

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0367.01 Shelby Ross x4510

HOUSE BILL 20-1238

HOUSE SPONSORSHIP

Gonzales-Gutierrez and Michaelson Jenet,

SENATE SPONSORSHIP

(None),

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING GRANT PROGRAM FUNDING OPPORTUNITIES FOR PUBLIC
102 SCHOOLS THAT PROMOTE THE USE OF DEVELOPMENTALLY
103 APPROPRIATE STRATEGIES TO ENSURE HEALTHY LEARNING
104 ENVIRONMENTS FOR STUDENTS.

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://leg.colorado.gov>.)

The bill requires the department of education (department) to give preference to grant applicants that articulate a strong, comprehensive approach to significantly reduce the use of school policing, school

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

resource officers, and invasive security technologies and practices, and implement evidence-based or promising practices designed to promote school safety and healthy learning environments. The department shall also give preference to grant applicants that demonstrate the applicant's current use of evidence-based or promising practices designed to promote school safety and healthy learning environments.

The preference criteria only applies to the student re-engagement grant program, the expelled and at-risk student services grant program, the school bullying prevention and education grant program, and the behavioral health care professional matching grant program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Every student in Colorado has a right to an education that will
5 prepare each student for postsecondary success and not funnel students
6 into the school-to-prison pipeline;

7 (b) Colorado schools have become overly reliant on school-based
8 law enforcement personnel to handle minor offenses that do not pose a
9 serious threat to school safety;

10 (c) Students of color are disproportionately affected by excessive
11 use of law enforcement and invasive security practices in schools;

12 (d) Colorado has to fundamentally rethink safety by centering the
13 social, emotional, and mental health needs of young people and providing
14 schools and communities with resources and supports necessary to
15 address the root causes of students' pain, trauma, and isolation; and

16 (e) It is time for Colorado to invest in practices that improve
17 outcomes for all students, including but not limited to restorative justice
18 programs; increased use of school psychologists, social workers, and
19 other mental health professionals; drug and alcohol treatment services;
20 wraparound services for youth; and training for school staff on restorative

1 practices, conflict resolution techniques, trauma-informed approaches to
2 meeting students' developmental needs, and addressing the effects of
3 toxic stress.

4 (2) Therefore, the general assembly seeks to promote the use of
5 developmentally appropriate strategies to foster school safety, improve
6 school climate, and raise academic achievement.

7 **SECTION 2.** In Colorado Revised Statutes, 22-14-109, **amend**
8 (3) as follows:

9 **22-14-109. Student re-engagement grant program - rules -**
10 **application - grants - report .** (3) (a) Each local education provider that
11 seeks to receive a grant pursuant to this section shall submit an
12 application to the department in accordance with the rules adopted by the
13 state board. The department shall review the grant applications received
14 and recommend grant recipients and grant amounts to the state board. The
15 state board shall annually award grants through the grant program based
16 on the department's recommendations.

17 (b) IN RECOMMENDING GRANT RECIPIENTS TO THE STATE BOARD,
18 THE DEPARTMENT SHALL GIVE PREFERENCE TO GRANT APPLICANTS THAT:

19 (I) ARTICULATE A STRONG, COMPREHENSIVE APPROACH TO
20 SIGNIFICANTLY REDUCE THE USE OF SCHOOL POLICING, SCHOOL RESOURCE
21 OFFICERS, AND INVASIVE SECURITY TECHNOLOGIES AND PRACTICES; AND

22 (II) IMPLEMENT EVIDENCE-BASED OR PROMISING PRACTICES
23 DESIGNED TO PROMOTE SCHOOL SAFETY AND HEALTHY LEARNING
24 ENVIRONMENTS, INCLUDING BUT NOT LIMITED TO RESTORATIVE JUSTICE
25 PROGRAMS; INCREASED USE OF SCHOOL PSYCHOLOGISTS, SOCIAL
26 WORKERS, AND OTHER MENTAL HEALTH PROFESSIONALS; SUBSTANCE USE
27 TREATMENT SERVICES; WRAPAROUND SERVICES FOR YOUTH; AND

1 TRAINING FOR SCHOOL STAFF ON RESTORATIVE PRACTICES, CONFLICT
2 RESOLUTION TECHNIQUES, TRAUMA-INFORMED APPROACHES TO MEETING
3 STUDENTS' DEVELOPMENTAL NEEDS, AND ADDRESSING THE EFFECTS OF
4 TOXIC STRESS.

