

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 08-0679.01 Jane Ritter

HOUSE BILL 08-1149

HOUSE SPONSORSHIP

Todd, Benefield, Casso, Fischer, Kerr A., Liston, Peniston, Solano, and Stafford

SENATE SPONSORSHIP

Bacon,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROVIDING AN ALTERNATIVE EDUCATIONAL CHOICE TO**
102 **THE DISSECTION OF AN ANIMAL IN A PUBLIC SCHOOL**
103 **CLASSROOM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Allows a student to refuse to dissect, vivisect, incubate, capture, or otherwise harm an animal or any part of an animal as part of a classroom education project ("dissection project"). Requires a public school to notify students and parents or legal guardians of any upcoming dissection project. Requires a public school to provide an alternative education project, if available at no cost, to a student who refuses to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

participate in a dissection project.

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

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

ARTICLE 90

Student Dissection Choice Act

22-90-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY
BE CITED AS THE "STUDENT DISSECTION CHOICE ACT".

22-90-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE
CONTEXT OTHERWISE REQUIRES:

(1) "ALTERNATIVE EDUCATION PROJECT" OR "ALTERNATIVE TEST"
MEANS THE USE OF VIDEOTAPES, MODELS, FILMS, BOOKS, COMPUTER
PROGRAMS, OR OTHER EDUCATIONAL MATERIALS THAT PROVIDE AN
ALTERNATIVE METHOD TO DISSECTION BUT STILL YIELD THE FACTUAL
KNOWLEDGE, INFORMATION, OR EXPERIENCE REQUIRED BY A COURSE OF
STUDY.

(2) "ANIMAL" MEANS ANY ANIMAL OTHER THAN HUMAN, AND
INCLUDES FOWL, BIRDS, MAMMALS, AMPHIBIANS, FISH, AND REPTILES,
WILD OR DOMESTIC, LIVING OR DEAD. THE TERM INCLUDES AN ANIMAL
CADAVER OR EMBRYO OR ANY PART OF THE ANIMAL.

(3) "STUDENT" MEANS A STUDENT WHO IS ENROLLED IN ANY OF
GRADES KINDERGARTEN THROUGH TWELVE IN A COLORADO PUBLIC
SCHOOL.

**22-90-103. Student dissection choice - notification -
alternatives provided.** (1) (a) A STUDENT MAY REFUSE TO DISSECT,
VIVISECT, INCUBATE, CAPTURE, OR OTHERWISE HARM OR DESTROY AN

1 ANIMAL AS A PART OF A COURSE OF INSTRUCTION.

2 (b) A PARENT OR LEGAL GUARDIAN OF A STUDENT MAY REFUSE TO
3 ALLOW HIS OR HER CHILD TO DISSECT, VIVISECT, INCUBATE, CAPTURE, OR
4 OTHERWISE HARM OR DESTROY AN ANIMAL AS A PART OF THE CHILD'S
5 COURSE OF INSTRUCTION.

6 (2) (a) EACH PUBLIC SCHOOL SHALL NOTIFY STUDENTS ENROLLED
7 IN A CLASS WITH A SCHEDULED EDUCATION PROJECT INVOLVING THE
8 DISSECTION OF AN ANIMAL AND THE PARENTS OR LEGAL GUARDIANS OF
9 SUCH STUDENTS OF THEIR RIGHT TO DECLINE TO PARTICIPATE IN OR
10 OBSERVE AN EDUCATION PROJECT INVOLVING ACTIVITIES DESCRIBED IN
11 SUBSECTION (1) OF THIS SECTION.

12 (b) THE PUBLIC SCHOOL SHALL PROVIDE THE NOTICE REQUIRED IN
13 THIS SUBSECTION (2) AT LEAST THREE WEEKS PRIOR TO THE SCHEDULED
14 EDUCATION PROJECT INVOLVING THE DISSECTION OF AN ANIMAL.

15 (3) (a) THE PUBLIC SCHOOL SHALL OFFER AN ALTERNATIVE
16 EDUCATION PROJECT, IF ONE IS AVAILABLE AT NO COST FROM A NONPROFIT
17 ORGANIZATION, TO EACH STUDENT WHO CHOOSES TO REFRAIN FROM
18 PARTICIPATING IN OR OBSERVING AN EDUCATION PROJECT INVOLVING THE
19 ACTIVITIES DESCRIBED IN SUBSECTION (1) OF THIS SECTION. THE
20 ALTERNATIVE EDUCATION PROJECT SHALL BE DESIGNED TO PROVIDE THE
21 STUDENT WITH THE ACTUAL KNOWLEDGE, INFORMATION, OR EXPERIENCE
22 REQUIRED BY THE EDUCATION PROJECT. AN ALTERNATIVE EDUCATION
23 PROJECT SHALL NOT BE MORE ARDUOUS THAN THE ORIGINAL EDUCATION
24 PROJECT.

25 (b) A PUBLIC SCHOOL AND THE SCHOOL DISTRICT SHALL NOT
26 DISCRIMINATE AGAINST A STUDENT ON HIS OR HER DECISION TO EXERCISE
27 THE RIGHTS AFFORDED TO HIM OR HER THROUGH THIS SECTION.

1 LOWERING A GRADE BECAUSE THE STUDENT HAS CHOSEN AN
2 ALTERNATIVE EDUCATION PROJECT IS PROHIBITED.

3 (c) A STUDENT HAS THE RIGHT TO REFUSE AN ALTERNATIVE
4 EDUCATION PROJECT OR ALTERNATIVE TEST THAT INVOLVES OR
5 NECESSITATES ANY HARMFUL USE OF AN ANIMAL.

6 (4) THIS ARTICLE SHALL NOT REQUIRE A SCHOOL TO MAKE ANY
7 MODIFICATIONS TO EXISTING CURRICULUM BEYOND OFFERING AN
8 ALTERNATIVE EDUCATION PROJECT TO A STUDENT WHO DECLINES TO
9 PARTICIPATE IN AN EDUCATION PROJECT INVOLVING THE ACTIVITIES
10 DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

11 **SECTION 2. Effective date.** This act shall take effect at 12:01
12 a.m. on the day following the expiration of the ninety-day period after
13 final adjournment of the general assembly that is allowed for submitting
14 a referendum petition pursuant to article V, section 1 (3) of the state
15 constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008);
16 except that, if a referendum petition is filed against this act or an item,
17 section, or part of this act within such period, then the act, item, section,
18 or part, if approved by the people, shall take effect on the date of the
19 official declaration of the vote thereon by proclamation of the governor.