

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0238.01 Richard Sweetman

HOUSE BILL 11-1254

HOUSE SPONSORSHIP

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House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES TO REDUCE THE FREQUENCY OF BULLYING IN
102 SCHOOLS.

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://www.leg.state.co.us/billsummaries>.)

The bill creates a legislative interim committee during the 2013 interim to study issues related to bullying in public schools. The interim committee shall report its findings and recommendations to the education committees of the senate and house of representatives, or any successor committees, on or before January 1, 2014.

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.

The bill creates the school bullying prevention and education grant program (program) in the department of education (department) to allow eligible applicants to apply for grants to fund programs to reduce the frequency of bullying incidents. The bill creates the school bullying prevention and education board (bullying board) and prescribes its membership and terms of service. The bullying board shall solicit and review applications from eligible applicants for grants. Applying certain minimum criteria, the bullying board may award grants for periods of one to three years. The bullying board shall submit annually to the department a list of grant recipients and the amount to be awarded to each grant recipient. In selecting grant recipients, the bullying board, to the extent possible, shall ensure that grants are awarded to eligible applicants in a variety of geographic areas of the state.

The state board shall promulgate rules for the administration of the program. The bullying board shall report to the governor and to the education committees of the senate and the house of representatives, or any successor committees, concerning the effectiveness of the programs that are funded by grants from the program. The bullying board may recommend statutory changes relating to bullying prevention and education.

The school bullying prevention and education cash fund (cash fund) is established in the state treasury. The department may seek and accept gifts, grants, and donations from public and private sources to fund the program.

The department shall not be required to implement the program until such time as sufficient moneys are transferred or appropriated to the cash fund.

The program is repealed, effective July 1, 2016. Prior to said repeal, the bullying board shall be subjected to the sunset review process.

The bill requires each local school district board of education's (local board's) bullying policy to include a requirement that the administration of each school of the school district shall maintain a record of each confirmed incident of bullying that occurs in the school. District charter schools and institute charter schools are also required to adopt and implement policies concerning bullying prevention and education.

The bill requires the dress code policy of each local board to encourage school pride and unity and promote uniformity of dress.

Each principal of a public school, including a district charter school or institute charter school, shall annually report specific information concerning incidents of bullying that occurred at the school during the preceding school year.

Neither an officer of a board of education nor a teacher or administrator of a school, including a district charter school or institute charter school, shall take any retaliatory action against a student who reports in good faith an incident of bullying.

Each board of education and each district charter school and institute charter school shall ensure that each teacher receives professional development training at least every two years concerning how to prevent and address instances of bullying.

Except as prohibited by state or federal law, a school district, public school, district charter school, institute charter school, or board of cooperative services (BOCES), or a threat assessment team of a school district, public school, district charter school, institute charter school, or BOCES, may share information about a student's disciplinary history or other personal information with a school district, public school, district charter school, institute charter school, or BOCES, or with a threat assessment team of a school district, public school, district charter school, institute charter school, or BOCES, for the purpose of assessing the risk of bullying that the student may pose.

Each school, including a district charter school or an institute charter school, shall annually survey each student enrolled in the school concerning the student's impressions of the severity of bullying in the school. The administration of the student surveys shall comply with rules promulgated by the state board. The principal of each school shall report annually, in a manner and by a date specified by rule of the state board of education, summary information concerning the surveys.

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

2 **SECTION 1.** Article 1 of title 22, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **22-1-128. Legislative interim committee to address bullying in**
5 **public schools - creation - members - study - report - repeal.**

6 (1) THERE IS HEREBY CREATED A LEGISLATIVE INTERIM COMMITTEE TO
7 STUDY ISSUES RELATED TO BULLYING IN PUBLIC SCHOOLS AS SET FORTH IN
8 SUBSECTION (3) OF THIS SECTION.

9 (2) (a) THE MEMBERS OF THE INTERIM COMMITTEE SHALL CONSIST
10 OF:

11 (I) THREE MEMBERS OF THE SENATE WITH TWO APPOINTED BY THE
12 PRESIDENT OF THE SENATE AND ONE APPOINTED BY THE MINORITY LEADER
13 OF THE SENATE; AND

1 (II) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES WITH
2 TWO APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
3 AND ONE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
4 REPRESENTATIVES.

5 (b) THE CHAIR OF THE INTERIM COMMITTEE SHALL BE APPOINTED
6 BY THE PRESIDENT OF THE SENATE FROM AMONG THE MEMBERS
7 APPOINTED UNDER SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS
8 SUBSECTION (2). THE VICE-CHAIR OF THE INTERIM COMMITTEE SHALL BE
9 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FROM
10 AMONG THE MEMBERS APPOINTED UNDER SUBPARAGRAPH (II) OF
11 PARAGRAPH (a) OF THIS SUBSECTION (2).

12 (c) THE APPOINTING AUTHORITIES DESCRIBED IN THIS SECTION
13 SHALL EACH MAKE HIS OR HER APPOINTMENTS TO THE INTERIM
14 COMMITTEE ON OR BEFORE NOVEMBER 1, 2011.

15 (3) THE INTERIM COMMITTEE SHALL STUDY, MAKE
16 RECOMMENDATIONS, AND REPORT FINDINGS ON ALL MATTERS RELATING
17 TO BULLYING IN PUBLIC SCHOOLS, INCLUDING BUT NOT LIMITED TO
18 IDENTIFYING:

19 (a) STRATEGIES TO REDUCE THE FREQUENCY OF BULLYING
20 INCIDENTS; AND

21 (b) SCHOOLS AND SCHOOL DISTRICTS THAT HAVE IMPLEMENTED
22 RESEARCH-BASED STRATEGIES TO REDUCE THE FREQUENCY OF BULLYING,
23 WHICH SCHOOLS AND SCHOOL DISTRICTS MAY SERVE AS MODELS FOR
24 OTHER SCHOOLS AND SCHOOL DISTRICTS TO EMULATE.

25 (4) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF
26 LEGISLATIVE LEGAL SERVICES SHALL ASSIST THE INTERIM COMMITTEE IN
27 ITS ACTIVITIES.

1 (5) THE INTERIM COMMITTEE SHALL REPORT ITS FINDINGS AND
2 RECOMMENDATIONS TO THE EDUCATION COMMITTEES OF THE SENATE AND
3 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, ON OR
4 BEFORE JANUARY 1, 2014.

