considering state and local abilities to control education and curriculum. The orders require federal agencies to investigate and make recommendations based on the orders; once these recommendations are released, we will have more information on the scope of the orders and the next steps moving forward.

Funding Freeze: The Trump administration issued a memo on January 27, 2025, pausing federal funding for certain programs to review their alignment with the president's priorities, but this decision was challenged in court. This decision could have jeopardized many grants and programs in the K-12 space. On January 29, the administration rescinded the memo, and on January 30, a federal court issued a temporary restraining order against the policy. The future impact on federal funding remains unclear, as the administration's statements suggest the freeze is still in effect but may be subject to further clarification or changes.

COMING SOON! Updated Title IX Sexual Harassment Policies will be included in an SPU in the coming weeks.

Upcoming Events

NEW! Friday, 21 February

[Elections Seminar w/ Colorado Secretary of State's Office](#)

Denver, Colo. | 8:30 a.m. - 12:00 p.m.

This Elections Seminar is open to anyone interested in learning more about the school board election process. Use the link above to register!

Thursday, 13 February

[CASB Student Day at the Capitol](#)

Denver, Colo. | 7:30 a.m. - 1:30 p.m.

Students will have their chance to meet with their legislators and experience the legislative process.

Thursday, 6 February

[CASB Days at the Capitol](#)

Denver, Colo. | 7:30 a.m. - 1:30 p.m.

School board members will have their chance to meet with their legislators and experience the legislative process.

Thursday-Friday, 27-28 February

[Winter Legislative Conference](#)

Denver, Colo.

CASB's Winter Legislative Conference registration is **OPEN** and will have an early bird discount until January 31.