

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Fifty-eighth Legislative Day

Thursday, March 10, 2011

1 Prayer by the Reverend Jude Del Hierro, Confluence Ministries, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Tim Moses, Nichole Homer, Rickey Survine
6 from Everest College, Aurora.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Bradford, Kagan--2.
12 Absent--Representative(s) Casso--1.

13
14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Gardner D., the reading of the journal of
18 March 9, 2011, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

REPORT(S) OF COMMITTEE(S) OF REFERENCE

22
23
24
25 **EDUCATION**

26 After consideration on the merits, the Committee recommends the
27 following:
28

29 **HB11-1254** be amended as follows, and as so amended, be referred to
30 the Committee on Appropriations with favorable
31 recommendation:
32

33 Amend printed bill, strike everything below the enacting clause and
34 substitute:
35

36 "SECTION 1. Title 22, Colorado Revised Statutes, is amended
37 BY THE ADDITION OF A NEW ARTICLE to read:
38

ARTICLE 93

School Bullying Prevention and Education Grant Program

39
40
41
42 **22-93-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
43 CONTEXT OTHERWISE REQUIRES:

1 (1) "BULLYING" SHALL HAVE THE SAME MEANING AS SET FORTH IN
2 SECTION 22-32-109.1 (2) (a) (X) (B).

3
4 (2) "CASH FUND" MEANS THE SCHOOL BULLYING PREVENTION AND
5 EDUCATION CASH FUND CREATED IN SECTION 22-93-105.

6
7 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
8 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

9
10 (4) "FACILITY SCHOOL" MEANS AN APPROVED FACILITY SCHOOL,
11 AS DEFINED IN SECTION 22-2-402 (1).

12
13 (5) "PROGRAM" MEANS THE SCHOOL BULLYING PREVENTION AND
14 EDUCATION GRANT PROGRAM CREATED IN SECTION 22-93-102.

15
16 (6) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A
17 DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, OR A BOARD
18 OF COOPERATIVE SERVICES, AS DEFINED IN SECTION 22-5-103.

19
20 (7) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
21 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
22 CONSTITUTION.

23
24 **22-93-102. School bullying prevention and education grant**
25 **program - created.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT
26 THE SCHOOL BULLYING PREVENTION AND EDUCATION GRANT PROGRAM.
27 UNDER THE PROGRAM, ON AND AFTER JULY 1, 2012, OR NOT MORE THAN
28 NINETY DAYS AFTER THE PROMULGATION OF RULES BY THE STATE BOARD
29 PURSUANT TO SECTION 22-93-104, WHICHEVER IS LATER, A PUBLIC
30 SCHOOL, A FACILITY SCHOOL, OR A COLLABORATIVE GROUP OF PUBLIC
31 SCHOOLS OR FACILITY SCHOOLS MAY APPLY FOR A GRANT TO FUND
32 EFFORTS TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS. THE
33 DEPARTMENT SHALL ADMINISTER THE PROGRAM IN CONSULTATION WITH
34 THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION 24-33.5-
35 1803, C.R.S.

36
37 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
38 THE DEPARTMENT SHALL NOT BE REQUIRED TO IMPLEMENT THE
39 PROVISIONS OF THIS ARTICLE UNTIL SUFFICIENT MONEYS HAVE BEEN
40 TRANSFERRED OR APPROPRIATED TO THE CASH FUND.

41
42 (3) THE DEPARTMENT IS HEREBY AUTHORIZED TO HIRE ANY
43 EMPLOYEES NECESSARY TO CARRY OUT THE DUTIES ASSOCIATED WITH THE
44 PROVISIONS OF THIS ARTICLE. THE CREATION OF ANY NEW POSITIONS OF
45 EMPLOYMENT WITHIN THE DEPARTMENT PURSUANT TO THIS ARTICLE
46 SHALL BE SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS IN THE
47 CASH FUND AND SHALL BE ELIMINATED WHEN SUFFICIENT MONEYS ARE NO
48 LONGER AVAILABLE IN THE CASH FUND. THE DEPARTMENT SHALL ENSURE
49 THAT ALL POSITION DESCRIPTIONS AND NOTICES TO HIRE FOR POSITIONS
50 CREATED PURSUANT TO THIS ARTICLE CLEARLY STATE THAT SUCH
51 POSITIONS ARE SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS IN
52 THE CASH FUND.