5 (6) THE INTERIM COMMITTEE CREATED BY THIS SECTION IS
6 SUBJECT TO THE PROVISIONS OF SECTION 2-3-303.3, C.R.S., WITH RESPECT
7 TO THE CONDUCT OF ADDITIONAL INTERIM STUDIES.

8 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

9 **SECTION 2.** Title 22, Colorado Revised Statutes, is amended BY
10 THE ADDITION OF A NEW ARTICLE to read:

11 **ARTICLE 93**

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

13 **22-93-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
14 CONTEXT OTHERWISE REQUIRES:

15 (1) "BOARD" MEANS THE SCHOOL BULLYING PREVENTION AND
16 EDUCATION BOARD CREATED PURSUANT TO SECTION 22-93-104.

17 (2) "BULLYING" MEANS ANY WRITTEN OR VERBAL EXPRESSION, OR
18 PHYSICAL OR ELECTRONIC ACT OR GESTURE, OR A PATTERN THEREOF, THAT
19 IS INTENDED TO COERCE, INTIMIDATE, OR HARM ONE OR MORE STUDENTS.

20 (3) "CASH FUND" MEANS THE SCHOOL BULLYING PREVENTION AND
21 EDUCATION CASH FUND CREATED IN SECTION 22-93-108.

22 (4) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
23 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

24 (5) "ELIGIBLE APPLICANT" MEANS AN ELIGIBLE PUBLIC SCHOOL OR
25 AN ELIGIBLE FACILITY SCHOOL THAT APPLIES FOR A GRANT PURSUANT TO
26 THIS ARTICLE OR A COLLABORATIVE GROUP OF ELIGIBLE PUBLIC SCHOOLS
27 OR A COLLABORATIVE GROUP OF ELIGIBLE FACILITY SCHOOLS APPLYING

1 JOINTLY FOR A GRANT PURSUANT TO THIS ARTICLE.

2 (6) "ELIGIBLE FACILITY SCHOOL" MEANS AN APPROVED FACILITY
3 SCHOOL, AS DEFINED IN SECTION 22-2-402 (1), THAT IS DETERMINED BY
4 THE DEPARTMENT PURSUANT TO SECTION 22-93-103 TO BE ELIGIBLE TO
5 RECEIVE GRANTS PURSUANT TO THIS ARTICLE.

6 (7) "ELIGIBLE PUBLIC SCHOOL" MEANS A PUBLIC SCHOOL,
7 INCLUDING A CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL AS
8 THOSE SCHOOLS ARE DESCRIBED IN ARTICLE 30.5 OF THIS TITLE, THAT IS
9 DETERMINED BY THE DEPARTMENT PURSUANT TO SECTION 22-93-103 TO
10 BE ELIGIBLE TO APPLY FOR GRANTS PURSUANT TO THIS ARTICLE.

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

13 (9) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
14 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
15 CONSTITUTION.

16 **22-93-102. School bullying prevention and education grant**
17 **program - created.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT
18 THE SCHOOL BULLYING PREVENTION AND EDUCATION GRANT PROGRAM.
19 UNDER THE PROGRAM, ON AND AFTER JULY 1, 2012, ELIGIBLE APPLICANTS
20 MAY APPLY FOR GRANTS TO FUND PROGRAMS TO REDUCE THE FREQUENCY
21 OF BULLYING INCIDENTS.

22 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
23 THE DEPARTMENT SHALL NOT BE REQUIRED TO IMPLEMENT THE
24 PROVISIONS OF THIS ARTICLE UNTIL SUFFICIENT MONEYS HAVE BEEN
25 TRANSFERRED OR APPROPRIATED TO THE CASH FUND.

26 (3) THE DEPARTMENT IS HEREBY AUTHORIZED TO HIRE ANY
27 EMPLOYEES NECESSARY TO CARRY OUT THE DUTIES ASSOCIATED WITH THE

1 PROVISIONS OF THIS ARTICLE. THE CREATION OF ANY NEW POSITIONS OF
2 EMPLOYMENT WITHIN THE DEPARTMENT PURSUANT TO THIS ARTICLE
3 SHALL BE SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS IN THE
4 CASH FUND AND SHALL BE ELIMINATED WHEN SUFFICIENT MONEYS ARE NO
5 LONGER AVAILABLE IN THE CASH FUND. THE DEPARTMENT SHALL ENSURE
6 THAT ALL POSITION DESCRIPTIONS AND NOTICES TO HIRE FOR POSITIONS
7 CREATED PURSUANT TO THIS ARTICLE CLEARLY STATE THAT SUCH
8 POSITIONS ARE SUBJECT TO THE AVAILABILITY OF SUFFICIENT MONEYS IN
9 THE CASH FUND.

10 **22-93-103. Determination of eligible schools.** IN DETERMINING
11 WHETHER A PUBLIC SCHOOL OR FACILITY SCHOOL IS ELIGIBLE, THE
12 DEPARTMENT SHALL APPLY THE RULES PROMULGATED BY THE STATE
13 BOARD PURSUANT TO SECTION 22-93-106 (1) (a). ON AN ANNUAL BASIS
14 TO BE DETERMINED BY THE BOARD, THE DEPARTMENT SHALL PREPARE AND
15 SUBMIT TO THE BOARD A LIST OF ALL ELIGIBLE PUBLIC SCHOOLS AND
16 ELIGIBLE FACILITY SCHOOLS. THE DEPARTMENT SHALL PUBLISH THE LIST
17 ON THE DEPARTMENT'S WEB SITE.

18 **22-93-104. School bullying prevention and education board -**
19 **created.** (1) THERE IS HEREBY CREATED THE SCHOOL BULLYING
20 PREVENTION AND EDUCATION BOARD, WHICH SHALL CONSIST OF ELEVEN
21 MEMBERS, NO MORE THAN SIX OF WHOM ARE FROM THE SAME POLITICAL
22 PARTY, AS FOLLOWS:

23 (a) THE COMMISSIONER OF EDUCATION OR HIS OR HER DESIGNEE;

24 (b) ONE MEMBER OF THE STATE BOARD SELECTED BY THE STATE
25 BOARD;

26 (c) ONE MEMBER OF THE SENATE APPOINTED BY THE PRESIDENT OF
27 THE SENATE;

1 (d) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED
2 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

3 (e) SEVEN MEMBERS APPOINTED BY THE GOVERNOR, WITH THE
4 CONSENT OF THE SENATE, AS FOLLOWS:

5 (I) THREE MEMBERS WHO ARE TEACHERS, ONE OF WHOM WORKS
6 IN AN ELEMENTARY SCHOOL, ONE OF WHOM WORKS IN A MIDDLE SCHOOL
7 OR JUNIOR HIGH SCHOOL, AND ONE OF WHOM WORKS IN A HIGH SCHOOL;

8 (II) ONE MEMBER WHO IS A SCHOOL PRINCIPAL;

9 (III) ONE MEMBER WITH KNOWLEDGE OF AND EXPERIENCE IN THE
10 STUDY AND IMPLEMENTATION OF BULLYING PREVENTION AND EDUCATION
11 STRATEGIES;

12 (IV) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION
13 OF SCHOOL DISTRICTS; AND

14 (V) ONE MEMBER WHO IS, AT THE TIME OF APPOINTMENT, A
15 PARENT OF A CHILD WHO IS ENROLLED IN A PUBLIC SCHOOL.

