

HOUSE COMMITTEE OF REFERENCE REPORT

	March 9, 2011
Chairman of Committee	Date

Committee on Education.

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

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

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 **ARTICLE 93**

6 **School Bullying Prevention and Education Grant Program**

7 **22-93-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

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

19 (6) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A
20 DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, OR A BOARD
21 OF COOPERATIVE SERVICES, AS DEFINED IN SECTION 22-5-103.

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

1 **22-93-102. School bullying prevention and education grant**
2 **program - created.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT
3 THE SCHOOL BULLYING PREVENTION AND EDUCATION GRANT PROGRAM.
4 UNDER THE PROGRAM, ON AND AFTER JULY 1, 2012, OR NOT MORE THAN
5 NINETY DAYS AFTER THE PROMULGATION OF RULES BY THE STATE BOARD
6 PURSUANT TO SECTION 22-93-104, WHICHEVER IS LATER, A PUBLIC
7 SCHOOL, A FACILITY SCHOOL, OR A COLLABORATIVE GROUP OF PUBLIC
8 SCHOOLS OR FACILITY SCHOOLS MAY APPLY FOR A GRANT TO FUND
9 EFFORTS TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS. THE
10 DEPARTMENT SHALL ADMINISTER THE PROGRAM IN CONSULTATION WITH
11 THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION
12 24-33.5-1803, C.R.S.

13 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
14 THE DEPARTMENT SHALL NOT BE REQUIRED TO IMPLEMENT THE
15 PROVISIONS OF THIS ARTICLE UNTIL SUFFICIENT MONEYS HAVE BEEN
16 TRANSFERRED OR APPROPRIATED TO THE CASH FUND.

17 (3) THE DEPARTMENT IS HEREBY AUTHORIZED TO HIRE ANY
18 EMPLOYEES NECESSARY TO CARRY OUT THE DUTIES ASSOCIATED WITH THE
19 PROVISIONS OF THIS ARTICLE. THE CREATION OF ANY NEW POSITIONS OF
20 EMPLOYMENT WITHIN THE DEPARTMENT PURSUANT TO THIS ARTICLE
21 SHALL BE SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS IN THE
22 CASH FUND AND SHALL BE ELIMINATED WHEN SUFFICIENT MONEYS ARE NO
23 LONGER AVAILABLE IN THE CASH FUND. THE DEPARTMENT SHALL ENSURE
24 THAT ALL POSITION DESCRIPTIONS AND NOTICES TO HIRE FOR POSITIONS
25 CREATED PURSUANT TO THIS ARTICLE CLEARLY STATE THAT SUCH
26 POSITIONS ARE SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS IN
27 THE CASH FUND.

28 **22-93-103. School bullying prevention and education grant**
29 **program - grant process - reports by grant recipients.** (1) THE
30 DEPARTMENT SHALL SOLICIT AND REVIEW APPLICATIONS FROM PUBLIC
31 SCHOOLS AND FACILITY SCHOOLS FOR GRANTS PURSUANT TO THIS
32 SECTION. THE DEPARTMENT MAY AWARD GRANTS TO PUBLIC SCHOOLS,
33 FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC SCHOOLS
34 AND FACILITY SCHOOLS FOR PERIODS OF ONE TO THREE YEARS.

35 (2) EACH APPLICATION, AT A MINIMUM, SHALL DESCRIBE HOW THE
36 APPLICANT PUBLIC SCHOOL, FACILITY SCHOOL, OR COLLABORATIVE GROUP
37 OF PUBLIC SCHOOLS OR FACILITY SCHOOLS WILL USE ANY AWARDED
38 GRANT MONEYS TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS.
39 EACH GRANT RECIPIENT SHALL USE ITS GRANT MONEYS TO SUPPLEMENT
40 AND NOT SUPPLANT ANY MONEYS CURRENTLY BEING USED BY THE GRANT
41 RECIPIENT TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS.