53
54 **22-93-103. School bullying prevention and education grant**
55 **program - grant process - reports by grant recipients.** (1) THE
56 DEPARTMENT SHALL SOLICIT AND REVIEW APPLICATIONS FROM PUBLIC

1 SCHOOLS AND FACILITY SCHOOLS FOR GRANTS PURSUANT TO THIS
2 SECTION. THE DEPARTMENT MAY AWARD GRANTS TO PUBLIC SCHOOLS,
3 FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC SCHOOLS
4 AND FACILITY SCHOOLS FOR PERIODS OF ONE TO THREE YEARS.

5
6 (2) EACH APPLICATION, AT A MINIMUM, SHALL DESCRIBE HOW THE
7 APPLICANT PUBLIC SCHOOL, FACILITY SCHOOL, OR COLLABORATIVE GROUP
8 OF PUBLIC SCHOOLS OR FACILITY SCHOOLS WILL USE ANY AWARDED
9 GRANT MONEYS TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS.
10 EACH GRANT RECIPIENT SHALL USE ITS GRANT MONEYS TO SUPPLEMENT
11 AND NOT SUPPLANT ANY MONEYS CURRENTLY BEING USED BY THE GRANT
12 RECIPIENT TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS.

13
14 (3) THE DEPARTMENT SHALL SELECT THOSE PUBLIC SCHOOLS,
15 FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC SCHOOLS
16 AND FACILITY SCHOOLS THAT WILL RECEIVE GRANTS PURSUANT TO THIS
17 SECTION AND THE DURATION AND AMOUNT OF EACH GRANT. IN SELECTING
18 THE GRANT RECIPIENTS, THE DEPARTMENT, AT A MINIMUM, SHALL TAKE
19 INTO ACCOUNT THE CRITERIA ESTABLISHED BY RULES PROMULGATED BY
20 THE STATE BOARD PURSUANT TO SECTION 22-93-104 (1) (b).

21
22 (4) ON OR BEFORE A DATE SPECIFIED BY RULE OF THE STATE
23 BOARD PURSUANT TO SECTION 22-93-104 (1) (d), THE DEPARTMENT SHALL
24 SUBMIT ANNUALLY TO THE STATE BOARD AND TO THE EDUCATION
25 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY
26 SUCCESSOR COMMITTEES, THE FOLLOWING INFORMATION REGARDING THE
27 ADMINISTRATION OF THE PROGRAM IN THE PRECEDING YEAR:

28
29 (a) THE NUMBER OF GRANT RECIPIENTS THAT RECEIVED GRANTS
30 UNDER THE PROGRAM;

31
32 (b) THE AMOUNT OF EACH GRANT AWARDED TO EACH GRANT
33 RECIPIENT;

34
35 (c) THE AVERAGE AMOUNT OF EACH GRANT AWARDED UNDER THE
36 PROGRAM;

37
38 (d) THE NUMBER OF PUPILS WHO ARE EITHER ENROLLED AT EACH
39 PUBLIC SCHOOL OF EACH GRANT RECIPIENT OR RECEIVING SERVICES
40 THROUGH EACH FACILITY SCHOOL OF EACH GRANT RECIPIENT; AND

41
42 (e) THE SOURCE AND AMOUNT OF EACH GIFT, GRANT, AND
43 DONATION RECEIVED BY THE DEPARTMENT FOR THE IMPLEMENTATION OF
44 THIS ARTICLE PURSUANT TO SECTION 22-93-105 (3) (b).

45
46 (5) IN SELECTING GRANT RECIPIENTS, THE DEPARTMENT, TO THE
47 EXTENT POSSIBLE, SHALL ENSURE THAT GRANTS ARE AWARDED TO PUBLIC
48 SCHOOLS, FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC
49 SCHOOLS AND FACILITY SCHOOLS IN A VARIETY OF GEOGRAPHIC AREAS OF
50 THE STATE.

51
52 (6) EACH GRANT RECIPIENT SHALL SUBMIT A WRITTEN REPORT TO
53 THE DEPARTMENT NOT LATER THAN SIX MONTHS AFTER THE EXPIRATION
54 OF THE TERM OF THE GRANT CONCERNING THE EFFECTIVENESS OR
55 INEFFECTIVENESS OF EACH USE OF GRANT MONEYS BY THE GRANT
56 RECIPIENT IN REDUCING THE FREQUENCY OF BULLYING INCIDENTS.

