

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0015.01 Chelsea Princell x4335

HOUSE BILL 24-1070

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A BILL FOR AN ACT

101 CONCERNING THE MANNER OF DRESS DURING SCHOOL GRADUATION  
102 CEREMONIES.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill allows a preschool, public school, or public college or university student to wear and display religious or cultural regalia at a graduation ceremony.

The bill prohibits a preschool, school, or public college or university from restricting what a student may wear under the student's required graduation attire.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

The bill allows a preschool, school, or public college or university to prohibit a student from wearing or displaying an item that is likely to cause substantial disruption of, or material interference with, a graduation ceremony, but the prohibition must be the least restrictive means necessary to accomplish a specifically identified important government interest.

Prior to the start of the 2024-25 school year, the bill requires a preschool, school, and public college or university to develop and adopt a policy that aligns with the requirements of this bill.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend 22-1-142** as  
3 follows:

4 **22-1-142. Tribal, cultural, or religious regalia at school**  
5 **graduation ceremonies - definitions.** (1) As used in this section, unless  
6 the context otherwise requires:

7 (a) "ADORNMENT" MEANS SOMETHING ATTACHED TO, OR WORN  
8 WITH, BUT NOT REPLACING, GRADUATION ATTIRE, AND IS NOT LIMITED TO  
9 DECORATING GRADUATION CAPS.

10 (b) "CULTURAL" MEANS A RECOGNIZED PRACTICE OR TRADITION  
11 OF A CERTAIN GROUP OF PEOPLE AND INCLUDES A PROTECTED CLASS  
12 BASED ON DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION,  
13 GENDER IDENTITY, GENDER EXPRESSION, FAMILY COMPOSITION, RELIGION,  
14 AGE, NATIONAL ORIGIN, OR ANCESTRY. THE DEFINITION DOES NOT  
15 INCLUDE ITEMS RELATED TO INCITEMENT, DEFAMATION, FRAUD,  
16 OBSCENITY, CHILD PORNOGRAPHY, FIGHTING WORDS, AND THREATS.

17 ~~(a)~~ (c) "Graduation attire" means attire that a PUBLIC school, ~~or~~  
18 school district, CHARTER SCHOOL INSTITUTE, OR BOARD OF COOPERATIVE  
19 SERVICES requires a student to wear as part of the dress code for a  
20 graduation ceremony.

1 (d) "PUBLIC SCHOOL" MEANS A SCHOOL, INCLUDING A DISTRICT  
2 CHARTER SCHOOL, OF A SCHOOL DISTRICT; A SCHOOL OPERATED BY A  
3 BOARD OF COOPERATIVE SERVICES; OR AN INSTITUTE CHARTER SCHOOL.

4 ~~(b)~~ (e) "Qualifying student" means a student who is a descendant  
5 of people who were living in North America prior to the time people from  
6 Europe began settling in North America, is an enrolled member of a  
7 federally recognized or state-recognized Indian tribe, or is a lineal  
8 descendant of a tribally enrolled parent or grandparent.

9 (f) "STUDENT" MEANS AN INDIVIDUAL PARTICIPATING IN THE  
10 GRADUATION CEREMONY AS A GRADUATE.

11 ~~(c)~~ (g) "Tribal regalia" means a tribe's traditional dress or  
12 recognized objects of religious or cultural significance and includes the  
13 following items of cultural significance:

- 14 (I) Tribal symbols;
- 15 (II) Beads; and
- 16 (III) Feathers, in line with the federal "Migratory Bird Treaty Act  
17 of 1918".

18 ~~(d)~~ (h) "Tribe" means a tribe, band, nation, or Alaskan Native  
19 village that is recognized by federal law or that a state formally  
20 acknowledges.

21 (2) A STUDENT MAY WEAR RECOGNIZED OBJECTS OF CULTURAL OR  
22 RELIGIOUS SIGNIFICANCE AS AN ADORNMENT DURING THE STUDENT'S  
23 GRADUATION CEREMONY.

24 ~~(2)~~ (3) A qualifying student may wear tribal regalia during a THE  
25 QUALIFYING STUDENT'S graduation ceremony; except that a qualifying  
26 student who is not an enrolled member of a tribe shall not wear eagle  
27 feathers. Wearing tribal regalia includes decorating graduation attire with

1 tribal regalia; except that a qualifying student who is not an enrolled  
2 member of a tribe shall not decorate with eagle feathers.

3 ~~(3)~~ (4) (a) An immediate family member of a qualifying student  
4 may wear and display tribal regalia during the qualifying student's  
5 graduation ceremony if the immediate family member is:

6 (I) An enrolled member of a tribe;

7 (II) Eligible to be enrolled as a member of a tribe; or

8 (III) A lineal descendant of a tribally enrolled parent or  
9 grandparent.

10 (b) Notwithstanding ~~subsection (3)(a)~~ SUBSECTION (4)(a) of this  
11 section, an immediate family member who is not an enrolled member of  
12 a tribe shall not wear eagle feathers.

13 ~~(4)~~ (5) A PUBLIC school, ~~or~~ school district, CHARTER SCHOOL  
14 INSTITUTE, OR BOARD OF COOPERATIVE SERVICES shall not prohibit a  
15 qualifying student or the qualifying student's immediate family from  
16 wearing and displaying tribal regalia at a graduation ceremony.

17 (6) A PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL  
18 INSTITUTE, OR BOARD OF COOPERATIVE SERVICES SHALL NOT IMPOSE  
19 RESTRICTIONS ON WHAT A STUDENT MAY WEAR UNDER THE STUDENT'S  
20 REQUIRED GRADUATION ATTIRE.

21 (7) (a) THIS SECTION DOES NOT LIMIT A SCHOOL'S, SCHOOL  
22 DISTRICT'S, CHARTER SCHOOL INSTITUTE'S, OR BOARD OF COOPERATIVE  
23 SERVICES' ABILITY TO PROHIBIT AN ITEM THAT IS LIKELY TO CAUSE  
24 SUBSTANTIAL DISRUPTION OF, OR MATERIAL INTERFERENCE WITH, THE  
25 GRADUATION CEREMONY.

26 (b) A PROHIBITION IMPOSED BY A PUBLIC SCHOOL, OR SCHOOL  
27 DISTRICT, CHARTER SCHOOL INSTITUTE, OR BOARD OF COOPERATIVE

1 SERVICES PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION MUST BE:

2 (I) BASED ON EVIDENCE OF DISRUPTION RATHER THAN RELYING ON  
3 AN UNDIFFERENTIATED FEAR OR APPREHENSION OF DISTURBANCE; AND

4 (II) BY THE LEAST RESTRICTIVE MEANS NECESSARY.

5 (8) ON OR BEFORE THE START OF THE 2024-25 SCHOOL YEAR, A  
6 PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL INSTITUTE, OR  
7 BOARD OF COOPERATIVE SERVICES SHALL DEVELOP AND ADOPT A POLICY  
8 THAT ALIGNS WITH THE REQUIREMENTS OF THIS SECTION.

9 ~~(5)~~ (9) This section applies to all public school graduations,  
10 including, but not limited to, kindergarten, middle school, junior high  
11 school, and high school graduations.

12 **SECTION 2.** In Colorado Revised Statutes, 22-2-117, **amend**  
13 (1)(b)(IX) and (1)(b)(X); and **add** (1)(b)(XI) as follows:

14 **22-2-117. Additional power - state board - waiver of**  
15 **requirements - rules.** (1) (b) The state board shall not waive any of the  
16 requirements specified in any of the following statutory provisions:

17 (IX) Any provisions of section 22-1-128 relating to  
18 comprehensive human sexuality education content requirements; ~~or~~

19 (X) Any provision of section 22-30.5-104 (3), 22-30.5-507 (3),  
20 22-32-109 (1)(ll), 22-32-110 (1)(k), 22-38-104 (1)(d), or 22-63-206 (1)  
21 relating to discrimination based on hair texture, hair type, or a protective  
22 hairstyle that is commonly or historically associated with race; OR

23 (XI) THE WEARING OF TRIBAL REGALIA OR CULTURAL OR  
24 RELIGIOUS OBJECTS AT SCHOOL GRADUATION CEREMONIES PURSUANT TO  
25 SECTION 22-1-142.

