

CHAPTER 267

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 15-214

BY SENATOR(S) Scheffel and Cadman, Aguilar, Baumgardner, Carroll, Cooke, Crowder, Donovan, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Newell, Roberts, Scott, Sonnenberg, Todd, Ulibarri, Woods;
 also REPRESENTATIVE(S) Duran and Hullinghorst, Arndt, Becker K., Brown, Court, Esgar, Fields, Garnett, Ginal, Hamner, Kagan, Kraft-Tharp, Lee, Lontine, McCann, Mitsch Bush, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Vigil, Williams, Young.

AN ACT

CONCERNING CREATING A LEGISLATIVE COMMITTEE ON SAFETY IN SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** article 15 to title 22 as follows:

ARTICLE 15
Interim Committee on School Safety
and Youth in Crisis

22-15-101. School safety and youth in crisis committee - created - membership - repeal. (1) (a) THE SCHOOL SAFETY AND YOUTH IN CRISIS COMMITTEE, REFERRED TO WITHIN THIS ARTICLE AS THE "COMMITTEE", IS HEREBY CREATED TO:

(I) STUDY ISSUES RELATING TO SCHOOL SAFETY AND THE PREVENTION OF THREATS TO THE SAFETY OF STUDENTS, TEACHERS, ADMINISTRATORS, EMPLOYEES, AND VOLUNTEERS WHO ARE PRESENT ON THE GROUNDS OF EACH PUBLIC AND PRIVATE SCHOOL IN THE STATE;

(II) STUDY AND EVALUATE PROGRAMS AND METHODS FOR IDENTIFYING AND MONITORING STUDENTS IN CRISIS;

(III) DEVELOP STANDARDIZED CRITERIA FOR SCHOOL PERSONNEL TO USE IN ASSESSING THE POTENTIAL THREAT POSED BY ONE OR MORE STUDENTS; AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(IV) STUDY AND EVALUATE THE IMPLEMENTATION OF SENATE BILL 15-213, INCLUDING BUT NOT LIMITED TO CONSIDERATION OF:

(A) THE DUTY OF SCHOOL DISTRICTS AND CHARTER SCHOOLS AND THEIR EMPLOYEES TO EXERCISE REASONABLE CARE TO PROTECT ALL STUDENTS, FACULTY, AND STAFF FROM HARM RESULTING FROM ACTS COMMITTED BY ANOTHER PERSON WHEN THE HARM IS REASONABLY FORESEEABLE, WHILE SUCH STUDENTS, FACULTY, AND STAFF ARE WITHIN THE SCHOOL FACILITIES OR ARE PARTICIPATING IN SCHOOL-SPONSORED ACTIVITIES;

(B) ANY STATUTORY PROVISIONS THAT MAY REQUIRE MODIFICATION TO REFLECT LOCAL COMMUNITY CIRCUMSTANCES AND STANDARDS; AND

(C) ANY RECOMMENDATIONS THE COMMITTEE MAY HAVE CONCERNING STEPS THAT A SCHOOL DISTRICT OR CHARTER SCHOOL MAY TAKE TO SATISFY ITS DUTY OF REASONABLE CARE.

(b) THE COMMITTEE MAY RECOMMEND LEGISLATIVE CHANGES THAT SHALL BE TREATED AS LEGISLATION RECOMMENDED BY AN INTERIM COMMITTEE FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.

(c) THE COMMITTEE SHALL MEET NO MORE THAN SIX TIMES EACH LEGISLATIVE INTERIM, UNLESS ADDITIONAL MEETINGS ARE AUTHORIZED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL, AND MAY MEET AS NECESSARY THROUGHOUT THE YEAR.

(d) THE COMMITTEE MAY FORM SUCH SUBCOMMITTEES AND OTHER GROUPS OF INTERESTED PARTIES AS IT DEEMS NECESSARY FOR THE PERFORMANCE OF ITS DUTIES UNDER THIS ARTICLE.