1 **22-93-104. Rules.** (1) ON OR BEFORE APRIL 1, 2012, OR NOT
2 MORE THAN NINETY DAYS AFTER THE DEPARTMENT RECEIVES SUFFICIENT
3 MONEYS TO IMPLEMENT THIS ARTICLE AS DESCRIBED IN SECTION 22-93-
4 102 (2), WHICHEVER IS LATER, THE STATE BOARD SHALL PROMULGATE
5 RULES FOR THE ADMINISTRATION OF THIS ARTICLE, INCLUDING BUT NOT
6 LIMITED TO:

7
8 (a) APPLICATION PROCEDURES BY WHICH PUBLIC SCHOOLS,
9 FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC SCHOOLS
10 AND FACILITY SCHOOLS MAY APPLY FOR GRANTS PURSUANT TO THIS
11 ARTICLE;

12
13 (b) CRITERIA FOR THE DEPARTMENT TO APPLY IN SELECTING THE
14 PUBLIC SCHOOLS, FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF
15 PUBLIC SCHOOLS AND FACILITY SCHOOLS THAT SHALL RECEIVE GRANTS
16 AND DETERMINING THE AMOUNT OF GRANT MONEYS TO BE AWARDED TO
17 EACH GRANT RECIPIENT, WHICH CRITERIA, AT A MINIMUM, SHALL REQUIRE
18 EACH GRANT RECIPIENT TO:

19
20 (I) USE AWARDED GRANT MONEYS FOR PURPOSES THAT ARE BASED
21 UPON EVIDENCE-BASED BEST PRACTICES FOR PREVENTING BULLYING;

22
23 (II) USE AT LEAST A PORTION OF AWARDED GRANT MONEYS FOR
24 THE PURPOSE OF EDUCATING STUDENTS' PARENTS AND LEGAL GUARDIANS
25 REGARDING THE GRANT RECIPIENT'S POLICIES CONCERNING BULLYING
26 PREVENTION AND EDUCATION AND THE GRANT RECIPIENT'S ONGOING
27 EFFORTS TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS; AND

28
29 (III) ADOPT A SPECIFIC POLICY CONCERNING BULLYING EDUCATION
30 AND PREVENTION THAT INCLUDES:

31
32 (A) PROVISIONS FOR THE BIENNIAL ADMINISTRATION OF SURVEYS
33 OF STUDENTS' IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR
34 SCHOOLS, THE ADMINISTRATION OF WHICH SURVEYS, AT A MINIMUM,
35 SHALL SATISFY THE RULES PROMULGATED BY THE STATE BOARD
36 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1); AND

37
38 (B) THE DESIGNATION OF A TEAM OF PERSONS AT EACH SCHOOL OF
39 THE SCHOOL DISTRICT WHO ADVISE THE SCHOOL ADMINISTRATION
40 CONCERNING THE SEVERITY AND FREQUENCY OF BULLYING INCIDENTS
41 THAT OCCUR IN THE SCHOOL, WHICH TEAM MAY INCLUDE, BUT NEED NOT
42 BE LIMITED TO, LAW ENFORCEMENT OFFICIALS, SOCIAL WORKERS,
43 PROSECUTORS, HEALTH PROFESSIONALS, MENTAL HEALTH PROFESSIONALS,
44 COUNSELORS, TEACHERS, ADMINISTRATORS, PARENTS, AND STUDENTS.

45
46 (c) RULES FOR THE ADMINISTRATION OF SURVEYS OF STUDENTS'
47 IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR SCHOOLS, WHICH
48 PROCEDURES, AT A MINIMUM, SHALL INCLUDE:

49
50 (I) PROCEDURES FOR THE DISTRIBUTION, COLLECTION,
51 STANDARDIZATION, AND ANALYSIS OF DATA COLLECTED IN EACH SURVEY,
52 WHICH PROCEDURES SHALL ENSURE THE CONFIDENTIALITY OF EACH
53 STUDENT'S ANSWERS TO THE SURVEY AND CLARIFY THAT THE COMPLETION
54 OF A SURVEY SHALL BE VOLUNTARY AND SHALL NOT BE REQUIRED OF ANY
55 STUDENT;