5 (c) THE DEPARTMENT SHALL ALSO GIVE PREFERENCE TO GRANT
6 APPLICANTS THAT DEMONSTRATE CURRENT USE OF EVIDENCE-BASED OR
7 PROMISING PRACTICES DESCRIBED IN SUBSECTION (3)(b)(II) OF THIS
8 SECTION.

9 **SECTION 3.** In Colorado Revised Statutes, 22-33-205, **add**
10 (2)(c) and (2)(d) as follows:

11 **22-33-205. Services for expelled and at-risk students - grants**
12 **- criteria.** (2) (c) IN AWARDING GRANTS, THE STATE BOARD SHALL GIVE
13 PREFERENCE TO APPLICANTS THAT:

14 (I) ARTICULATE A STRONG, COMPREHENSIVE APPROACH TO
15 SIGNIFICANTLY REDUCE THE USE OF SCHOOL POLICING, SCHOOL RESOURCE
16 OFFICERS, AND INVASIVE SECURITY TECHNOLOGIES AND PRACTICES; AND

17 (II) IMPLEMENT EVIDENCE-BASED OR PROMISING PRACTICES
18 DESIGNED TO PROMOTE SCHOOL SAFETY AND HEALTHY LEARNING
19 ENVIRONMENTS, INCLUDING BUT NOT LIMITED TO RESTORATIVE JUSTICE
20 PROGRAMS; INCREASED USE OF SCHOOL PSYCHOLOGISTS, SOCIAL
21 WORKERS, AND OTHER MENTAL HEALTH PROFESSIONALS; SUBSTANCE USE
22 TREATMENT SERVICES; WRAPAROUND SERVICES FOR YOUTH; AND
23 TRAINING FOR SCHOOL STAFF ON RESTORATIVE PRACTICES, CONFLICT
24 RESOLUTION TECHNIQUES, TRAUMA-INFORMED APPROACHES TO MEETING
25 STUDENTS' DEVELOPMENTAL NEEDS, AND ADDRESSING THE EFFECTS OF
26 TOXIC STRESS.

27 (d) THE DEPARTMENT OF EDUCATION SHALL ALSO GIVE

1 PREFERENCE TO GRANT APPLICANTS THAT DEMONSTRATE CURRENT USE OF
2 THE EVIDENCE-BASED OR PROMISING PRACTICES DESCRIBED IN
3 SUBSECTION (2)(c)(II) OF THIS SECTION.

4 **SECTION 4.** In Colorado Revised Statutes, 22-93-104, **amend**
5 (1) introductory portion and (1)(b) introductory portion; and **add** (1)(a.5)
6 as follows:

7 **22-93-104. Rules.** (1) On or before April 1, 2012, or not more
8 than ninety days after the department receives sufficient ~~moneys~~ MONEY
9 to implement this ~~article~~ ARTICLE 93 as described in section 22-93-102
10 (2), whichever is later, the state board shall promulgate rules for the
11 administration of this ~~article~~ ARTICLE 93, including but not limited to:

12 (a.5) (I) CRITERIA FOR THE DEPARTMENT TO APPLY IN SELECTING
13 THE PUBLIC SCHOOLS, FACILITY SCHOOLS, AND COLLABORATIVE GROUPS
14 OF PUBLIC SCHOOLS AND FACILITY SCHOOLS THAT SHALL RECEIVE GRANTS.
15 IN SELECTING GRANT RECIPIENTS, THE DEPARTMENT SHALL GIVE
16 PREFERENCE TO APPLICANTS THAT:

17 (A) ARTICULATE A STRONG, COMPREHENSIVE APPROACH TO
18 SIGNIFICANTLY REDUCE THE USE OF SCHOOL POLICING, SCHOOL RESOURCE
19 OFFICERS, AND INVASIVE SECURITY TECHNOLOGIES AND PRACTICES; AND