(2) (a) THE COMMITTEE SHALL INCLUDE EIGHT VOTING MEMBERS, AS FOLLOWS:

(I) FOUR MEMBERS OF THE SENATE, NO MORE THAN TWO OF WHOM SHALL BE FROM THE SAME POLITICAL PARTY, WITH TWO MEMBERS TO BE APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO MEMBERS TO BE APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(II) FOUR MEMBERS OF THE HOUSE OF REPRESENTATIVES, NO MORE THAN TWO OF WHOM SHALL BE FROM THE SAME POLITICAL PARTY, WITH TWO MEMBERS TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TWO MEMBERS TO BE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(b) THE COMMITTEE SHALL INCLUDE EIGHT NONVOTING MEMBERS, AS FOLLOWS:

(I) ONE MEMBER WHO IS A LICENSED SCHOOL COUNSELOR, TO BE APPOINTED BY THE GOVERNOR;

(II) ONE MEMBER WHO IS A LICENSED SCHOOL EDUCATOR AND EXPERIENCED IN

WORKING WITH CHILDREN WITH DISABILITIES, AS DEFINED IN SECTION 22-20-103 (5) (a), TO BE APPOINTED BY THE GOVERNOR;

(III) ONE MEMBER WHO IS A PARENT OF A STUDENT WHO ATTENDED OR WHO IS ATTENDING A SCHOOL OF A SCHOOL DISTRICT SERVING FIVE THOUSAND STUDENTS OR LESS, TO BE APPOINTED BY THE GOVERNOR;

(IV) ONE MEMBER WHO IS A PARENT OF A STUDENT WHO ATTENDED OR WHO IS ATTENDING A SCHOOL OF A SCHOOL DISTRICT SERVING MORE THAN FIVE THOUSAND STUDENTS, TO BE APPOINTED BY THE GOVERNOR;

(V) ONE MEMBER WHO IS A SUPERINTENDENT OF A SCHOOL DISTRICT, TO BE APPOINTED BY THE GOVERNOR;

(VI) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION THAT ADVOCATES FOR JUVENILES AND JUVENILE JUSTICE ISSUES, TO BE APPOINTED BY THE GOVERNOR;

(VII) ONE MEMBER WHO HAS EXPERIENCE WITH CHILD OR ADOLESCENT MENTAL HEALTH ISSUES, TO BE APPOINTED BY THE GOVERNOR; AND

(VIII) ONE MEMBER WHO HAS EXPERIENCE WITH SCHOOL SAFETY OR THE PREVENTION OF VIOLENCE, TO BE APPOINTED BY THE GOVERNOR.

(c) EACH APPOINTING PARTY DESCRIBED IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (2) SHALL MAKE HIS OR HER APPOINTMENT OR APPOINTMENTS TO THE COMMITTEE ON OR BEFORE JUNE 1, 2015.

(d) EACH MEMBER OF THE COMMITTEE MAY SERVE INDEFINITELY AT THE DISCRETION OF HIS OR HER APPOINTING PARTY.

(3) THE MEMBERS OF THE COMMITTEE MAY ELECT ONE MEMBER TO SERVE AS CHAIR OF THE COMMITTEE AND ONE MEMBER TO SERVE AS VICE-CHAIR OF THE COMMITTEE.

(4) NONLEGISLATIVE MEMBERS SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT OF EXPENSES. THE LEGISLATIVE MEMBERS OF THE COMMITTEE MAY RECEIVE PER DIEM AND NECESSARY TRAVEL AND SUBSISTENCE EXPENSES AS PROVIDED FOR MEMBERS OF THE GENERAL ASSEMBLY WHO ATTEND INTERIM COMMITTEE MEETINGS PURSUANT TO SECTION 2-2-307, C.R.S.

(5) THE LEGISLATIVE COUNCIL STAFF AND THE STAFF OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL ASSIST THE COMMITTEE IN CARRYING OUT ITS DUTIES PURSUANT TO THIS SECTION.

(6) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2019.

SECTION 2. Appropriation. (1) For the 2015-16 state fiscal year, \$25,857 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$16,881 for use by the legislative council, which amount is based on an assumption that the legislative council will require an additional 0.3 FTE; and

(b) \$8,976 for use by the general assembly.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 3, 2015