56

1 (II) CERTAIN QUESTIONS THAT EACH SURVEY SHALL ASK OF EACH
2 STUDENT CONCERNING HOW FREQUENTLY THE STUDENT WITNESSES
3 BULLYING AT HIS OR HER SCHOOL AND HOW FREQUENTLY THE STUDENT
4 PERCEIVES HIMSELF OR HERSELF TO BE A VICTIM OF BULLYING; AND
5

6 (III) PROVISIONS TO ENSURE THAT, TO THE EXTENT PRACTICABLE,
7 A SCHOOL DISTRICT OR SCHOOL, INCLUDING A DISTRICT CHARTER SCHOOL
8 OR AN INSTITUTE CHARTER SCHOOL, MAY UTILIZE EXISTING FORMS AND
9 PROCEDURES IN ADMINISTERING THE SURVEYS.
10

11 (d) THE DESIGNATION OF A DATE BY WHICH THE DEPARTMENT
12 SHALL ANNUALLY SUBMIT TO THE STATE BOARD AND TO THE EDUCATION
13 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY
14 SUCCESSOR COMMITTEES, THE INFORMATION DESCRIBED IN SECTION 22-
15 93-103 (4).
16

17 **22-93-105. School bullying prevention and education cash**
18 **fund - created.** (1) THERE IS HEREBY ESTABLISHED IN THE STATE
19 TREASURY THE SCHOOL BULLYING PREVENTION AND EDUCATION CASH
20 FUND. THE CASH FUND SHALL CONSIST OF MONEYS TRANSFERRED
21 THERETO PURSUANT TO SUBSECTION (3) OF THIS SECTION AND ANY OTHER
22 MONEYS THAT MAY BE MADE AVAILABLE BY THE GENERAL ASSEMBLY.
23 THE MONEYS IN THE CASH FUND ARE CONTINUOUSLY APPROPRIATED TO
24 THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
25 IMPLEMENTING THIS ARTICLE. ANY MONEYS NOT PROVIDED AS GRANTS
26 MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED IN SECTION 24-
27 36-113, C.R.S. ALL INTEREST AND INCOME DERIVED FROM THE
28 INVESTMENT AND DEPOSIT OF MONEYS IN THE CASH FUND SHALL BE
29 CREDITED TO THE CASH FUND. ANY AMOUNT REMAINING IN THE CASH
30 FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE CASH FUND
31 AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
32 TO ANY OTHER FUND.
33

34 (2) NO MORE THAN FIVE PERCENT OF THE MONEYS APPROPRIATED
35 FROM THE CASH FUND MAY BE USED FOR THE EXPENSES INCURRED BY THE
36 DEPARTMENT IN ADMINISTERING THIS ARTICLE.
37

38 (3) (a) NO GENERAL FUND MONEYS SHALL BE APPROPRIATED TO
39 THE CASH FUND FOR THE IMPLEMENTATION OF THIS ARTICLE.
40

41 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND PUBLIC OR
42 PRIVATE GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE
43 SOURCES TO IMPLEMENT THIS ARTICLE; EXCEPT THAT THE DEPARTMENT
44 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO
45 CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS
46 ARTICLE OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL
47 TRANSFER ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,
48 GRANTS, AND DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
49 THE SAME TO THE CASH FUND.
50

51 (4) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE
52 THE DEPARTMENT TO SOLICIT MONEYS FOR THE PURPOSES OF THIS
53 ARTICLE.
54

55 **22-93-106. School bullying prevention and education -**
56 **availability of best practices and other resources.** (1) ON OR BEFORE

1 NOVEMBER 1, 2011, THE DEPARTMENT SHALL CREATE A PAGE ON ITS
 2 PUBLIC WEB SITE AT WHICH THE DEPARTMENT SHALL CONTINUOUSLY
 3 MAKE PUBLICLY AVAILABLE EVIDENCE-BASED BEST PRACTICES AND OTHER
 4 RESOURCES FOR EDUCATORS AND OTHER PROFESSIONALS ENGAGED IN
 5 BULLYING PREVENTION AND EDUCATION.