16 (2) (a) THE APPOINTED MEMBERS OF THE BOARD SHALL SERVE
17 TERMS OF THREE YEARS; EXCEPT THAT, OF THE MEMBERS FIRST
18 APPOINTED, THE GOVERNOR SHALL SELECT THREE WHO SHALL SERVE
19 TERMS OF TWO YEARS. THE GOVERNOR SHALL NOT APPOINT A PERSON TO
20 SERVE MORE THAN TWO CONSECUTIVE THREE-YEAR TERMS.

21 (b) AN APPOINTING AUTHORITY MAY REMOVE ANY BOARD
22 MEMBER APPOINTED BY THE APPOINTING AUTHORITY FOR ANY CAUSE
23 THAT RENDERS THE MEMBER INCAPABLE OF DISCHARGING OR UNFIT TO
24 DISCHARGE THE DUTIES OF THE OFFICE, INCLUDING NEGLECT OF DUTY.
25 ACTIONS CONSTITUTING NEGLECT OF DUTY SHALL INCLUDE, BUT NEED NOT
26 BE LIMITED TO, THE FAILURE OF A BOARD MEMBER TO ATTEND THREE
27 CONSECUTIVE MEETINGS OR AT LEAST THREE-FOURTHS OF THE MEETINGS

1 OF THE BOARD IN A CALENDAR YEAR. WHENEVER A VACANCY ON THE
2 BOARD EXISTS, THE APPOINTING AUTHORITY FOR THE VACANT POSITION
3 SHALL APPOINT A MEMBER FOR THE REMAINING PORTION OF THE
4 UNEXPIRED TERM CREATED BY THE VACANCY.

5 (3) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT
6 COMPENSATION BUT SHALL BE REIMBURSED FROM MONEYS IN THE CASH
7 FUND FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE
8 PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

9 **22-93-105. School bullying prevention and education board -**
10 **duties - grant process.** (1) THE BOARD SHALL SOLICIT AND REVIEW
11 APPLICATIONS ONLY FROM ELIGIBLE APPLICANTS FOR GRANTS PURSUANT
12 TO THIS SECTION. THE BOARD MAY AWARD GRANTS PURSUANT TO THIS
13 SECTION FOR PERIODS OF ONE TO THREE YEARS. EACH APPLICATION, AT A
14 MINIMUM, SHALL DESCRIBE THE TYPE OF PROGRAM TO BE PROVIDED BY
15 THE ELIGIBLE APPLICANT TO REDUCE THE FREQUENCY OF BULLYING
16 INCIDENTS. EACH GRANT AWARDED SHALL BE USED TO SUPPLEMENT AND
17 NOT SUPPLANT ANY MONEYS CURRENTLY BEING USED ON SUCH
18 PROGRAMS.

19 (2) THE BOARD SHALL SELECT THOSE ELIGIBLE APPLICANTS THAT
20 WILL RECEIVE GRANTS PURSUANT TO THIS SECTION AND THE DURATION
21 AND AMOUNT OF EACH GRANT. IN SELECTING THE ELIGIBLE APPLICANTS,
22 THE BOARD, AT A MINIMUM, SHALL TAKE INTO ACCOUNT THE FOLLOWING
23 CRITERIA:

24 (a) THE SUMMARY RESULTS OF THE STUDENT SURVEYS
25 ADMINISTERED BY THE ELIGIBLE APPLICANT PURSUANT TO SECTION
26 22-32-142, 22-30.5-116, OR 22-30.5-520;

27 (b) THE NUMBER OF PUPILS WHO ARE EITHER ENROLLED AT THE

1 ELIGIBLE APPLICANT'S SCHOOL OR RECEIVING SERVICES THROUGH THE
2 ELIGIBLE APPLICANT'S FACILITY SCHOOL;

3 (c) WHETHER THE PROPOSED PROGRAM IS BASED ON A RESEARCH
4 MODEL THAT HAS BEEN PROVEN TO BE SUCCESSFUL IN OTHER PUBLIC
5 SCHOOLS; AND

6 (d) THE COST OF THE PROGRAM.

7 (3) ON OR BEFORE A DATE SPECIFIED BY RULE OF THE STATE
8 BOARD PURSUANT TO SECTION 22-93-106 (1) (f), THE BOARD SHALL
9 SUBMIT ANNUALLY TO THE DEPARTMENT A LIST OF GRANT RECIPIENTS AND
10 THE AMOUNT TO BE AWARDED TO EACH GRANT RECIPIENT. IN SELECTING
11 GRANT RECIPIENTS, THE BOARD, TO THE EXTENT POSSIBLE, SHALL ENSURE
12 THAT GRANTS ARE AWARDED TO ELIGIBLE APPLICANTS IN A VARIETY OF
13 GEOGRAPHIC AREAS OF THE STATE.