20 (B) IMPLEMENT EVIDENCE-BASED OR PROMISING PRACTICES
21 DESIGNED TO PROMOTE SCHOOL SAFETY AND HEALTHY LEARNING
22 ENVIRONMENTS, INCLUDING BUT NOT LIMITED TO RESTORATIVE JUSTICE
23 PROGRAMS; INCREASED USE OF SCHOOL PSYCHOLOGISTS, SOCIAL
24 WORKERS, AND OTHER MENTAL HEALTH PROFESSIONALS; SUBSTANCE USE
25 TREATMENT SERVICES; WRAPAROUND SERVICES FOR YOUTH; AND
26 TRAINING FOR SCHOOL STAFF ON RESTORATIVE PRACTICES, CONFLICT
27 RESOLUTION TECHNIQUES, TRAUMA-INFORMED APPROACHES TO MEETING

1 STUDENTS' DEVELOPMENTAL NEEDS, AND ADDRESSING THE EFFECTS OF
2 TOXIC STRESS.

3 (II) THE DEPARTMENT SHALL ALSO GIVE PREFERENCE TO GRANT
4 APPLICANTS THAT DEMONSTRATE CURRENT USE OF EVIDENCE-BASED OR
5 PROMISING PRACTICES DESCRIBED IN SUBSECTION (1)(a.5)(I)(B) OF THIS
6 SECTION.

7 (b) Criteria for the department to apply in ~~selecting the public~~
8 ~~schools, facility schools, and collaborative groups of public schools and~~
9 ~~facility schools that shall receive grants and~~ determining the amount of
10 grant ~~moneys~~ MONEY to be awarded to each grant recipient, which
11 criteria, at a minimum, ~~shall~~ MUST require each grant recipient to:

12 **SECTION 5.** In Colorado Revised Statutes, 22-96-104, **amend**
13 (3)(e) and (3)(f); and **add** (3)(g) as follows:

14 **22-96-104. Behavioral health care professional matching grant**
15 **program - application - criteria - grant awards.** (3) In reviewing
16 applications and making recommendations, the department shall prioritize
17 applications based on the following criteria and any other criteria adopted
18 by rule of the state board:

19 (e) The likelihood that the education provider or community
20 partner will continue to fund the increases in the level of school health
21 professional services following expiration of the grant; ~~and~~

22 (f) The extent to which an education provider prioritizes use of
23 grant money for staff training related to behavioral health supports; AND

24 (g) (I) THE EDUCATION PROVIDER'S EMPHASIS AND COMMITMENT
25 TO SIGNIFICANTLY REDUCE THE USE OF SCHOOL POLICING, SCHOOL
26 RESOURCE OFFICERS, AND INVASIVE SECURITY TECHNOLOGIES AND
27 PRACTICES, AND IMPLEMENT EVIDENCE-BASED OR PROMISING PRACTICES

1 DESIGNED TO PROMOTE SCHOOL SAFETY AND HEALTHY LEARNING
2 ENVIRONMENTS, INCLUDING BUT NOT LIMITED TO RESTORATIVE JUSTICE
3 PROGRAMS; INCREASED USE OF SCHOOL PSYCHOLOGISTS, SOCIAL
4 WORKERS, AND OTHER MENTAL HEALTH PROFESSIONALS; SUBSTANCE USE
5 TREATMENT SERVICES; WRAPAROUND SERVICES FOR YOUTH; AND
6 TRAINING FOR SCHOOL STAFF ON RESTORATIVE PRACTICES, CONFLICT
7 RESOLUTION TECHNIQUES, TRAUMA-INFORMED APPROACHES TO MEETING
8 STUDENTS' DEVELOPMENTAL NEEDS, AND ADDRESSING THE EFFECTS OF
9 TOXIC STRESS; AND

10 (II) THE EDUCATION PROVIDER'S CURRENT USE OF
11 EVIDENCE-BASED OR PROMISING PRACTICES DESCRIBED IN SUBSECTION
12 (3)(g)(I) OF THIS SECTION.

13 **SECTION 6. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2020 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.