6
 7 (2) THE DEPARTMENT SHALL SOLICIT EVIDENCE-BASED BEST
 8 PRACTICES AND OTHER RESOURCES FROM THE SCHOOL SAFETY RESOURCE
 9 CENTER CREATED IN SECTION 24-33.5-1803, C.R.S.; FROM SCHOOL
 10 DISTRICTS; FROM THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN
 11 SECTION 22-30.5-503; AND FROM OTHER STATE AND FEDERAL AGENCIES
 12 THAT ARE CONCERNED WITH SCHOOL BULLYING PREVENTION AND
 13 EDUCATION. THE DEPARTMENT SHALL REVIEW MATERIALS THAT IT
 14 RECEIVES AND, AS MAY BE APPROPRIATE, MAKE SUCH MATERIALS
 15 AVAILABLE TO THE PUBLIC ON THE WEB SITE DESCRIBED IN SUBSECTION (1)
 16 OF THIS SECTION.

17
 18 **SECTION 2.** 22-32-109.1 (2) (a) (IX), (2) (a) (X), and (2) (b)
 19 (IV) (G), Colorado Revised Statutes, are amended to read:

20
 21 **22-32-109.1. Board of education - specific powers and duties -**
 22 **safe schools.** (2) **Safe school plan.** In order to provide a learning
 23 environment that is safe, conducive to the learning process, and free from
 24 unnecessary disruption, following consultation with the school district
 25 accountability committee and school accountability committees, parents,
 26 teachers, administrators, students, student councils where available, and,
 27 where appropriate, the community at large, each school district board of
 28 education shall adopt and implement a safe school plan, or review and
 29 revise, if necessary, any existing plans or policies already in effect, which
 30 shall include, but not be limited to, the following:

31
 32 (a) **Conduct and discipline code.** A concisely written conduct
 33 and discipline code that shall be enforced uniformly, fairly, and
 34 consistently for all students. Copies of the code shall be provided to each
 35 student upon enrollment at the elementary, middle, and high school levels
 36 and shall be posted or kept on file at each public school in the school
 37 district. The code shall include, but shall not be limited to:

38
 39 (IX) A dress code policy that ENCOURAGES SCHOOL PRIDE AND
 40 UNITY, PROMOTES UNIFORMITY OF DRESS, AND defines and prohibits
 41 students from wearing apparel that is deemed disruptive to the classroom
 42 environment or to the maintenance of a safe and orderly school. The
 43 dress code policy may require students to wear a school uniform or may
 44 establish minimum standards of dress; and

45
 46 (X) (A) On and after August 8, 2001, a specific policy concerning
 47 bullying prevention and education. ~~For purposes of this subparagraph~~
 48 ~~(X), "bullying" means any written or verbal expression, or physical act or~~
 49 ~~gesture, or a pattern thereof, that is intended to cause distress upon one or~~
 50 ~~more students in the school, on school grounds, in school vehicles, at a~~
 51 ~~designated school vehicle stop, or at school activities or sanctioned~~
 52 ~~events. The school district's policy shall, include a reasonable balance~~
 53 ~~between the pattern and the severity of such bullying behavior~~ EACH
 54 SCHOOL DISTRICT IS ENCOURAGED TO ENSURE THAT ITS POLICY, AT A
 55 MINIMUM, INCORPORATES THE BIENNIAL ADMINISTRATION OF SURVEYS OF
 56 STUDENTS' IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR

1 SCHOOLS, AS DESCRIBED IN SECTION 22-93-104(1)(c), AND INCLUDES THE
2 DESIGNATION OF A TEAM OF PERSONS AT EACH SCHOOL OF THE SCHOOL
3 DISTRICT WHO ADVISE THE SCHOOL ADMINISTRATION CONCERNING THE
4 SEVERITY AND FREQUENCY OF BULLYING INCIDENTS THAT OCCUR IN THE
5 SCHOOL, WHICH TEAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LAW
6 ENFORCEMENT OFFICIALS, SOCIAL WORKERS, PROSECUTORS, HEALTH
7 PROFESSIONALS, MENTAL HEALTH PROFESSIONALS, COUNSELORS,
8 TEACHERS, ADMINISTRATORS, PARENTS, AND STUDENTS. EACH SCHOOL
9 DISTRICT'S POLICY SHALL SET FORTH APPROPRIATE DISCIPLINARY
10 CONSEQUENCES FOR STUDENTS WHO BULLY OTHER STUDENTS, WHICH
11 CONSEQUENCES SHALL COMPLY WITH ALL APPLICABLE STATE AND
12 FEDERAL LAWS.