14 **22-93-106. Rules.** (1) ON OR BEFORE NOVEMBER 1, 2011, THE
15 STATE BOARD SHALL PROMULGATE RULES FOR THE ADMINISTRATION OF
16 THIS ARTICLE, INCLUDING BUT NOT LIMITED TO:

17 (a) CRITERIA THE DEPARTMENT SHALL APPLY IN DETERMINING
18 WHETHER A PUBLIC SCHOOL IS AN ELIGIBLE PUBLIC SCHOOL THAT MAY
19 APPLY INDIVIDUALLY OR AS PART OF A COLLABORATIVE GROUP OF
20 ELIGIBLE PUBLIC SCHOOLS APPLYING JOINTLY FOR A GRANT PURSUANT TO
21 THIS ARTICLE;

22 (b) CRITERIA THE DEPARTMENT SHALL APPLY IN DETERMINING
23 WHETHER A FACILITY SCHOOL IS AN ELIGIBLE FACILITY SCHOOL THAT MAY
24 APPLY INDIVIDUALLY OR AS PART OF A COLLABORATIVE GROUP OF
25 ELIGIBLE FACILITY SCHOOLS APPLYING JOINTLY FOR A GRANT PURSUANT
26 TO THIS ARTICLE;

27 (c) APPLICATION PROCEDURES BY WHICH AN ELIGIBLE APPLICANT

1 MAY APPLY FOR GRANTS PURSUANT TO THIS ARTICLE;

2 (d) ANY CRITERIA, IN ADDITION TO THOSE SPECIFIED IN SECTION
3 22-93-105 (2), FOR SELECTING THE ELIGIBLE APPLICANTS THAT SHALL
4 RECEIVE GRANTS AND THE CRITERIA FOR DETERMINING THE AMOUNTS TO
5 BE GRANTED TO THE SELECTED ELIGIBLE APPLICANTS;

6 (e) PROCEDURES FOR REVIEWING THE EFFECTIVENESS OF THE
7 PROGRAMS OPERATED BY THE ELIGIBLE APPLICANTS THAT RECEIVE
8 GRANTS PURSUANT TO THIS ARTICLE; AND

9 (f) THE DESIGNATION OF A DATE BY WHICH THE BOARD SHALL
10 ANNUALLY SUBMIT TO THE DEPARTMENT A LIST OF GRANT RECIPIENTS AND
11 THE AMOUNT TO BE AWARDED TO EACH GRANT RECIPIENT PURSUANT TO
12 SECTION 22-93-105 (3).

13 **22-93-107. Reports.** (1) ON OR BEFORE DECEMBER 1, 2012, AND
14 ON OR BEFORE DECEMBER 1 EACH YEAR THEREAFTER, THE BOARD SHALL
15 REPORT TO THE GOVERNOR AND TO THE EDUCATION COMMITTEES OF THE
16 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
17 COMMITTEES, CONCERNING THE EFFECTIVENESS OF THE PROGRAMS THAT
18 ARE FUNDED BY GRANTS AWARDED PURSUANT TO THIS ARTICLE. THE
19 REPORT SHALL INCLUDE BUT NOT BE LIMITED TO:

20 (a) THE NUMBER OF GRANT RECIPIENTS THAT RECEIVED GRANTS
21 UNDER THE PROGRAM, THE AMOUNT OF EACH GRANT AWARDED TO EACH
22 GRANT RECIPIENT, AND THE AVERAGE AMOUNT OF THE GRANTS;

23 (b) THE NUMBER OF PUPILS ENROLLED IN THE EACH SCHOOL OF
24 EACH GRANT RECIPIENT;

25 (c) WHETHER THE BOARD RECOMMENDS ANY STATUTORY
26 CHANGES RELATING TO BULLYING PREVENTION AND EDUCATION IN PUBLIC
27 SCHOOLS OF THE STATE.

1 **22-93-108. School bullying prevention and education cash**

2 **fund - created.** (1) THERE IS HEREBY ESTABLISHED IN THE STATE
3 TREASURY THE SCHOOL BULLYING PREVENTION AND EDUCATION CASH
4 FUND. THE CASH FUND SHALL CONSIST OF MONEYS TRANSFERRED
5 THERETO PURSUANT TO SUBSECTION (3) OF THIS SECTION AND ANY OTHER
6 MONEYS THAT MAY BE MADE AVAILABLE BY THE GENERAL ASSEMBLY.
7 THE MONEYS IN THE CASH FUND ARE CONTINUOUSLY APPROPRIATED TO
8 THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
9 IMPLEMENTING THIS ARTICLE. ANY MONEYS NOT PROVIDED AS GRANTS
10 MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED IN SECTION
11 24-36-113, C.R.S. ALL INTEREST AND INCOME DERIVED FROM THE
12 INVESTMENT AND DEPOSIT OF MONEYS IN THE CASH FUND SHALL BE
13 CREDITED TO THE CASH FUND. ANY AMOUNT REMAINING IN THE CASH
14 FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE CASH FUND
15 AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
16 TO ANY OTHER FUND.

17 (2) NO MORE THAN THREE PERCENT OF THE MONEYS
18 APPROPRIATED FROM THE CASH FUND MAY BE USED FOR THE EXPENSES
19 INCURRED BY THE BOARD IN ADMINISTERING THIS ARTICLE. IF THE BOARD
20 IS UNABLE TO ADMINISTER THIS PROGRAM WITH AUTHORIZED PERSONNEL,
21 THE BOARD MAY CONTRACT WITH PRIVATE SOURCES FOR SUCH SERVICES.

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

24 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND PUBLIC OR
25 PRIVATE GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE
26 SOURCES TO IMPLEMENT THIS ARTICLE; EXCEPT THAT THE DEPARTMENT
27 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO

1 CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS
2 ARTICLE OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL
3 TRANSFER ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,
4 GRANTS, AND DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
5 THE SAME TO THE CASH FUND.

6 (4) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE
7 THE DEPARTMENT TO SOLICIT MONEYS FOR THE PURPOSES OF THIS
8 ARTICLE.

9 **22-93-109. Repeal of article.** (1) THIS ARTICLE IS REPEALED,
10 EFFECTIVE JULY 1, 2016.

11 (2) PRIOR TO SAID REPEAL, THE BOARD APPOINTED PURSUANT TO
12 SECTION 22-93-104 SHALL BE REVIEWED AS PROVIDED FOR IN SECTION
13 2-3-1203, C.R.S.

14 **SECTION 3.** 2-3-1203 (3) (cc), Colorado Revised Statutes, is
15 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

16 **2-3-1203. Sunset review of advisory committees.** (3) The
17 following dates are the dates for which the statutory authorization for the
18 designated advisory committees is scheduled for repeal:

19 (cc) July 1, 2016:

20 (III) THE SCHOOL BULLYING PREVENTION AND EDUCATION BOARD,
21 CREATED PURSUANT TO SECTION 22-93-104, C.R.S.