1 (3) THE DEPARTMENT SHALL SELECT THOSE PUBLIC SCHOOLS,
2 FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC SCHOOLS
3 AND FACILITY SCHOOLS THAT WILL RECEIVE GRANTS PURSUANT TO THIS
4 SECTION AND THE DURATION AND AMOUNT OF EACH GRANT. IN SELECTING
5 THE GRANT RECIPIENTS, THE DEPARTMENT, AT A MINIMUM, SHALL TAKE
6 INTO ACCOUNT THE CRITERIA ESTABLISHED BY RULES PROMULGATED BY
7 THE STATE BOARD PURSUANT TO SECTION 22-93-104 (1) (b).
8 (4) ON OR BEFORE A DATE SPECIFIED BY RULE OF THE STATE
9 BOARD PURSUANT TO SECTION 22-93-104 (1) (d), THE DEPARTMENT SHALL
10 SUBMIT ANNUALLY TO THE STATE BOARD AND TO THE EDUCATION
11 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY
12 SUCCESSOR COMMITTEES, THE FOLLOWING INFORMATION REGARDING THE
13 ADMINISTRATION OF THE PROGRAM IN THE PRECEDING YEAR:
14 (a) THE NUMBER OF GRANT RECIPIENTS THAT RECEIVED GRANTS
15 UNDER THE PROGRAM;
16 (b) THE AMOUNT OF EACH GRANT AWARDED TO EACH GRANT
17 RECIPIENT;
18 (c) THE AVERAGE AMOUNT OF EACH GRANT AWARDED UNDER THE
19 PROGRAM;
20 (d) THE NUMBER OF PUPILS WHO ARE EITHER ENROLLED AT EACH
21 PUBLIC SCHOOL OF EACH GRANT RECIPIENT OR RECEIVING SERVICES
22 THROUGH EACH FACILITY SCHOOL OF EACH GRANT RECIPIENT; AND
23 (e) THE SOURCE AND AMOUNT OF EACH GIFT, GRANT, AND
24 DONATION RECEIVED BY THE DEPARTMENT FOR THE IMPLEMENTATION OF
25 THIS ARTICLE PURSUANT TO SECTION 22-93-105 (3) (b).
26 (5) IN SELECTING GRANT RECIPIENTS, THE DEPARTMENT, TO THE
27 EXTENT POSSIBLE, SHALL ENSURE THAT GRANTS ARE AWARDED TO PUBLIC
28 SCHOOLS, FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC
29 SCHOOLS AND FACILITY SCHOOLS IN A VARIETY OF GEOGRAPHIC AREAS OF
30 THE STATE.
31 (6) EACH GRANT RECIPIENT SHALL SUBMIT A WRITTEN REPORT TO
32 THE DEPARTMENT NOT LATER THAN SIX MONTHS AFTER THE EXPIRATION
33 OF THE TERM OF THE GRANT CONCERNING THE EFFECTIVENESS OR
34 INEFFECTIVENESS OF EACH USE OF GRANT MONEYS BY THE GRANT
35 RECIPIENT IN REDUCING THE FREQUENCY OF BULLYING INCIDENTS.
36 **22-93-104. Rules.** (1) ON OR BEFORE APRIL 1, 2012, OR NOT
37 MORE THAN NINETY DAYS AFTER THE DEPARTMENT RECEIVES SUFFICIENT
38 MONEYS TO IMPLEMENT THIS ARTICLE AS DESCRIBED IN SECTION 22-93-
39 102 (2), WHICHEVER IS LATER, THE STATE BOARD SHALL PROMULGATE
40 RULES FOR THE ADMINISTRATION OF THIS ARTICLE, INCLUDING BUT NOT
41 LIMITED TO:

