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Colorado Bill Protects Students With Disabilities as Federal Oversight Shrinks

New legislation ensures students receive needed services

DENVER, CO — Senate Bill 26-125, Disability Rights Protections in Public Schools, was introduced this week to strengthen Colorado’s ability to protect students with disabilities as federal civil rights enforcement weakens.

More than 44,000 Colorado students rely on 504 plans for school accommodations. But recent reductions at the U.S. Department of Education’s Office for Civil Rights have limited families’ ability to file and resolve complaints.

The bill codifies key federal protections into state law and creates a state level complaint process at the Colorado Department of Education.

“Colorado cannot afford to wait while federal oversight diminishes,” said **Emily Harvey, Co-Legal Director at Disability Law Colorado**. “By codifying key protections from Section 504 and the ADA into state law, lawmakers are ensuring that students with disabilities remain protected regardless of shifting federal priorities. Civil rights enforcement must be stable and dependable — not political.”

“This bill protects our most vulnerable students while preventing costly litigation and supporting the education of all students,” said **Madeleine Ashour, Director of K-12 Education Policy at the Colorado Children’s Campaign**. “When children’s rights aren’t enforced early and consistently, students can go without needed services. Teachers absorb the resulting workload in the short term, so whole classrooms are affected when this happens. Most importantly, students can’t wait – timeliness is key to effective intervention. It’s also key to reducing litigation costs.”

About the bill

Disability Rights Protections in Public Schools (SB26-125):

- Codifies key statutory language from Section 504 and the ADA into Colorado law
- Establishes a reasonable complaint procedure families can use at CDE instead of waiting on OCR
- Requires schools to implement annual disability rights training
- Requires schools to ensure school disability rights coordinators are operating according to current state law

The bill does not create new mandates for schools.

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Quotes from bill sponsors

This bill is sponsored by **Sen. Chris Kolker, Sen. Janice Marchman, Rep. Jennifer Bacon, and Rep. Jacque Phillips.**

“The federal government has decimated the oversight and investigation pathways for 504 and ADA complaints. Now, Colorado will step in to protect the rights of our disabled students and staff by enshrining these protections into our state law. This bill is paramount for the protection of those with disabilities in our public education system, and I am proud to be a co-sponsor,” said **Sen. Chris Kolker.**

“The U.S. Department of Education Office for Civil Rights, in Denver, significantly reduced their attorney staff. That means legal compliance for students on 504 plans is at risk. If the U.S. Department of Education can’t take care of our students with disabilities, then the Colorado Department of Education will!” said **Rep. Jacque Phillips.**

Background: Federal Civil Rights Enforcement Has Declined

Section 504 and the Americans with Disabilities Act prohibit disability discrimination in schools and guarantee access to accommodations. Historically, the U.S. Department of Education’s Office for Civil Rights investigated complaints and enforced compliance.

Since May 2025, half of OCR staff have been terminated, and 7 of 12 regional offices have closed. Public decisions dropped from 56 cases in 2024 to 7 in 2025.

Without intervention, districts could face increased litigation and long-term costs to the state could grow significantly. This bill ensures Colorado is not left waiting for a crisis.

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Disability Law Colorado is a nonprofit civil rights organization, authorized by federal law to combat discrimination, abuse, and neglect. We aim to make Colorado the best place in America for people with disabilities to thrive. For more information, visit disabilitylawco.org.

At the **Colorado Children’s Campaign**, we use data and research to identify what kids across our state need most, then advocate for policies that strengthen their well-being and help them thrive. Our focus is the whole child, working across Early Childhood, K-12 Education, Health, and Economic Security for the greatest long-term impact.