22 **SECTION 4.** 22-32-109.1 (2) (a) (IX), (2) (a) (X), the
23 introductory portion to 22-32-109.1 (2) (b), and 22-32-109.1 (2) (b) (IV)
24 (G), Colorado Revised Statutes, are amended, and the said 22-32-109.1
25 (2) (b) (IV) is further amended BY THE ADDITION OF A NEW
26 SUB-SUBPARAGRAPH, to read:

27 **22-32-109.1. Board of education - specific powers and duties**

1 **- safe schools. (2) Safe school plan.** In order to provide a learning
2 environment that is safe, conducive to the learning process, and free from
3 unnecessary disruption, following consultation with the school district
4 accountability committee and school accountability committees, parents,
5 teachers, administrators, students, student councils where available, and,
6 where appropriate, the community at large, each school district board of
7 education shall adopt and implement a safe school plan, or review and
8 revise, if necessary, any existing plans or policies already in effect, which
9 shall include, but not be limited to, the following:

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

16 (IX) A dress code policy that ENCOURAGES SCHOOL PRIDE AND
17 UNITY, PROMOTES UNIFORMITY OF DRESS, AND defines and prohibits
18 students from wearing apparel that is deemed disruptive to the classroom
19 environment or to the maintenance of a safe and orderly school. The
20 dress code policy may require students to wear a school uniform or may
21 establish minimum standards of dress; and

22 (X) (A) On and after August 8, 2001, a specific policy concerning
23 bullying prevention and education. ~~For purposes of this subparagraph~~
24 ~~(X), "bullying" means any written or verbal expression, or physical act or~~
25 ~~gesture, or a pattern thereof, that is intended to cause distress upon one or~~
26 ~~more students in the school, on school grounds, in school vehicles, at a~~
27 ~~designated school vehicle stop, or at school activities or sanctioned~~

1 ~~events.~~ The school district's policy shall ~~include a reasonable balance~~
2 ~~between the pattern and the severity of such bullying behavior~~ SET FORTH
3 APPROPRIATE DISCIPLINARY CONSEQUENCES FOR STUDENTS WHO BULLY
4 OTHER STUDENTS, WHICH CONSEQUENCES SHALL COMPLY WITH ALL
5 APPLICABLE STATE AND FEDERAL LAWS. THE SCHOOL DISTRICT'S POLICY
6 SHALL ALSO INCLUDE A REQUIREMENT THAT THE ADMINISTRATION OF
7 EACH SCHOOL OF THE SCHOOL DISTRICT MAINTAIN A RECORD OF EACH
8 CONFIRMED INCIDENT OF BULLYING THAT OCCURS IN THE SCHOOL,
9 INCLUDING AN INDICATION OF WHAT ACTION WAS TAKEN BY THE
10 ADMINISTRATION TO ADDRESS THE INCIDENT AND WHETHER THIS ACTION
11 INCLUDED ANY COMMUNICATIONS WITH THE SAFE-2-TELL PROGRAM
12 DESCRIBED IN ARTICLE 15.8 OF TITLE 16, C.R.S.

13 (B) FOR PURPOSES OF THIS SUBPARAGRAPH (X), "BULLYING"
14 MEANS ANY WRITTEN OR VERBAL EXPRESSION, OR PHYSICAL OR
15 ELECTRONIC ACT OR GESTURE, OR A PATTERN THEREOF, THAT IS INTENDED
16 TO COERCE, INTIMIDATE, OR HARM ONE OR MORE STUDENTS.

17 (C) NEITHER AN OFFICER OF A BOARD OF EDUCATION NOR A
18 TEACHER OR ADMINISTRATOR OF A SCHOOL SHALL TAKE ANY
19 RETALIATORY ACTION AGAINST A STUDENT WHO REPORTS IN GOOD FAITH
20 AN INCIDENT OF BULLYING.

21 (b) **Safe school reporting requirements.** A policy whereby the
22 principal of each public school in a school district shall submit annually,
23 in a manner and by a date specified by rule of the state board, a written
24 report to the board of education of such school district concerning the
25 learning environment in the school during that school year. The board of
26 education of the school district annually shall compile the reports from
27 every school in the district AND THE SUMMARY INFORMATION SUBMITTED

1 BY THE PRINCIPAL OF EACH CHARTER SCHOOL OF THE DISTRICT PURSUANT
2 TO SECTION 22-30.5-116 (7) and shall submit the compiled report to the
3 department of education in a format specified by rule of the state board.
4 The compiled report shall be made available to the general public. Such
5 report shall include, but need not be limited to, the following specific
6 information for the preceding school year:

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

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

17 (G.5) SUMMARY INFORMATION CONCERNING SURVEYS OF
18 STUDENTS' IMPRESSIONS OF THE SEVERITY OF SCHOOL BULLYING, AS
19 DESCRIBED BY SECTIONS 22-32-142 AND 22-30.5-116.

20 **SECTION 5.** 22-32-109.1, Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW SUBSECTION to read:

22 **22-32-109.1. Board of education - specific powers and duties**
23 **- safe schools. (11) Professional development concerning prevention**
24 **of bullying.** EACH BOARD OF EDUCATION SHALL ENSURE THAT EACH
25 TEACHER OF EACH SCHOOL OF THE SCHOOL DISTRICT RECEIVES
26 PROFESSIONAL DEVELOPMENT TRAINING AT LEAST EVERY TWO YEARS
27 CONCERNING HOW TO PREVENT AND ADDRESS INSTANCES OF BULLYING,

1 INCLUDING ELECTRONIC AND ON-LINE FORMS OF BULLYING. THE
2 TRAINING, AT A MINIMUM, SHALL INCLUDE DISCUSSION OF:

3 (a) HOW TO RECOGNIZE BULLYING SCENARIOS BY IDENTIFYING THE
4 TYPICAL BEHAVIOR OF BULLIES, VICTIMS, BYSTANDERS, AND ALLIES;

5 (b) HOW TO ANTICIPATE AND RESPOND TO BULLYING OF CERTAIN
6 STUDENTS, WHICH STUDENTS MAY BECOME VICTIMS OF BULLYING ON THE
7 BASIS OF ETHNICITY, RELIGION, PHYSICAL OR MENTAL DISABILITY,
8 SEXUALITY, OR PHYSICAL STATURE; AND

9 (c) STRATEGIES FOR VICTIMS OF BULLIES, INCLUDING VERBAL,
10 MENTAL, PHYSICAL, AND WRITTEN RESPONSES TO A BULLYING SCENARIO.