1 (a) APPLICATION PROCEDURES BY WHICH PUBLIC SCHOOLS,
2 FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF PUBLIC SCHOOLS
3 AND FACILITY SCHOOLS MAY APPLY FOR GRANTS PURSUANT TO THIS
4 ARTICLE;
5 (b) CRITERIA FOR THE DEPARTMENT TO APPLY IN SELECTING THE
6 PUBLIC SCHOOLS, FACILITY SCHOOLS, AND COLLABORATIVE GROUPS OF
7 PUBLIC SCHOOLS AND FACILITY SCHOOLS THAT SHALL RECEIVE GRANTS
8 AND DETERMINING THE AMOUNT OF GRANT MONEYS TO BE AWARDED TO
9 EACH GRANT RECIPIENT, WHICH CRITERIA, AT A MINIMUM, SHALL REQUIRE
10 EACH GRANT RECIPIENT TO:
11 (I) USE AWARDED GRANT MONEYS FOR PURPOSES THAT ARE BASED
12 UPON EVIDENCE-BASED BEST PRACTICES FOR PREVENTING BULLYING;
13 (II) USE AT LEAST A PORTION OF AWARDED GRANT MONEYS FOR
14 THE PURPOSE OF EDUCATING STUDENTS' PARENTS AND LEGAL GUARDIANS
15 REGARDING THE GRANT RECIPIENT'S POLICIES CONCERNING BULLYING
16 PREVENTION AND EDUCATION AND THE GRANT RECIPIENT'S ONGOING
17 EFFORTS TO REDUCE THE FREQUENCY OF BULLYING INCIDENTS; AND
18 (III) ADOPT A SPECIFIC POLICY CONCERNING BULLYING EDUCATION
19 AND PREVENTION THAT INCLUDES:
20 (A) PROVISIONS FOR THE BIENNIAL ADMINISTRATION OF SURVEYS
21 OF STUDENTS' IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR
22 SCHOOLS, THE ADMINISTRATION OF WHICH SURVEYS, AT A MINIMUM,
23 SHALL SATISFY THE RULES PROMULGATED BY THE STATE BOARD
24 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1); AND
25 (B) THE DESIGNATION OF A TEAM OF PERSONS AT EACH SCHOOL OF
26 THE SCHOOL DISTRICT WHO ADVISE THE SCHOOL ADMINISTRATION
27 CONCERNING THE SEVERITY AND FREQUENCY OF BULLYING INCIDENTS
28 THAT OCCUR IN THE SCHOOL, WHICH TEAM MAY INCLUDE, BUT NEED NOT
29 BE LIMITED TO, LAW ENFORCEMENT OFFICIALS, SOCIAL WORKERS,
30 PROSECUTORS, HEALTH PROFESSIONALS, MENTAL HEALTH PROFESSIONALS,
31 COUNSELORS, TEACHERS, ADMINISTRATORS, PARENTS, AND STUDENTS.
32 (c) RULES FOR THE ADMINISTRATION OF SURVEYS OF STUDENTS'
33 IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR SCHOOLS, WHICH
34 PROCEDURES, AT A MINIMUM, SHALL INCLUDE:
35 (I) PROCEDURES FOR THE DISTRIBUTION, COLLECTION,
36 STANDARDIZATION, AND ANALYSIS OF DATA COLLECTED IN EACH SURVEY,
37 WHICH PROCEDURES SHALL ENSURE THE CONFIDENTIALITY OF EACH
38 STUDENT'S ANSWERS TO THE SURVEY AND CLARIFY THAT THE COMPLETION
39 OF A SURVEY SHALL BE VOLUNTARY AND SHALL NOT BE REQUIRED OF ANY
40 STUDENT;
41 (II) CERTAIN QUESTIONS THAT EACH SURVEY SHALL ASK OF EACH
42 STUDENT CONCERNING HOW FREQUENTLY THE STUDENT WITNESSES

1 BULLYING AT HIS OR HER SCHOOL AND HOW FREQUENTLY THE STUDENT
2 PERCEIVES HIMSELF OR HERSELF TO BE A VICTIM OF BULLYING; AND

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

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

12 **22-93-105. School bullying prevention and education cash**
13 **fund - created.** (1) THERE IS HEREBY ESTABLISHED IN THE STATE
14 TREASURY THE SCHOOL BULLYING PREVENTION AND EDUCATION CASH
15 FUND. THE CASH FUND SHALL CONSIST OF MONEYS TRANSFERRED
16 THERETO PURSUANT TO SUBSECTION (3) OF THIS SECTION AND ANY OTHER
17 MONEYS THAT MAY BE MADE AVAILABLE BY THE GENERAL ASSEMBLY.
18 THE MONEYS IN THE CASH FUND ARE CONTINUOUSLY APPROPRIATED TO
19 THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
20 IMPLEMENTING THIS ARTICLE. ANY MONEYS NOT PROVIDED AS GRANTS
21 MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED IN SECTION
22 24-36-113, C.R.S. ALL INTEREST AND INCOME DERIVED FROM THE
23 INVESTMENT AND DEPOSIT OF MONEYS IN THE CASH FUND SHALL BE
24 CREDITED TO THE CASH FUND. ANY AMOUNT REMAINING IN THE CASH
25 FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE CASH FUND
26 AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
27 TO ANY OTHER FUND.

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

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

33 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND PUBLIC OR
34 PRIVATE GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE
35 SOURCES TO IMPLEMENT THIS ARTICLE; EXCEPT THAT THE DEPARTMENT
36 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO
37 CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS
38 ARTICLE OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL
39 TRANSFER ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,
40 GRANTS, AND DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
41 THE SAME TO THE CASH FUND.

1 (4) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE
2 THE DEPARTMENT TO SOLICIT MONEYS FOR THE PURPOSES OF THIS
3 ARTICLE.

4 **22-93-106. School bullying prevention and education -**
5 **availability of best practices and other resources.** (1) ON OR BEFORE
6 NOVEMBER 1, 2011, THE DEPARTMENT SHALL CREATE A PAGE ON ITS
7 PUBLIC WEB SITE AT WHICH THE DEPARTMENT SHALL CONTINUOUSLY
8 MAKE PUBLICLY AVAILABLE EVIDENCE-BASED BEST PRACTICES AND OTHER
9 RESOURCES FOR EDUCATORS AND OTHER PROFESSIONALS ENGAGED IN
10 BULLYING PREVENTION AND EDUCATION.

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

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

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

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

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

1 environment or to the maintenance of a safe and orderly school. The
2 dress code policy may require students to wear a school uniform or may
3 establish minimum standards of dress; and

4 (X) (A) On and after August 8, 2001, a specific policy concerning
5 bullying prevention and education. ~~For purposes of this subparagraph~~
6 ~~(X), "bullying" means any written or verbal expression, or physical act or~~
7 ~~gesture, or a pattern thereof, that is intended to cause distress upon one or~~
8 ~~more students in the school, on school grounds, in school vehicles, at a~~
9 ~~designated school vehicle stop, or at school activities or sanctioned~~
10 ~~events. The school district's policy shall, include a reasonable balance~~
11 ~~between the pattern and the severity of such bullying behavior~~ EACH
12 SCHOOL DISTRICT IS ENCOURAGED TO ENSURE THAT ITS POLICY, AT A
13 MINIMUM, INCORPORATES THE BIENNIAL ADMINISTRATION OF SURVEYS OF
14 STUDENTS' IMPRESSIONS OF THE SEVERITY OF BULLYING IN THEIR
15 SCHOOLS, AS DESCRIBED IN SECTION 22-93-104(1)(c), AND INCLUDES THE
16 DESIGNATION OF A TEAM OF PERSONS AT EACH SCHOOL OF THE SCHOOL
17 DISTRICT WHO ADVISE THE SCHOOL ADMINISTRATION CONCERNING THE
18 SEVERITY AND FREQUENCY OF BULLYING INCIDENTS THAT OCCUR IN THE
19 SCHOOL, WHICH TEAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LAW
20 ENFORCEMENT OFFICIALS, SOCIAL WORKERS, PROSECUTORS, HEALTH
21 PROFESSIONALS, MENTAL HEALTH PROFESSIONALS, COUNSELORS,
22 TEACHERS, ADMINISTRATORS, PARENTS, AND STUDENTS. EACH SCHOOL
23 DISTRICT'S POLICY SHALL SET FORTH APPROPRIATE DISCIPLINARY
24 CONSEQUENCES FOR STUDENTS WHO BULLY OTHER STUDENTS, WHICH
25 CONSEQUENCES SHALL COMPLY WITH ALL APPLICABLE STATE AND
26 FEDERAL LAWS.

27 (B) FOR PURPOSES OF THIS SUBPARAGRAPH (X), "BULLYING"
28 MEANS ANY WRITTEN OR VERBAL EXPRESSION, OR PHYSICAL OR
29 ELECTRONIC ACT OR GESTURE, OR A PATTERN THEREOF, THAT IS INTENDED
30 TO COERCE, REPEATEDLY OR SYSTEMATICALLY INTIMIDATE, OR CAUSE
31 ANY PHYSICAL, MENTAL, OR EMOTIONAL HARM TO ANY STUDENT.
32 BULLYING IS PROHIBITED AGAINST ANY STUDENT FOR ANY REASON,
33 INCLUDING BUT NOT LIMITED TO ANY SUCH BEHAVIOR THAT IS DIRECTED
34 TOWARD A STUDENT AGAINST WHOM FEDERAL AND STATE LAWS PROHIBIT
35 DISCRIMINATION UPON ANY OF THE BASES DESCRIBED IN SECTION
36 22-32-109 (1) (II) (I).