26 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-104, **amend**  
27 (6)(c)(VIII) and (6)(c)(IX); and **add** (6)(c)(X) as follows:

1           **22-30.5-104. Charter school - requirements - authority - rules**

2   **- definitions.** (6) (c) A school district, on behalf of a charter school, may  
3 apply to the state board for a waiver of a state statute or state rule that is  
4 not an automatic waiver. Notwithstanding any provision of this  
5 subsection (6) to the contrary, the state board may not waive any statute  
6 or rule relating to:

7           (VIII) Section 22-33-106.1 concerning suspension and expulsion  
8 of students in preschool through second grade; ~~or~~

9           (IX) Subsection (3) of this section and sections 22-32-110 (1)(k)  
10 and 22-63-206 (1) relating to discrimination based on hair texture, hair  
11 type, or a protective hairstyle that is commonly or historically associated  
12 with race; OR

13           (X) THE WEARING OF TRIBAL REGALIA OR CULTURAL OR RELIGIOUS  
14 OBJECTS AT SCHOOL GRADUATION CEREMONIES PURSUANT TO SECTION  
15 22-1-142.

16           **SECTION 4.** In Colorado Revised Statutes, 22-30.5-507, **amend**  
17 (7)(b)(VIII) and (7)(b)(IX); and **add** (7)(b)(X) as follows:

18           **22-30.5-507. Institute charter school - requirements -**

19 **authority - rules - definitions.** (7) (b) An institute charter school may  
20 apply to the state board, through the institute, for a waiver of state statutes  
21 and state rules that are not automatic waivers. The state board may waive  
22 state statutory requirements or rules promulgated by the state board;  
23 except that the state board may not waive any statute or rule relating to:

24           (VIII) Section 22-33-106.1 concerning suspension and expulsion  
25 of students in preschool through second grade; ~~or~~

26           (IX) Subsection (3) of this section and sections 22-32-110 (1)(k)  
27 and 22-63-206 (1) relating to discrimination based on hair texture, hair

1 type, or a protective hairstyle that is commonly or historically associated  
2 with race; OR

3 (X) THE WEARING OF TRIBAL REGALIA OR CULTURAL OR RELIGIOUS  
4 OBJECTS AT SCHOOL GRADUATION CEREMONIES PURSUANT TO SECTION  
5 22-1-142.

6 **SECTION 5.** In Colorado Revised Statutes, **amend 23-1-137.5**  
7 as follows:

8 **23-1-137.5. Tribal, cultural, or religious regalia at college**  
9 **graduation ceremonies - definitions.** (1) As used in this section, unless  
10 the context otherwise requires:

11 (a) "ADORNMENT" MEANS SOMETHING ATTACHED TO, OR WORN  
12 WITH, BUT NOT REPLACING, GRADUATION ATTIRE, AND IS NOT LIMITED TO  
13 DECORATING GRADUATION CAPS.

14 (b) "CULTURAL" MEANS A RECOGNIZED PRACTICE OR TRADITION  
15 OF A CERTAIN GROUP OF PEOPLE AND INCLUDES A PROTECTED CLASS  
16 BASED ON DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION,  
17 GENDER IDENTITY, GENDER EXPRESSION, FAMILY COMPOSITION, RELIGION,  
18 AGE, NATIONAL ORIGIN, OR ANCESTRY. THE DEFINITION DOES NOT  
19 INCLUDE ITEMS RELATED TO INCITEMENT, DEFAMATION, FRAUD,  
20 OBSCENITY, CHILD PORNOGRAPHY, FIGHTING WORDS, AND THREATS.

21 ~~(a)~~ (c) "Graduation attire" means attire that a public institution of  
22 higher education requires a student to wear as part of the dress code for  
23 a graduation ceremony.

24 ~~(b)~~ (d) "Public institution of higher education" means a public  
25 college, university, community college, area technical college,  
26 educational center, local district college, or junior college that is  
27 supported in whole or in part by general fund money.

1           ~~(e)~~ (e) "Qualifying student" means a student that is a descendant  
2 of people who were living in North America prior to the time people from  
3 Europe began settling in North America, is an enrolled member of a  
4 federally recognized or state-recognized Indian tribe, or is a lineal  
5 descendant of a tribally enrolled parent or grandparent.

6           (f) "STUDENT" MEANS AN INDIVIDUAL PARTICIPATING IN THE  
7 GRADUATION CEREMONY AS A GRADUATE.

8           ~~(d)~~ (g) "Tribal regalia" means a tribe's traditional dress or  
9 recognized objects of religious or cultural significance and includes the  
10 following items of cultural significance:

- 11           (I) Tribal symbols;
- 12           (II) Beads; and
- 13           (III) Feathers, in line with the "Migratory Bird Treaty Act of  
14 1918".

15           (h) "Tribe" means a tribe, band, nation, or Alaskan Native village  
16 that is recognized by federal law or that a state formally acknowledges.

17           (2) A STUDENT MAY WEAR RECOGNIZED OBJECTS OF CULTURAL OR  
18 RELIGIOUS SIGNIFICANCE AS AN ADORNMENT DURING THE STUDENT'S  
19 GRADUATION CEREMONY.

20           ~~(2)~~ (3) A qualifying student may wear and display tribal regalia  
21 during ~~a~~ THE QUALIFYING STUDENT'S graduation ceremony; except that a  
22 qualifying student who is not an enrolled member of a tribe shall not wear  
23 eagle feathers. Wearing tribal regalia includes decorating graduation attire  
24 with tribal regalia; except that a qualifying student who is not an enrolled  
25 member of a tribe shall not decorate with eagle feathers.

26           ~~(3)~~ (4) (a) An immediate family member of a qualifying student  
27 may wear and display tribal regalia during the qualifying student's



1 graduation ceremony if the immediate family member is:

2 (I) An enrolled member of a tribe;

3 (II) Eligible to be enrolled as a member of a tribe; or

4 (III) A lineal descendant of a tribally enrolled parent or  
5 grandparent.

6 (b) Notwithstanding ~~subsection (3)(a)~~ SUBSECTION (4)(a) of this  
7 section, an immediate family member who is not an enrolled member of  
8 a tribe shall not wear eagle feathers.

9 ~~(4)~~ (5) A public institution of higher education shall not prohibit  
10 a qualifying student or immediate family member of the qualifying  
11 student from wearing and displaying tribal regalia at a graduation  
12 ceremony.

13 (6) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL NOT  
14 IMPOSE RESTRICTIONS ON WHAT A STUDENT MAY WEAR UNDER THE  
15 STUDENT'S REQUIRED GRADUATION ATTIRE.

16 (7) (a) THIS SECTION DOES NOT LIMIT A PUBLIC INSTITUTION OF  
17 HIGHER EDUCATION'S ABILITY TO PROHIBIT AN ITEM THAT IS LIKELY TO  
18 CAUSE A SUBSTANTIAL DISRUPTION OF, OR MATERIAL INTERFERENCE WITH,  
19 THE GRADUATION CEREMONY.

20 (b) A PROHIBITION IMPOSED BY A PUBLIC INSTITUTION OF HIGHER  
21 EDUCATION PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION MUST BE:

22 (I) BASED ON EVIDENCE OF DISRUPTION RATHER THAN RELYING ON  
23 AN UNDIFFERENTIATED FEAR OR APPREHENSION OF DISTURBANCE; AND

24 (II) BY THE LEAST RESTRICTIVE MEANS NECESSARY.

25 (8) ON OR BEFORE THE START OF THE 2024-25 SCHOOL YEAR, A  
26 PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP AND ADOPT  
27 A POLICY THAT ALIGNS WITH THE REQUIREMENTS OF THIS SECTION.

1 (9) THIS SECTION APPLIES TO ALL PUBLIC INSTITUTIONS OF HIGHER  
2 EDUCATION GRADUATIONS.

3 **SECTION 6.** In Colorado Revised Statutes, **amend 26.5-1-114**  
4 as follows:

5 **26.5-1-114. Tribal, cultural, or religious regalia at preschool**  
6 **graduation ceremonies - definitions.** (1) As used in this section, unless  
7 the context otherwise requires:

8 (a) "ADORNMENT" MEANS SOMETHING ATTACHED TO, OR WORN  
9 WITH, BUT NOT REPLACING, GRADUATION ATTIRE, AND IS NOT LIMITED TO  
10 DECORATING GRADUATION CAPS.

11 (b) "CULTURAL" MEANS A RECOGNIZED PRACTICE OR TRADITION  
12 OF A CERTAIN GROUP OF PEOPLE AND INCLUDES A PROTECTED CLASS  
13 BASED ON DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION,  
14 GENDER IDENTITY, GENDER EXPRESSION, FAMILY COMPOSITION, RELIGION,  
15 AGE, NATIONAL ORIGIN, OR ANCESTRY. THE DEFINITION DOES NOT  
16 INCLUDE ITEMS RELATED TO INCITEMENT, DEFAMATION, FRAUD,  
17 OBSCENITY, CHILD PORNOGRAPHY, FIGHTING WORDS, AND THREATS.

18 ~~(a)~~ (c) "Graduation attire" means attire that a preschool requires  
19 a student to wear as part of the dress code for a graduation ceremony.

20 ~~(b)~~ (d) "Qualifying student" means a student who is a descendant  
21 of people who were living in North America prior to the time people from  
22 Europe began settling in North America, is an enrolled member of a  
23 federally recognized or state-recognized Indian tribe, or is a lineal  
24 descendant of a tribally enrolled parent or grandparent.

25 (e) "STUDENT" MEANS AN INDIVIDUAL PARTICIPATING IN THE  
26 GRADUATION CEREMONY AS A GRADUATE.

27 ~~(e)~~ (f) "Tribal regalia" means a tribe's traditional dress or

1 recognized objects of religious or cultural significance and includes the  
2 following items of cultural significance:

- 3 (I) Tribal symbols;
- 4 (II) Beads; and
- 5 (III) Feathers, in line with the "Migratory Bird Treaty Act of  
6 1918".

7 ~~(d)~~ (g) "Tribe" means a tribe, band, nation, or Alaskan Native  
8 village that is recognized by federal law or that a state formally  
9 acknowledges.

10 (2) A STUDENT MAY WEAR RECOGNIZED OBJECTS OF CULTURAL OR  
11 RELIGIOUS SIGNIFICANCE AS AN ADORNMENT DURING THE STUDENT'S  
12 GRADUATION CEREMONY.

13 ~~(2)~~ (3) A qualifying student may wear tribal regalia during a THE  
14 QUALIFYING STUDENT'S graduation ceremony; except that a qualifying  
15 student who is not an enrolled member of a tribe shall not wear eagle  
16 feathers. Wearing tribal regalia includes decorating graduation attire with  
17 tribal regalia; except that a qualifying student who is not an enrolled  
18 member of a tribe shall not decorate with eagle feathers.

19 ~~(3)~~ (4) (a) An immediate family member of a qualifying student  
20 may wear and display tribal regalia during the qualifying student's  
21 graduation ceremony if the immediate family member is:

- 22 (I) An enrolled member of a tribe;
- 23 (II) Eligible to be enrolled as a member of a tribe; or
- 24 (III) A lineal descendant of a tribally enrolled parent or  
25 grandparent.

26 (b) Notwithstanding ~~subsection (3)(a)~~ SUBSECTION (4)(a) of this  
27 section, an immediate family member who is not an enrolled member of

1 a tribe shall not wear eagle feathers.

2 ~~(4)~~ (5) A preschool shall not prohibit a qualifying student or the  
3 qualifying student's immediate family from wearing and displaying tribal  
4 regalia at a graduation ceremony.

5 (6) A PRESCHOOL SHALL NOT IMPOSE RESTRICTIONS ON WHAT A  
6 STUDENT MAY WEAR UNDER THE STUDENT'S REQUIRED GRADUATION  
7 ATTIRE.

8 (7) (a) THIS SECTION DOES NOT LIMIT A PRESCHOOL'S ABILITY TO  
9 PROHIBIT AN ITEM THAT IS LIKELY TO CAUSE A SUBSTANTIAL DISRUPTION  
10 OF, OR MATERIAL INTERFERENCE WITH, THE GRADUATION CEREMONY.

11 (b) A PROHIBITION IMPOSED BY A PRESCHOOL PURSUANT TO  
12 SUBSECTION (7)(a) OF THIS SECTION MUST BE:

13 (I) BASED ON EVIDENCE OF DISRUPTION RATHER THAN RELYING ON  
14 AN UNDIFFERENTIATED FEAR OR APPREHENSION OF DISTURBANCE; AND

15 (II) BY THE LEAST RESTRICTIVE MEANS NECESSARY.

16 (8) ON OR BEFORE AUGUST 1, 2024, A PRESCHOOL IN A PUBLIC  
17 SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL INSTITUTE, OR BOARD OF  
18 COOPERATIVE SERVICES SHALL DEVELOP AND ADOPT A POLICY THAT  
19 ALIGNS WITH THE REQUIREMENTS OF THIS SECTION.

20 ~~(5)~~ (9) This section applies to all preschool graduations.

21 **SECTION 7. Safety clause.** The general assembly finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, or safety or for appropriations for  
24 the support and maintenance of the departments of the state and state  
25 institutions.