11 **SECTION 6.** Article 32 of title 22, Colorado Revised Statutes, is
12 amended BY THE ADDITION OF A NEW SECTION to read:

13 **22-32-142. School bullying - information sharing - surveys**
14 **required - rules - reports.** (1) (a) EXCEPT AS PROHIBITED BY STATE OR
15 FEDERAL LAW, A SCHOOL DISTRICT, PUBLIC SCHOOL, OR BOARD OF
16 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE,
17 OR A THREAT-ASSESSMENT TEAM OF A SCHOOL DISTRICT, PUBLIC SCHOOL,
18 OR BOARD OF COOPERATIVE SERVICES, MAY SHARE INFORMATION ABOUT
19 A STUDENT'S DISCIPLINARY HISTORY OR OTHER PERSONAL INFORMATION
20 WITH A SCHOOL DISTRICT, PUBLIC SCHOOL, DISTRICT CHARTER SCHOOL,
21 INSTITUTE CHARTER SCHOOL, OR BOARD OF COOPERATIVE SERVICES, OR
22 WITH A THREAT-ASSESSMENT TEAM OF A SCHOOL DISTRICT, PUBLIC
23 SCHOOL, DISTRICT CHARTER SCHOOL, INSTITUTE CHARTER SCHOOL, OR
24 BOARD OF COOPERATIVE SERVICES, FOR THE PURPOSE OF ASSESSING THE
25 RISK OF BULLYING THAT THE STUDENT MAY POSE.

26 (b) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
27 REQUIRES, "THREAT-ASSESSMENT TEAM" MEANS A TEAM OF PERSONS WHO

1 PERFORM VALIDATED RISK ASSESSMENTS AND MAKE RECOMMENDATIONS
2 TO SCHOOLS CONCERNING STUDENT SAFETY, WHICH TEAM MAY INCLUDE,
3 BUT NEED NOT BE LIMITED TO, LAW ENFORCEMENT OFFICIALS, SOCIAL
4 WORKERS, PROSECUTORS, HEALTH PROFESSIONALS, MENTAL HEALTH
5 PROFESSIONALS, COUNSELORS, TEACHERS, AND ADMINISTRATORS.

6 (2) ON OR BEFORE DECEMBER 31, 2011, AND ON OR BEFORE
7 DECEMBER 31 OF EACH YEAR THEREAFTER, EACH SCHOOL DISTRICT BOARD
8 OF EDUCATION SHALL SURVEY EACH STUDENT ENROLLED IN EACH SCHOOL
9 OF THE SCHOOL DISTRICT CONCERNING THE STUDENT'S IMPRESSIONS OF
10 THE SEVERITY OF BULLYING IN HIS OR HER SCHOOL. PARTICIPATION IN THE
11 SURVEY SHALL BE VOLUNTARY FOR EACH STUDENT. THE ADMINISTRATION
12 OF THE STUDENT SURVEYS SHALL COMPLY WITH THE PROVISIONS OF
13 SECTION 22-1-123 AND WITH RULES PROMULGATED BY THE STATE BOARD
14 PURSUANT TO SUBSECTION (3) OF THIS SECTION.

15 (3) ON OR BEFORE NOVEMBER 1, 2011, THE STATE BOARD SHALL
16 PROMULGATE RULES CONCERNING SURVEYS ADMINISTERED TO STUDENTS
17 BY SCHOOL DISTRICTS PURSUANT TO THIS SECTION AND SECTIONS
18 22-30.5-116 AND 22-30.5-520. THE RULES SHALL INCLUDE, BUT NEED NOT
19 BE LIMITED TO:

20 (a) PROCEDURES FOR THE DISTRIBUTION, COLLECTION, AND
21 ANALYSIS OF DATA COLLECTED IN EACH SURVEY, WHICH PROCEDURES
22 SHALL ENSURE THE CONFIDENTIALITY OF EACH STUDENT'S ANSWERS TO
23 THE SURVEY; AND

24 (b) CERTAIN QUESTIONS THAT EACH SURVEY SHALL ASK OF EACH
25 STUDENT CONCERNING HOW FREQUENTLY THE STUDENT WITNESSES
26 BULLYING AT HIS OR HER SCHOOL AND HOW FREQUENTLY THE STUDENT
27 PERCEIVES HIMSELF OR HERSELF TO BE A VICTIM OF BULLYING.

1 (4) THE PRINCIPAL OF EACH PUBLIC SCHOOL SHALL INCLUDE
2 SUMMARY INFORMATION CONCERNING SURVEYS ADMINISTERED PURSUANT
3 TO THIS SECTION IN THE ANNUAL REPORT THAT HE OR SHE SUBMITS TO THE
4 LOCAL BOARD OF EDUCATION PURSUANT TO SECTION 22-32-109.1 (2) (b).

5 **SECTION 7.** Part 1 of article 30.5 of title 22, Colorado Revised
6 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
7 read:

8 **22-30.5-116. Charter schools - school bullying policies**
9 **required - information sharing - professional development - surveys**
10 **required - rules.** (1) ON OR BEFORE OCTOBER 1, 2011, EACH CHARTER
11 SCHOOL SHALL ADOPT AND IMPLEMENT A POLICY CONCERNING BULLYING
12 PREVENTION AND EDUCATION. EACH CHARTER SCHOOL'S POLICY, AT A
13 MINIMUM, SHALL:

14 (a) INCLUDE THE ENTIRE BULLYING PREVENTION AND EDUCATION
15 POLICY ADOPTED BY THE SCHOOL DISTRICT THAT APPROVED THE CHARTER
16 SCHOOL'S CHARTER, WHICH POLICY EXISTS AS PART OF THE SCHOOL
17 DISTRICT'S CONDUCT AND DISCIPLINE CODE AS DESCRIBED IN SECTION
18 22-32-109.1 (2) (a) (X);

19 (b) SET FORTH APPROPRIATE DISCIPLINARY CONSEQUENCES FOR
20 STUDENTS WHO BULLY OTHER STUDENTS, WHICH CONSEQUENCES SHALL
21 COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS; AND

22 (c) INCLUDE A REQUIREMENT THAT THE ADMINISTRATION OF THE
23 CHARTER SCHOOL MAINTAIN A RECORD OF EACH CONFIRMED INCIDENT OF
24 BULLYING THAT OCCURS IN THE CHARTER SCHOOL, INCLUDING AN
25 INDICATION OF WHAT ACTION WAS TAKEN BY THE ADMINISTRATION TO
26 ADDRESS THE INCIDENT AND WHETHER THIS ACTION INCLUDED ANY
27 COMMUNICATIONS WITH THE SAFE-2-TELL PROGRAM DESCRIBED IN

1 ARTICLE 15.8 OF TITLE 16, C.R.S.

2 (2) FOR THE PURPOSES OF THIS SECTION, "BULLYING" MEANS ANY
3 WRITTEN OR VERBAL EXPRESSION, OR PHYSICAL OR ELECTRONIC ACT OR
4 GESTURE, OR A PATTERN THEREOF, THAT IS INTENDED TO COERCE,
5 INTIMIDATE, OR HARM ONE OR MORE STUDENTS.

