

Colorado's Youth Sports Laws: A Practical Guide for Municipal Staff

If your municipality owns or leases a recreation facility at which it sponsors youth athletic activities, then you know that running a municipal youth sports program requires more than scheduling games, maintaining fields and facilities, ordering equipment, and recruiting coaches, referees, and other personnel. And that's already a lot! Colorado's legal framework adds another layer of responsibility, with requirements intended to protect youth athletes' health and safety. These include mandatory coach education in concussions and mental health, adherence to standard concussion-response protocols, and—for statutory municipalities—adoption of youth athletics prohibited conduct policies and conduct of criminal background screening for paid coaches. The challenge is piecing together these requirements, which are scattered across the Colorado Revised Statutes.

This article brings the requirements of the Jake Snakenberg Youth Concussion Act,¹ Alyssa's Youth Concussion and Mental Health Protection Act,² and the Safer Youth Sports Act³ together to serve as a reference guide for municipal staff seeking to understand which programs and coaches are covered and what compliance requires. As you read, keep in mind that local municipal policies may impose additional or more protective requirements. Municipal staff should therefore review local policies alongside the statutory requirements summarized below and should consult with their municipal attorney on any legal questions.

CONCUSSION & MENTAL HEALTH REQUIREMENTS

Applicability. Home rule and statutory municipalities that sponsor⁴ youth athletic activities at public recreation facilities they own or lease.

Definitions.

- Under the Jake Snakenberg Act and Alyssa's Act (together, the "Title 25 Acts"), "youth athletic activities" are organized athletic activities in which a majority of participants are between the ages of 11 and 18 and participate in a game or competition against another team, club, or entity, or practice or prepare for that competition. The definition excludes college or university activities, activities entered into solely for instructional purposes, lessons, and athletic activities incidental to nonathletic programs.
- While the term "coach" is undefined in both Title 25 Acts, the operative provision of the Jake Snakenberg Act expressly covers volunteer coaches and coaches the municipality directly contracts with, formally engages, or employs. The operative provision of Alyssa's Act expressly covers coaches the municipality directly contracts with, formally engages, or employs, but does not separately identify volunteer coaches. However, Alyssa's Act's reference to coaches the municipality "formally engages" may encompass volunteers.

Education.

- *Concussion Training.* Municipalities must require coaches to complete a concussion recognition course once every year. The course must address concussion signs and symptoms; the necessity for obtaining proper medical attention; and the nature and risks of concussions, including the risks of continuing to play after a concussion, and the proper method of allowing a youth athlete to return to the athletic activity.

- *Mental Health Training.* Municipalities must require coaches to complete a mental health education course once every two years. The course must cover a coach's impact on youth athletes' mental health; a wellness framework; stress, anxiety disorders, and depression; trauma; substance abuse; and suicide prevention.
- *Training Coordination.* While Alyssa's Act expressly authorizes schools to offer the required mental health course in conjunction with the concussion recognition course required under the Jake Snakenberg Act, municipalities are neither expressly authorized nor expressly prohibited from doing the same.⁵ Municipalities desiring to coordinate the trainings should ensure each course's content and frequency requirements are satisfied.
- *Documentation and Retention.* Both Title 25 Acts are silent on the issue of documentation. However, to demonstrate compliance with the statutory education requirements, municipalities should maintain certificates or other proof of training completion for each covered coach, identifying the course, provider, and completion date, along with information showing that the course covers the required subjects. Both Title 25 Acts are also silent on the period of records retention. Readers should consult with their municipal attorney on the retention period; however, given the potentially long periods of exposure to claims involving youth sports, it is suggested these records be maintained throughout the coach's entire service with the organization and for an extended period thereafter.

Removal from Activity and Return to Play.

- A coach who suspects an athlete has sustained a concussion following an observed or suspected blow to the head or body must immediately remove the athlete from the game, competition, or practice.
- If the athlete's signs and symptoms cannot readily be explained by another condition, the athlete must remain out of supervised team activities involving physical exertion, including games, competitions, and practices, until evaluated and given written clearance by a licensed health-care provider.⁶
- After clearance, a licensed athletic trainer with specific knowledge of the athlete's condition may manage the athlete's graduated return to play.

Parental Notification. When an athlete is removed for a suspected concussion, the coach or designated program personnel must notify the parent or legal guardian and advise that the athlete seek evaluation from a licensed health-care provider for appropriate medical and behavioral health guidance concerning potential physical, cognitive, or psychological symptoms associated with concussions.

Immunity. The Title 25 Acts each preserve applicable protections under the Colorado Governmental Immunity Act (CGIA), and do not expressly create any new CGIA waivers of immunity or any new civil causes of action tied to the Acts.

CONDUCT POLICIES, CRIMINAL BACKGROUND CHECKS, AND EMPLOYMENT DISQUALIFICATION

Applicability. Statutory cities and towns⁷ offering organized youth sports programs or athletic activities.

Definitions.

- Under the Safer Youth Sports Act, "youth athletic activities" are organized athletic games, competitions, or training programs in which a majority of participants are under 18 years of age. Unlike the Title 25 Acts, this Act's definition of "youth athletic activity" does not expressly require competition against another team, club, or entity, and does not expressly exclude lessons or instruction-only activities. However, travel or trips not organized or supervised by the municipality are expressly excluded from this Act's definition.⁸
- "Coach" means a person employed or volunteering as a coach, manager, or supervisor of a youth athletic activity but does not include occasional assistance with or support of the youth athletic activity by a person, including the action

of other volunteers or employees of the local government in a passing, general, or nominal manner.⁹

Prohibited Conduct Policy.

- Statutory municipalities must make available a prohibited conduct policy for their youth athletic activities.
- The policy must identify prohibited conduct by parents, spectators, coaches, and athletes; include a mandatory reporting policy for adults with knowledge of prohibited conduct; and establish a code of conduct for those groups.
- Municipalities must require their paid and volunteer coaches to comply with the prohibited conduct policy.¹⁰
- A municipality may draft and adopt its own code of conduct meeting the requirements of the Act or adopt the [Safer Youth Sports: Model Code of Conduct](#) made available by the Colorado Department of Early Childhood.
- For more information about the prohibited conduct policy requirements of the Safer Youth Sports Act, read this CIRSA Blog [article](#).

Preemployment Criminal History Checks.

- *Requirements.* Before employing a paid coach, a statutory municipality must require a criminal history check through a private consumer reporting agency regulated under the federal Fair Credit Reporting Act (FCRA). At a minimum, the check must disclose sexual offenses and felony convictions and include a Social Security number trace and a search of the Colorado judicial public-records access system. It must also ascertain whether the applicant has the specified disqualifying criminal history (discussed further below). The Safer Youth Sports Act does not expressly require criminal history checks for municipal volunteer coaches.
- *Exception.* The Act does not require a second or subsequent criminal history check for a coach who underwent a check before August 7, 2024. However, municipal policies may require updated screening.
- *Disqualification from Employment.* Statutory municipalities must disqualify individuals from coaching employment based on convictions, nolo contendere pleas, deferred sentences, or deferred prosecutions involving felony child abuse, as specified in C.R.S. § 18-6-401, felony offenses involving unlawful sexual behavior, as defined in C.R.S. § 16-22-102(9), and comparable out-of-state offenses.
- *Fees.* Statutory municipalities may charge individuals any fees for the background checks required by the Act.
- *CORA.* Information received through the required background check is excluded from disclosure under the Colorado Open Records Act (CORA).
- *Immunity.* A statutory municipality may rely on the results of the criminal history check when making hiring and employment decisions and is immune from civil liability for that reliance unless it knows the information is false or acts with reckless disregard concerning its truth.
- For more information about the preemployment criminal background check and employment disqualification requirements of the Safer Youth Sports Act, read this CIRSA Blog [article](#).

If you have questions about this article, contact CIRSA's Associate General Counsel, Nick Cotton-Baez at nickc@cirsa.org.

This article is intended for general information purposes only and is not intended or to be construed as legal advice on any specific issue. Readers should consult with their entity's own counsel for legal advice on specific issues.

1. The Jake Snakenberg You Concussion Act (“Jake Snakenberg Act”) is codified in C.R.S. § 25-43-101, et seq.
2. Alyssa’s Youth Concussion and Mental Health Protection Act (“Alyssa’s Act”) is codified in C.R.S. § 25-43-201, et seq.
3. While not an official statutory title, this article uses the term “Safer Youth Sports Act” to refer to the youth sports safety requirements enacted through Senate Bill 24-113, which are codified in C.R.S. § 29-7.1-101, et seq.
4. Neither the Jake Snakenberg Act nor Alyssa’s Act defines the term “sponsors.” Municipalities that organize or operate covered youth athletic activities at recreation facilities they own or lease should treat their programs as subject to these Acts’ requirements. When a separate organization uses municipal recreation facilities, the Acts’ applicability may require closer examination of the municipality’s role in offering, administering, or supporting the program and engaging its coaches.
5. Alyssa’s Act’s combined-training provision, C.R.S. § 25-43-203(2)(b), specifically references the concussion-recognition course required for school coaches under § 25-43-103(1)(a), rather than the course required for municipal coaches under § 25-43-103(1)(b).
6. “Health-care provider” means a: (a) Doctor of medicine; (b) Doctor of osteopathic medicine; (c) Licensed nurse practitioner; (d) Licensed physician assistant; (e) Licensed physical therapist with training in pediatric neurology or concussion evaluation and management; or (f) Licensed doctor of psychology with training in neuropsychology or concussion evaluation and management. C.R.S. § 25-43-102(1).
7. C.R.S. § 29-7.1-101(2) incorporates C.R.S. § 29-1-102(13) for its definition of “local government,” which includes statutory towns and cities and their instrumentalities, but expressly excludes home rule cities and towns.
8. The scope of the exclusion is not entirely clear. A team’s travel to an out-of-town game or tournament may be considered municipally supervised when municipal volunteer or paid coaches accompany the team in a supervisory capacity. As a risk-management practice, municipalities should apply their prohibited-conduct policies to coaches, supervisors, and chaperones assigned to travel with a team for games and tournaments.
9. While the Safer Youth Sports Act does not elaborate on what it means to provide “occasional assistance” or “support” in a “passing, general, or nominal manner,” it is likely, for example, that a public employee that plays pick-up basketball with minors or occasionally provides assistance to minors when using exercise equipment would not be considered a coach. On the other hand, a public employee who is assigned or volunteers to regularly assist with the on-site running of a Town-sponsored youth basketball league and games might be considered a “coach” within the meaning of the Act even though the employee is not the manager of a specific team.
10. The Safer Youth Sports Act requires statutory municipalities to require coach compliance but does not prescribe investigation or disciplinary procedures. Statutory municipalities should establish procedures for receiving and assessing complaints, investigating when appropriate, and taking corrective action consistent with applicable policies and legal requirements. These procedures should address both paid and volunteer coaches.

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