13
14 (B) FOR PURPOSES OF THIS SUBPARAGRAPH (X), "BULLYING"
15 MEANS ANY WRITTEN OR VERBAL EXPRESSION, OR PHYSICAL OR
16 ELECTRONIC ACT OR GESTURE, OR A PATTERN THEREOF, THAT IS INTENDED
17 TO COERCE, REPEATEDLY OR SYSTEMATICALLY INTIMIDATE, OR CAUSE
18 ANY PHYSICAL, MENTAL, OR EMOTIONAL HARM TO ANY STUDENT.
19 BULLYING IS PROHIBITED AGAINST ANY STUDENT FOR ANY REASON,
20 INCLUDING BUT NOT LIMITED TO ANY SUCH BEHAVIOR THAT IS DIRECTED
21 TOWARD A STUDENT AGAINST WHOM FEDERAL AND STATE LAWS PROHIBIT
22 DISCRIMINATION UPON ANY OF THE BASES DESCRIBED IN SECTION 22-32-
23 109(1)(II)(I).

24
25 (C) NO PERSON SHALL TAKE ANY RETALIATORY ACTION AGAINST
26 A STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING.

27
28 (b) **Safe school reporting requirements.** A policy whereby the
29 principal of each public school in a school district shall submit annually,
30 in a manner and by a date specified by rule of the state board, a written
31 report to the board of education of such school district concerning the
32 learning environment in the school during that school year. The board of
33 education of the school district annually shall compile the reports from
34 every school in the district and shall submit the compiled report to the
35 department of education in a format specified by rule of the state board.
36 The compiled report shall be made available to the general public. Such
37 report shall include, but need not be limited to, the following specific
38 information for the preceding school year:

39
40 (IV) The number of conduct and discipline code violations, each
41 of which violations shall be reported only in the most serious category
42 that is applicable to that violation, including but not limited to specific
43 information on the number of and the action taken with respect to each of
44 the following types of violations:

45
46 (G) Behavior on school property that is detrimental to the welfare
47 or safety of other students or of school personnel, including BUT NOT
48 LIMITED TO INCIDENTS OF BULLYING, AS DESCRIBED BY SUBPARAGRAPH
49 (X) OF PARAGRAPH (a) OF THIS SUBSECTION (2), AND OTHER behavior that
50 creates a threat of physical harm to the student or to other students;

51
52 **SECTION 3.** Part 1 of article 30.5 of title 22, Colorado Revised
53 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
54 read:

55
56 **22-30.5-116. Charter schools - school bullying policies**

1 **required.** (1) ON OR BEFORE OCTOBER 1, 2011, EACH CHARTER SCHOOL
2 SHALL ADOPT AND IMPLEMENT A POLICY CONCERNING BULLYING
3 PREVENTION AND EDUCATION. EACH CHARTER SCHOOL'S POLICY, AT A
4 MINIMUM, SHALL INCLUDE THE ENTIRE BULLYING PREVENTION AND
5 EDUCATION POLICY ADOPTED BY THE SCHOOL DISTRICT THAT APPROVED
6 THE CHARTER SCHOOL'S CHARTER, WHICH POLICY EXISTS AS PART OF THE
7 SCHOOL DISTRICT'S CONDUCT AND DISCIPLINE CODE AS DESCRIBED IN
8 SECTION 22-32-109.1 (2) (a) (X).

9
10 (2) FOR THE PURPOSES OF THIS SECTION, "BULLYING" SHALL HAVE
11 THE SAME MEANING AS SET FORTH IN SECTION 22-32-109.1 (2) (a) (X) (B).

12
13 (3) NO PERSON SHALL TAKE ANY RETALIATORY ACTION AGAINST
14 A STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING.

15
16 **SECTION 4.** 22-30.5-502, Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW SUBSECTION to read:

18
19 **22-30.5-502. Definitions.** As used in this part 5, unless the
20 context otherwise requires:

21
22 (2.5) "BULLYING" SHALL HAVE THE SAME MEANING AS SET FORTH
23 IN SECTION 22-32-109.1 (2) (a) (X) (B).

24
25 **SECTION 5.** 22-30.5-505, Colorado Revised Statutes, is
26 amended BY THE ADDITION OF A NEW SUBSECTION to read:

27
28 **22-30.5-505. State charter school institute - institute board -**
29 **appointment - powers and duties - rules - repeal.** (18) (a) PURSUANT
30 TO SECTION 22-30.5-520, ON OR BEFORE OCTOBER 1, 2011, THE INSTITUTE
31 SHALL ADOPT AND IMPLEMENT A POLICY CONCERNING BULLYING
32 PREVENTION AND EDUCATION. THE POLICY, AT A MINIMUM, SHALL SET
33 FORTH APPROPRIATE DISCIPLINARY CONSEQUENCES FOR STUDENTS WHO
34 BULLY OTHER STUDENTS, WHICH CONSEQUENCES SHALL COMPLY WITH ALL
35 APPLICABLE STATE AND FEDERAL LAWS.

36
37 (b) THE INSTITUTE IS ENCOURAGED TO ENSURE THAT THE POLICY
38 IT ADOPTS AND IMPLEMENTS PURSUANT TO PARAGRAPH (a) OF THIS
39 SUBSECTION (18), AT A MINIMUM, INCORPORATES THE BIENNIAL
40 ADMINISTRATION OF SURVEYS OF STUDENTS' IMPRESSIONS OF THE
41 SEVERITY OF BULLYING IN THEIR SCHOOLS, AS DESCRIBED IN SECTION 22-
42 93-104 (1) (c), AND INCLUDES THE DESIGNATION OF A TEAM OF PERSONS
43 AT EACH INSTITUTE CHARTER SCHOOL WHO ADVISE THE SCHOOL
44 ADMINISTRATION CONCERNING THE SEVERITY AND FREQUENCY OF
45 BULLYING INCIDENTS THAT OCCUR IN THE SCHOOL, WHICH TEAM MAY
46 INCLUDE, BUT NEED NOT BE LIMITED TO, LAW ENFORCEMENT OFFICIALS,
47 SOCIAL WORKERS, PROSECUTORS, HEALTH PROFESSIONALS, MENTAL
48 HEALTH PROFESSIONALS, COUNSELORS, TEACHERS, ADMINISTRATORS,
49 PARENTS, AND STUDENTS.

50
51 **SECTION 6.** Part 5 of article 30.5 of title 22, Colorado Revised
52 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
53 read:

54
55 **22-30.5-520. Institute charter schools - school bullying policies**
56 **required.** (1) ON OR BEFORE OCTOBER 1, 2011, EACH INSTITUTE

1 CHARTER SCHOOL SHALL IMPLEMENT THE POLICY OF THE INSTITUTE
2 CONCERNING BULLYING PREVENTION AND EDUCATION, WHICH POLICY IS
3 ADOPTED BY THE INSTITUTE PURSUANT TO SECTION 22-30.5-505 (18).

4
5 (2) NO PERSON SHALL TAKE ANY RETALIATORY ACTION AGAINST
6 A STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING.

7
8 **SECTION 7.** 24-33.5-1803 (3) (e), Colorado Revised Statutes, is
9 amended, and the said 24-33.5-1803 is further amended BY THE
10 ADDITION OF A NEW PARAGRAPH, to read:

11
12 **24-33.5-1803. School safety resource center - created - duties.**

13 (3) The center has the following duties:

14
15 (e) To make information and other resources available to all
16 schools and school officials; and

17
18 (g) (I) To CONSULT WITH SCHOOL DISTRICTS, SCHOOLS, AND
19 CHARTER SCHOOLS CONCERNING EVIDENCE-BASED BEST PRACTICES FOR
20 BULLYING PREVENTION AND EDUCATION;

21
22 (II) To CONSULT WITH THE DEPARTMENT OF EDUCATION
23 CONCERNING ITS ADMINISTRATION OF THE SCHOOL BULLYING PREVENTION
24 AND EDUCATION GRANT PROGRAM CREATED IN SECTION 22-93-102,
25 C.R.S.; AND

26
27 (III) TO SUBMIT EVIDENCE-BASED BEST PRACTICES FOR BULLYING
28 PREVENTION AND EDUCATION TO THE DEPARTMENT OF EDUCATION FOR
29 THE PURPOSES OF SECTION 22-93-106, C.R.S.

30
31 **SECTION 8. Safety clause.** The general assembly hereby finds,
32 determines, and declares that this act is necessary for the immediate
33 preservation of the public peace, health, and safety."

34
35
36
37
38 **TRANSPORTATION**

39 After consideration on the merits, the Committee recommends the
40 following:

41
42 **HB11-1132** be postponed indefinitely.

43
44
45
46 **PRINTING REPORT**

47
48 The Chief Clerk reports the following bill has been correctly printed:
49 **HB11-1281.**

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51
52
53 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

54
55 The Speaker has signed: **HB11-1017, 1019, 1027, 1036, 1060, 1073,**
56 **1102.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB11-1035, 1077** at 1:55 p.m. on March 9, 2011.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 9th day of March, 2011, at 2:05 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 9, 2011

To the Honorable House of Representatives
Sixty-eighth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB11-1050 BOILER INSPECTION REGULATION

Approved March 9th, 2011 at 10:36 a.m.

Sincerely,
John W. Hickenlooper
Governor

**INTRODUCTION OF BILLS
First Reading**

The following bills were read by title and referred to the committees indicated:

HB11-1282 by Representative(s) Gardner B., Kerr J., Liston; also Senator(s) Carroll--Concerning the judicial public access system.

Committee on State, Veterans, & Military Affairs

HB11-1283 by Representative(s) Gerou and Riesberg, Massey; also Senator(s) Steadman--Concerning the extension of the bioscience discovery evaluation grant program.

Committee on Health and Environment

- 1 **SB11-003** by Senator(s) Spence; also Representative(s) Tyler--
 2 Concerning the creation of a special license plate for Craig
 3 hospital, and making an appropriation therefor.
 4 Committee on Transportation
 5
- 6 **SB11-015** by Senator(s) Foster; also Representative(s) Miklosi--
 7 Concerning the requirements for a homeowner's insurance
 8 company to take adverse action on existing insurance
 9 coverage for a home based on claims experience.
 10 Committee on Economic and Business Development
 11
- 12 **SB11-037** by Senator(s) Heath; also Representative(s) Kerr J.--
 13 Concerning the creation of a world war II special license
 14 plate, and making an appropriation therefor.
 15 Committee on Transportation
 16
- 17 **SB11-057** by Senator(s) Harvey; also Representative(s) McNulty--
 18 Concerning the designation of which eligible electors
 19 residing in a metropolitan district must automatically
 20 receive mail-in ballots from the designated election
 21 official for a metropolitan district mail ballot election.
 22 Committee on Local Government
 23
- 24 **SB11-089** by Senator(s) Jahn, Brophy, Giron, Guzman, Johnston,
 25 King K., Scheffel; also Representative(s) Beezley--
 26 Concerning the continuation of the authority of the
 27 executive director of the department of revenue to issue
 28 written responses upon the request of a taxpayer.
 29 Committee on Finance
 30
- 31 **SB11-102** by Senator(s) Williams S., King S., Foster, Guzman, Jahn,
 32 Morse, Newell, Nicholson, White; also Representative(s)
 33 Todd, Murray, Brown, Fields, Looper, Peniston, Ramirez,
 34 Schafer S., Solano, Stephens--Concerning the voluntary
 35 contribution designation benefiting the Families in Action
 36 for Mental Health fund that appears on the state individual
 37 income tax return forms, and making an appropriation
 38 therefor.
 39 Committee on Finance
 40
- 41 **SB11-108** by Senator(s) Jahn, Aguilar, Harvey, Mitchell, Tochtrop,
 42 White, Williams S.; also Representative(s) Szabo--
 43 Concerning the repeal of the "Identity Theft and Financial
 44 Fraud Deterrence Act".
 45 Committee on Judiciary
 46

47
 48
 49 **LAY OVER OF CALENDAR ITEM(S)**

50
 51 On motion of Representative Stephens, the following item(s) on the
 52 Calendar (was)were laid over until March 11, retaining place on
 53 Calendar:
 54

55 Consideration of Third Reading--**HB11-1055, 1065.**
 56 Consideration of General Orders---**HB11-1160, 1119, 1168, 1116, 1123,**

1 **1121 amended, 1146, 1248, SB11-034, 010, HB11-1106, SB11-021,**
2 **012.**

3 Consideration of Resolution(s)--**SJR11-022.**

4 Consideration of Senate Amendment(s)--**HB11-1074.**

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8 On motion of Representative Stephens, the House adjourned until
9 9:00 a.m., March 11, 2011.

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14 Attest:

15 MARILYN EDDINS,

16 Chief Clerk

Approved:
FRANK McNULTY,
Speaker