6 (3) NEITHER A TEACHER NOR AN ADMINISTRATOR OF A CHARTER
7 SCHOOL SHALL TAKE ANY RETALIATORY ACTION AGAINST A STUDENT WHO
8 REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING.

9 (4) (a) EXCEPT AS PROHIBITED BY STATE OR FEDERAL LAW, A
10 CHARTER SCHOOL OR A THREAT-ASSESSMENT TEAM OF A CHARTER
11 SCHOOL MAY SHARE INFORMATION ABOUT A STUDENT'S DISCIPLINARY
12 HISTORY OR OTHER PERSONAL INFORMATION WITH A SCHOOL DISTRICT,
13 PUBLIC SCHOOL, DISTRICT CHARTER SCHOOL, INSTITUTE CHARTER SCHOOL,
14 OR BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5
15 OF THIS TITLE, OR WITH A THREAT-ASSESSMENT TEAM OF A SCHOOL
16 DISTRICT, PUBLIC SCHOOL, DISTRICT CHARTER SCHOOL, INSTITUTE
17 CHARTER SCHOOL, OR BOARD OF COOPERATIVE SERVICES, FOR THE
18 PURPOSE OF ASSESSING THE RISK OF BULLYING THAT THE STUDENT MAY
19 POSE.

20 (b) AS USED IN THIS SECTION, UNLESS THE CONTEXT REQUIRES
21 OTHERWISE, "THREAT-ASSESSMENT TEAM" MEANS A TEAM OF PERSONS
22 WHO PERFORM VALIDATED RISK ASSESSMENTS AND MAKE
23 RECOMMENDATIONS TO SCHOOLS CONCERNING STUDENT SAFETY, WHICH
24 TEAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LAW ENFORCEMENT
25 OFFICIALS, SOCIAL WORKERS, PROSECUTORS, HEALTH PROFESSIONALS,
26 MENTAL HEALTH PROFESSIONALS, COUNSELORS, TEACHERS, AND
27 ADMINISTRATORS.

1 (5) EACH CHARTER SCHOOL SHALL ENSURE THAT EACH TEACHER
2 OF THE CHARTER SCHOOL RECEIVES PROFESSIONAL DEVELOPMENT
3 TRAINING AT LEAST EVERY TWO YEARS CONCERNING HOW TO PREVENT
4 AND ADDRESS INSTANCES OF BULLYING, INCLUDING ELECTRONIC AND
5 ON-LINE FORMS OF BULLYING. THE TRAINING, AT A MINIMUM, SHALL
6 INCLUDE DISCUSSION OF:

7 (a) HOW TO RECOGNIZE BULLYING SCENARIOS BY IDENTIFYING THE
8 TYPICAL BEHAVIOR OF BULLIES, VICTIMS, BYSTANDERS, AND ALLIES;

9 (b) HOW TO ANTICIPATE AND RESPOND TO BULLYING OF CERTAIN
10 STUDENTS, WHICH STUDENTS MAY BECOME VICTIMS OF BULLYING ON THE
11 BASIS OF ETHNICITY, RELIGION, PHYSICAL OR MENTAL DISABILITY,
12 SEXUALITY, OR PHYSICAL STATURE; AND

13 (c) STRATEGIES FOR VICTIMS OF BULLIES, INCLUDING VERBAL,
14 MENTAL, PHYSICAL, AND WRITTEN RESPONSES TO A BULLYING SCENARIO.

15 (6) ON OR BEFORE DECEMBER 31, 2011, AND ON OR BEFORE
16 DECEMBER 31 OF EACH YEAR THEREAFTER, EACH CHARTER SCHOOL SHALL
17 SURVEY EACH STUDENT ENROLLED IN THE CHARTER SCHOOL CONCERNING
18 THE STUDENT'S IMPRESSIONS OF THE SEVERITY OF BULLYING IN THE
19 CHARTER SCHOOL. THE ADMINISTRATION OF THE STUDENT SURVEYS
20 SHALL COMPLY WITH RULES PROMULGATED BY THE STATE BOARD
21 PURSUANT TO SECTION 22-32-142.

22 (7) THE PRINCIPAL OF EACH CHARTER SCHOOL SHALL SUBMIT
23 ANNUALLY TO THE BOARD OF EDUCATION OF THE CHARTER SCHOOL'S
24 SCHOOL DISTRICT, IN A MANNER AND BY A DATE SPECIFIED BY RULE OF THE
25 STATE BOARD, SUMMARY INFORMATION CONCERNING SURVEYS
26 ADMINISTERED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

27 (8) THE STATE BOARD MAY PROMULGATE RULES FOR THE

1 IMPLEMENTATION OF THIS SECTION.

2 **SECTION 8.** 22-30.5-502, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SUBSECTION to read:

4 **22-30.5-502. Definitions.** As used in this part 5, unless the
5 context otherwise requires:

6 (2.5) "BULLYING" MEANS ANY WRITTEN OR VERBAL EXPRESSION,
7 OR PHYSICAL OR ELECTRONIC ACT OR GESTURE, OR A PATTERN THEREOF,
8 THAT IS INTENDED TO COERCE, INTIMIDATE, OR HARM ONE OR MORE
9 STUDENTS.

10 **SECTION 9.** 22-30.5-505, Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW SUBSECTION to read:

12 **22-30.5-505. State charter school institute - institute board -**
13 **appointment - powers and duties - rules - repeal.** (18) (a) PURSUANT
14 TO SECTION 22-30.5-520, ON OR BEFORE OCTOBER 1, 2011, THE INSTITUTE
15 SHALL ADOPT AND IMPLEMENT A POLICY CONCERNING BULLYING
16 PREVENTION AND EDUCATION. THE POLICY, AT A MINIMUM, SHALL:

17 (I) SET FORTH APPROPRIATE DISCIPLINARY CONSEQUENCES FOR
18 STUDENTS WHO BULLY OTHER STUDENTS, WHICH CONSEQUENCES SHALL
19 COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS;

20 (II) INCLUDE A REQUIREMENT THAT THE ADMINISTRATION OF EACH
21 INSTITUTE CHARTER SCHOOL MAINTAIN A RECORD OF EACH CONFIRMED
22 INCIDENT OF BULLYING THAT OCCURS IN THE INSTITUTE CHARTER SCHOOL,
23 INCLUDING AN INDICATION OF WHAT ACTION WAS TAKEN BY THE
24 ADMINISTRATION TO ADDRESS THE INCIDENT AND WHETHER THIS ACTION
25 INCLUDED ANY COMMUNICATIONS WITH THE SAFE-2-TELL PROGRAM
26 DESCRIBED IN ARTICLE 15.8 OF TITLE 16, C.R.S.; AND