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

39 (b) **Safe school reporting requirements.** A policy whereby the
40 principal of each public school in a school district shall submit annually,
41 in a manner and by a date specified by rule of the state board, a written

1 report to the board of education of such school district concerning the
2 learning environment in the school during that school year. The board of
3 education of the school district annually shall compile the reports from
4 every school in the district and shall submit the compiled report to the
5 department of education in a format specified by rule of the state board.
6 The compiled report shall be made available to the general public. Such
7 report shall include, but need not be limited to, the following specific
8 information for the preceding school year:

9 (IV) The number of conduct and discipline code violations, each
10 of which violations shall be reported only in the most serious category
11 that is applicable to that violation, including but not limited to specific
12 information on the number of and the action taken with respect to each of
13 the following types of violations:

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

19 **SECTION 3.** Part 1 of article 30.5 of title 22, Colorado Revised
20 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
21 read:

22 **22-30.5-116. Charter schools - school bullying policies**
23 **required.** (1) ON OR BEFORE OCTOBER 1, 2011, EACH CHARTER SCHOOL
24 SHALL ADOPT AND IMPLEMENT A POLICY CONCERNING BULLYING
25 PREVENTION AND EDUCATION. EACH CHARTER SCHOOL'S POLICY, AT A
26 MINIMUM, SHALL INCLUDE THE ENTIRE BULLYING PREVENTION AND
27 EDUCATION POLICY ADOPTED BY THE SCHOOL DISTRICT THAT APPROVED
28 THE CHARTER SCHOOL'S CHARTER, WHICH POLICY EXISTS AS PART OF THE
29 SCHOOL DISTRICT'S CONDUCT AND DISCIPLINE CODE AS DESCRIBED IN
30 SECTION 22-32-109.1 (2) (a) (X).

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

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

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

37 **22-30.5-502. Definitions.** As used in this part 5, unless the
38 context otherwise requires:

39 (2.5) "BULLYING" SHALL HAVE THE SAME MEANING AS SET FORTH
40 IN SECTION 22-32-109.1 (2) (a) (X) (B).

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

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

9 (b) THE INSTITUTE IS ENCOURAGED TO ENSURE THAT THE POLICY
10 IT ADOPTS AND IMPLEMENTS PURSUANT TO PARAGRAPH (a) OF THIS
11 SUBSECTION (18), AT A MINIMUM, INCORPORATES THE BIENNIAL
12 ADMINISTRATION OF SURVEYS OF STUDENTS' IMPRESSIONS OF THE
13 SEVERITY OF BULLYING IN THEIR SCHOOLS, AS DESCRIBED IN SECTION
14 22-93-104 (1) (c), AND INCLUDES THE DESIGNATION OF A TEAM OF
15 PERSONS AT EACH INSTITUTE CHARTER SCHOOL WHO ADVISE THE SCHOOL
16 ADMINISTRATION CONCERNING THE SEVERITY AND FREQUENCY OF
17 BULLYING INCIDENTS THAT OCCUR IN THE SCHOOL, WHICH TEAM MAY
18 INCLUDE, BUT NEED NOT BE LIMITED TO, LAW ENFORCEMENT OFFICIALS,
19 SOCIAL WORKERS, PROSECUTORS, HEALTH PROFESSIONALS, MENTAL
20 HEALTH PROFESSIONALS, COUNSELORS, TEACHERS, ADMINISTRATORS,
21 PARENTS, AND STUDENTS.

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

25 **22-30.5-520. Institute charter schools - school bullying policies**
26 **required.** (1) ON OR BEFORE OCTOBER 1, 2011, EACH INSTITUTE
27 CHARTER SCHOOL SHALL IMPLEMENT THE POLICY OF THE INSTITUTE
28 CONCERNING BULLYING PREVENTION AND EDUCATION, WHICH POLICY IS
29 ADOPTED BY THE INSTITUTE PURSUANT TO SECTION 22-30.5-505 (18).

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

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

35 **24-33.5-1803. School safety resource center - created - duties.**

36 (3) The center has the following duties:

37 (e) To make information and other resources available to all
38 schools and school officials; ~~and~~

39 (g) (I) To CONSULT WITH SCHOOL DISTRICTS, SCHOOLS, AND
40 CHARTER SCHOOLS CONCERNING EVIDENCE-BASED BEST PRACTICES FOR
41 BULLYING PREVENTION AND EDUCATION;

1 (II) To CONSULT WITH THE DEPARTMENT OF EDUCATION
2 CONCERNING ITS ADMINISTRATION OF THE SCHOOL BULLYING PREVENTION
3 AND EDUCATION GRANT PROGRAM CREATED IN SECTION 22-93-102,
4 C.R.S.; AND
5 (III) TO SUBMIT EVIDENCE-BASED BEST PRACTICES FOR BULLYING
6 PREVENTION AND EDUCATION TO THE DEPARTMENT OF EDUCATION FOR
7 THE PURPOSES OF SECTION 22-93-106, C.R.S.
8 **SECTION 8. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety."

** *** ** *** **