

# Guide for Using Discrimination and Harassment Training Materials

*Pursuant to C.R.S. § 22-1-143*

Thank you for your commitment to ensuring that all employees working in public schools receive training consistent with the requirements of **Colorado Revised Statutes § 22-1-143**, which establishes standards for preventing and responding to discrimination and harassment.

---

## Training Delivery Options

While training is required under the statute, you are not required to use the state-provided materials. You have flexibility in how the training is delivered, as long as the statutory requirements are met. Below are three available implementation options:

### Option 1: Use the Template Training – Recorded Format

*(Recorded modules and transcript for slides coming soon)*

- Two pre-recorded training modules will be available. These can be integrated into your district's training management system or presented during staff professional development sessions or all-staff meetings.
- If using this option, we strongly recommend supplementing the training with **local resources**, including:
  1. Links to all relevant local policies.
  2. Procedures for reporting discrimination and harassment.
  3. Contact information for your Title IX Coordinator.
  4. Contact information for all other designated personnel responsible for handling discrimination and harassment reports.
- For this option, we will provide a recording and transcript to ensure that the training is fully accessible.

### Option 2: Use the Provided Slides with a Local Presenter

- Districts may use the training slide deck and have a local Title IX Coordinator, discrimination and harassment coordinator, or legal counsel deliver the training either in person or virtually.
- This method allows for customization to align with local policies, procedures, and school community context.
- Although this the recommended approach based on adult learning theory, we recognize it may not be an option due to limited resources and the challenges of operationalizing this training requirement.

- If you intend to use option 2 or 3, please work to ensure that the materials are provided in an accessible format.

### Option 3: Develop Your Own Training

- You may choose to build your own training using some, all, or none of the state-provided materials.
  - Any custom training must meet the minimum content requirements outlined in **C.R.S. § 22-1-143**.
- 

## Statutory Training Requirements

All trainings must include content on the following:

- **Recognizing** harassment or discrimination, including:
  - Indicators of grooming and child sexual abuse;
  - How to distinguish harassment and discrimination from bullying.
- **Responding** appropriately when harassment or discrimination is reported to or witnessed by an employee.
- **Reporting** incidents of harassment or discrimination within the public school or district.
- For employees with direct student supervision:
  - The school's internal procedures for responding to harassment or discrimination allegations;
  - Distinctions among the state harassment/discrimination standard, Title IX, Section 504, Title VI, Title VII, and Colorado's mandatory reporting law;
  - Best practices for:
    - Avoiding victim-blaming,
    - Responding to trauma,
    - Communicating in a sensitive, compassionate, gender-inclusive, and culturally responsive manner,
    - Understanding the impact of harassment and discrimination on students with disabilities;
  - The types of **supportive measures and accommodations** available to students who report harassment or discrimination, including academic, mental health, and safety supports.

**Note:** The provided training assumes that most employees in public schools have contact with students. As such, it includes the full set of training components. The training is **not required** for central office or administrative staff without student contact.

---

## Scope of the Provided Training

This training is designed for **all public school employees** and focuses on helping them:

- **Recognize** incidents of discrimination and harassment;
- **Respond** appropriately in the moment;
- **Report** concerns to designated personnel who are responsible for formal follow-up and intervention.

### What This Training Does Not Cover:

- It is **not** intended for employees who are tasked with investigating complaints or implementing comprehensive nondiscrimination policies. Those roles require **additional training or experience** and legal understanding. That depth was beyond the scope of this training authorized by the legislature.
  - The training is limited to conduct that qualifies as discrimination or harassment under **C.R.S. § 22-1-143**. It **does not** attempt to cover the more complex legal standards of **CADA, Title VI, Title IX**, or federal laws related to individuals with a disability.
- 

## Why This Matters

While federal and state nondiscrimination laws have **stricter definitions**—often requiring conduct to be “severe and pervasive” to trigger legal liability—**C.R.S. § 22-1-143** provides a broader standard that generally encompasses more conduct and communications. It creates an internal school and district reporting and response structure without attaching legal liability to schools or districts.

**Bottom line:** If employees are trained to recognize and report conduct that meets the definitions under **C.R.S. § 22-1-143**, schools will likely capture **most, if not all**, conduct that could also rise to the level of a legal violation under **CADA, Title VI, Title IX**, or other federal civil rights law. However, this depends on trained implementors who can help distinguish between all the different laws and ensure the proper next steps for each situation.

The examples provided in the training are specifically tailored to **meet the definitions under C.R.S. § 22-1-143**. They **may not** meet the legal thresholds of discrimination or harassment under federal non-discrimination statutes or under CADA. In other words, the examples do not mean that a school or district would be subject to legal liability. The Colorado legislature did not create legal liability for schools or districts under C.R.S. § 22-1-143. To be subject to legal liability, the discrimination and harassment would have to also meet the definitions and standards under CADA or the applicable federal law.

---

## **Questions or Feedback?**

If you have questions or suggestions regarding these training materials, please contact us. We are committed to updating and refining the content in response to changes in law, policy, and best practices.