27 (III) COMPLY WITH ANY RULES PROMULGATED BY THE STATE

1 BOARD PURSUANT TO SECTION 22-30.5-520.

2 (b) ON AT LEAST AN ANNUAL BASIS, THE INSTITUTE SHALL
3 COMPILE AND MAKE AVAILABLE TO THE PUBLIC IN WRITTEN AND
4 ELECTRONIC FORM THE SUMMARY INFORMATION SUBMITTED BY EACH
5 INSTITUTE CHARTER SCHOOL PRINCIPAL CONCERNING SURVEYS
6 ADMINISTERED PURSUANT TO SECTION 22-30.5-520 (5).

7 **SECTION 10.** Part 5 of article 30.5 of title 22, Colorado Revised
8 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
9 read:

10 **22-30.5-520. Institute charter schools - school bullying policies**
11 **required - information sharing - surveys required - rules.** (1) ON OR
12 BEFORE OCTOBER 1, 2011, EACH INSTITUTE CHARTER SCHOOL SHALL
13 IMPLEMENT THE POLICY OF THE INSTITUTE CONCERNING BULLYING
14 PREVENTION AND EDUCATION, WHICH POLICY IS ADOPTED BY THE
15 INSTITUTE PURSUANT TO SECTION 22-30.5-505 (18).

16 (2) NEITHER A TEACHER NOR AN ADMINISTRATOR OF AN INSTITUTE
17 CHARTER SCHOOL SHALL TAKE ANY RETALIATORY ACTION AGAINST A
18 STUDENT WHO REPORTS IN GOOD FAITH AN INCIDENT OF BULLYING.

19 (3) (a) EXCEPT AS PROHIBITED BY STATE OR FEDERAL LAW, AN
20 INSTITUTE CHARTER SCHOOL OR A THREAT-ASSESSMENT TEAM OF AN
21 INSTITUTE CHARTER SCHOOL MAY SHARE INFORMATION ABOUT A
22 STUDENT'S DISCIPLINARY HISTORY OR OTHER PERSONAL INFORMATION
23 WITH A SCHOOL DISTRICT, PUBLIC SCHOOL, DISTRICT CHARTER SCHOOL,
24 INSTITUTE CHARTER SCHOOL, OR BOARD OF COOPERATIVE SERVICES
25 CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE, OR WITH A
26 THREAT-ASSESSMENT TEAM OF A SCHOOL DISTRICT, PUBLIC SCHOOL,
27 DISTRICT CHARTER SCHOOL, INSTITUTE CHARTER SCHOOL, OR BOARD OF

1 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE,
2 FOR THE PURPOSE OF ASSESSING THE RISK OF BULLYING THAT THE
3 STUDENT MAY POSE.

4 (b) AS USED IN THIS SECTION, UNLESS THE CONTEXT REQUIRES
5 OTHERWISE, "THREAT-ASSESSMENT TEAM" MEANS A TEAM OF PERSONS
6 WHO PERFORM VALIDATED RISK ASSESSMENTS AND MAKE
7 RECOMMENDATIONS TO SCHOOLS CONCERNING STUDENT SAFETY, WHICH
8 TEAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LAW ENFORCEMENT
9 OFFICIALS, SOCIAL WORKERS, PROSECUTORS, HEALTH PROFESSIONALS,
10 MENTAL HEALTH PROFESSIONALS, COUNSELORS, TEACHERS, AND
11 ADMINISTRATORS.

12 (4) EACH INSTITUTE CHARTER SCHOOL SHALL ENSURE THAT EACH
13 TEACHER OF THE INSTITUTE CHARTER SCHOOL RECEIVES PROFESSIONAL
14 DEVELOPMENT TRAINING AT LEAST EVERY TWO YEARS CONCERNING HOW
15 TO PREVENT AND ADDRESS INSTANCES OF BULLYING, INCLUDING
16 ELECTRONIC AND ON-LINE FORMS OF BULLYING. THE TRAINING, AT A
17 MINIMUM, SHALL INCLUDE DISCUSSION OF:

18 (a) HOW TO RECOGNIZE BULLYING SCENARIOS BY IDENTIFYING THE
19 TYPICAL BEHAVIOR OF BULLIES, VICTIMS, BYSTANDERS, AND ALLIES;

20 (b) HOW TO ANTICIPATE AND RESPOND TO BULLYING OF CERTAIN
21 STUDENTS, WHICH STUDENTS MAY BECOME VICTIMS OF BULLYING ON THE
22 BASIS OF ETHNICITY, RELIGION, PHYSICAL OR MENTAL DISABILITY,
23 SEXUALITY, OR PHYSICAL STATURE; AND

24 (c) STRATEGIES FOR VICTIMS OF BULLIES, INCLUDING VERBAL,
25 MENTAL, PHYSICAL, AND WRITTEN RESPONSES TO A BULLYING SCENARIO.

26 (5) ON OR BEFORE DECEMBER 31, 2011, AND ON OR BEFORE
27 DECEMBER 31 OF EACH YEAR THEREAFTER, EACH INSTITUTE CHARTER

1 SCHOOL SHALL SURVEY EACH STUDENT ENROLLED IN THE SCHOOL
2 CONCERNING THE STUDENT'S IMPRESSIONS OF THE SEVERITY OF BULLYING
3 IN THE SCHOOL. THE ADMINISTRATION OF THE STUDENT SURVEYS SHALL
4 COMPLY WITH RULES PROMULGATED BY THE STATE BOARD PURSUANT TO
5 SECTION 22-32-142.

6 (6) THE PRINCIPAL OF EACH INSTITUTE CHARTER SCHOOL SHALL
7 SUBMIT ANNUALLY TO THE STATE CHARTER SCHOOL INSTITUTE, IN A
8 MANNER AND BY A DATE SPECIFIED BY RULE OF THE STATE BOARD,
9 SUMMARY INFORMATION CONCERNING SURVEYS ADMINISTERED PURSUANT
10 TO SUBSECTION (5) OF THIS SECTION.

11 (7) THE STATE BOARD MAY PROMULGATE RULES FOR THE
12 IMPLEMENTATION OF THIS SECTION.

13 **SECTION 11. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety.