A BILL FOR AN ACT

CONCERNING CREATING THE COLORADO SAFE STUDENT PROTECTION PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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 creates the Colorado safe student protection program (program) to provide grants to school districts and charter schools to support student safety, including equipment and training to ensure safe student transportation on school buses, and to facilitate the development of a secure website, online application, and mobile application that

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.
provide parental notifications about student safety and age-appropriate health and safety information at no cost to parents (secure digital notification and information tools). The department of education (department) operates the grant program and selects a program facilitator to support schools awarded a program grant. The department allocates a portion of the program money to the program facilitator.

Subject to available appropriations, program grants are 3-year grants that cover the 2022-23 through 2024-25 school years. The department annually distributes grant money. A grant recipient may use a grant award to:

- Provide parents with the secure digital notification and information tools;
- Increase the safety of students and the security of school buses by equipping school buses with hardware and software that monitor driver behavior and enable the buses to communicate directly with first responders; and
- Fund relevant school bus safety training, including federal transportation security awareness training.

The program facilitator may be a public benefit corporation or a nonprofit organization that operates with a charitable purpose and must have at least 7 years of experience in student safety, including student transportation safety. The department allocates program money to the program facilitator. The program facilitator must use program money to:

- Support program grant recipients;
- Develop the secure digital notification and information tools;
- Recruit school bus drivers and conduct or facilitate federal transportation security awareness training;
- Develop and make publicly available school bus transportation safety information and age-appropriate student safety educational materials;
- Conduct a statewide awareness campaign to reduce instances of drivers illegally failing to stop for a school bus; and
- Seek additional sources of funding on behalf of the program.

The program is a 3-year program that repeals in 2025. The bill makes an appropriation.

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

2 SECTION 1. In Colorado Revised Statutes, add article 106 to title 22 as follows:
ARTICLE 106

Colorado Safe Student Protection Act

22-106-101. Short title. The short title of this Article 106 is the "COLORADO SAFE STUDENT PROTECTION ACT".

22-106-102. Definitions. As used in this Article 106, unless the context otherwise requires:

(1) "Charitable purpose" has the same meaning as set forth in section 6-16-103 (2).

(2) "Department" means the Department of Education created and existing pursuant to section 24-1-115.

(3) "Federal Transportation Security Awareness Training Program" means the security awareness training program offered to front line transportation professionals that is managed by the Federal Transportation Security Administration within the Federal Department of Homeland Security, known as "First Observer Plus".

(4) "Grant Program" means the program to award grants pursuant to section 22-106-104.

(5) "Program" means the Colorado safe student protection program created in section 22-106-103.

(6) "Program facilitator" means the organization selected by the Department pursuant to section 22-106-105 to support grant recipients.

(7) "Rural school district" means a school district in Colorado that the Department of Education determines is rural based on the geographic size of the school district and the distance of the school district from the nearest large,
(8) "School district" means any school district organized and existing pursuant to law. "School district" includes a charter school authorized by a school district pursuant to Part 1 of Article 30.5 of Title 22 or a charter school authorized by the state charter school institute pursuant to Part 5 of Article 30.5 of Title 22 that is responsible for the transportation of students enrolled in the school.

(9) "Secure digital notification and information tools" means the secure website, online application, and mobile application described in Section 22-106-103 (1)(b).

(10) "Silent duress alarm" means a silent alarm that sends a distress call and the last-known global positioning system coordinates of the school bus to school officials and emergency response personnel.

(11) "State board" means the state board of education created and existing pursuant to Section 1 of Article IX of the state constitution.

22-106-103. Colorado safe student protection program - creation - department duties - rules. (1) There is created in the department the Colorado safe student protection program to:

(a) Increase the safety of students, including the safety and security of school buses;

(b) Facilitate the development, maintenance, and implementation of secure digital notification and information tools, including an internet website, online application, and mobile application, that send student safety notifications to
PARENTS AND PROVIDE USERS WITH GENERAL STUDENT HEALTH AND
SAFETY RESOURCES AND INFORMATION. EACH TOOL MUST:

(I) PROVIDE SECURE AND VERIFIABLE PARENTAL NOTIFICATION, AT
NO COST TO PARENTS, RELATING TO STUDENT SAFETY, INCLUDING, IF
APPLICABLE, SCHOOL BUS STATUS;

(II) HAVE THE CAPABILITY TO ALLOW PARENTS TO OPT IN OR OUT
OF RECEIVING NOTIFICATIONS;

(III) INCLUDE DATA PRIVACY AND INTEGRITY PROTECTIONS; AND

(IV) INCLUDE DEVICE IDENTITY AND INTEGRITY PROTECTIONS;

(c) PROVIDE SCHOOL DISTRICTS WITH GRANTS TO EQUIP THEIR
SCHOOL BUSES WITH HARDWARE AND SOFTWARE THAT MONITOR DRIVER
BEHAVIOR AND ENABLE THE BUSES TO COMMUNICATE DIRECTLY WITH
FIRST RESPONDERS BY CELLULAR, SATELLITE, OR ANY OTHER AVAILABLE
MEANS OF COMMUNICATION AND BY USING A SILENT DURESS ALARM;

(d) IMPROVE SCHOOL BUS DRIVER TRAINING, INCLUDING TRAINING
RELATED TO TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS; AND

(e) INFORM AND EDUCATE THE PUBLIC ABOUT STUDENT SAFETY,
INCLUDING SCHOOL TRANSPORTATION SAFETY.

(2) THE DEPARTMENT SHALL:

(a) AWARD PROGRAM GRANTS, AS DESCRIBED IN SECTION
22-106-104, IN ACCORDANCE WITH STATE BOARD RULES; AND

(b) SELECT AN ORGANIZATION TO SERVE AS THE PROGRAM
FACILITATOR, AS DESCRIBED IN SECTION 22-106-105, IN ACCORDANCE
WITH STATE BOARD RULES.

(3) PURSUANT TO ARTICLE 4 OF THIS TITLE 22, THE STATE BOARD
SHALL ADOPT RULES NECESSARY FOR THE ADMINISTRATION OF THIS
ARTICLE 106. AT A MINIMUM, THE RULES MUST INCLUDE:
PROCEDURES TO IMPLEMENT THE GRANT PROGRAM,
INCLUDING:
(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
(II) THE CRITERIA FOR AWARDING A GRANT TO A SCHOOL DISTRICT
AND DETERMINING THE AMOUNT OF THE AWARD; AND
(III) A PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF
GRANT MONEY TO RURAL, URBAN, AND SUBURBAN SCHOOL DISTRICTS AND
SCHOOL DISTRICTS IN ALL AREAS OF THE STATE; AND
(b) PROCEDURES FOR SELECTING A PROGRAM FACILITATOR,
INCLUDING:
(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
(II) A PROCESS FOR DISTRIBUTING PROGRAM MONEY TO THE
PROGRAM FACILITATOR; AND
(III) PROCEDURES FOR VERIFYING THE PROGRAM FACILITATOR'S
CONTINUED ELIGIBILITY TO SERVE AS THE FACILITATOR.
(4) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
PURPOSES OF THIS ARTICLE 106.

22-106-104. Program grants - report. (1) (a) Subject to
AVAILABLE MONEY, THE DEPARTMENT SHALL AWARD GRANTS TO SCHOOL
DISTRICTS TO ACHIEVE THE GOALS OF THE PROGRAM BY PROVIDING THOSE
DISTRICTS WITH FUNDING NECESSARY TO:
(I) PROVIDE PARENTS WITH NO-COST SECURE DIGITAL
NOTIFICATION AND INFORMATION TOOLS;
(II) INCREASE THE SAFETY OF STUDENTS AND THE SECURITY OF
SCHOOL BUSES BY EQUIPPING SCHOOL BUSES WITH HARDWARE AND
SOFTWARE THAT MONITOR DRIVER BEHAVIOR AND ENABLE THE BUSES TO
COMMUNICATE DIRECTLY WITH FIRST RESPONDERS; AND

(III) FUND NECESSARY AND RELEVANT SCHOOL BUS SAFETY TRAINING.

(b) THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS OF THE PROGRAM AND ANY GRANT PROGRAM APPLICATION DEADLINES.

(2) IN ORDER TO BE ELIGIBLE FOR A GRANT PURSUANT TO THIS SECTION, A SCHOOL DISTRICT MUST SUBMIT AN APPLICATION TO THE DEPARTMENT. THE APPLICATION MUST INCLUDE THE FOLLOWING INFORMATION:

(a) A DESCRIPTION OF ANY STUDENT SAFETY AND SECURITY CHALLENGES FACED BY THE SCHOOL DISTRICT;

(b) A SUMMARY OF THE SCHOOL BUS TRANSPORTATION PROVIDED BY THE SCHOOL DISTRICT TO ITS STUDENTS AND A DESCRIPTION OF ANY SCHOOL BUS SAFETY AND SECURITY CHALLENGES FACED BY THE SCHOOL DISTRICT;

(c) HOW THE SCHOOL DISTRICT WILL USE A GRANT AWARD IN FURTHERANCE OF THE GOALS OF THE PROGRAM, AS DESCRIBED IN SECTION 22-106-103 (1);

(d) ANY MEASURABLE GOALS THAT THE SCHOOL DISTRICT EXPECTS TO ACHIEVE WITH GRANT MONEY; AND

(e) ANY OTHER INFORMATION REQUIRED BY STATE BOARD RULE.

(3) (a) AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL AWARD GRANTS TO APPLICANTS IN ACCORDANCE WITH STATE BOARD RULES. THE GENERAL ASSEMBLY STRONGLY ENCOURAGES THE DEPARTMENT TO AWARD GRANTS BEFORE THE START OF THE 2022-23 ACADEMIC YEAR.

(b) GRANTS AWARDED PURSUANT TO THIS SECTION ARE
THREE-YEAR GRANTS THAT COVER THE 2022-23 ACADEMIC YEAR THROUGH THE 2024-25 ACADEMIC YEAR. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE GRANT MONEY TO GRANT RECIPIENTS.

(4) THE PROGRAM FACILITATOR SHALL PROVIDE A SCHOOL DISTRICT THAT RECEIVES A GRANT AWARD SUPPORT AND RECOMMENDATIONS. A SCHOOL DISTRICT THAT RECEIVES A GRANT AWARD SHALL USE THE GRANT AWARD FOR THE FOLLOWING:

(a) THE OPERATION AND USE OF SECURE DIGITAL NOTIFICATION AND INFORMATION TOOLS TO PROVIDE SECURE AND VERIFIABLE PARENTAL NOTIFICATION, AT NO COST TO PARENTS, RELATING TO STUDENT SAFETY, INCLUDING SCHOOL BUS STATUS, AND TO MAKE STUDENT SAFETY RESOURCES AND INFORMATIONAL MATERIALS AVAILABLE TO USERS;

(b) ACQUIRING EQUIPMENT NECESSARY FOR SCHOOL BUSES TO COMMUNICATE DIRECTLY WITH FIRST RESPONDERS BY CELLULAR, SATELLITE, OR ANY OTHER AVAILABLE MEANS OF AND BY USING A SILENT DURESS ALARM, INCLUDING INSTALLATION, MAINTENANCE, TRAINING, TELECOMMUNICATION, AND DATA-RELATED COSTS RELATED TO THE EQUIPMENT;

(c) ACQUIRING EQUIPMENT TO MONITOR SCHOOL BUS DRIVER BEHAVIOR TO PREVENT EXCESSIVE SPEED, TRAVELING OFF ROUTE, AND UNNECESSARY IDLING, SO THAT GRANT RECIPIENTS CAN TRAIN DRIVERS TO FOLLOW PROCEDURES THAT REDUCE ACCIDENTS, LOWER SCHOOL BUS OPERATING COSTS, AND REDUCE EMISSIONS PRODUCED BY SCHOOL BUSES;

(d) SCHOOL BUS DRIVER TRAINING, INCLUDING TRAINING RELATED TO PROVIDING TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS, AND THE PROVISION OF BACKGROUND CHECKS WHEN NECESSARY FOR SCHOOL
BUS DRIVERS TO OPERATE EQUIPMENT ACQUIRED WITH GRANT MONEY;

AND

(e) Obtaining credentials or other permissions, including digital identities, necessary for district personnel, including bus drivers, to properly operate equipment acquired with grant money and to facilitate participation in the federal transportation security awareness training program.

(5) On or before June 30, 2023, and on or before each June 30 thereafter, a school district that receives a grant pursuant to this section shall submit a report to the department. At a minimum, the report must include the following:

(a) A summary of use and feedback from parents regarding the secure digital notification and information tools;

(b) The number of buses equipped with equipment necessary to communicate directly with first responders, including by using a silent duress alarm, and whether any such equipment was used in an emergency situation, including a situation that required assistance from emergency response personnel;

(c) Any school bus maintenance or operation decisions made based on information learned from equipment acquired with grant money;

(d) Whether the school district achieved any of the goals described in its grant application;

(e) The number of school bus professionals who volunteered to receive training and certification from the federal transportation security awareness training program; and
(f) Any other use of grant money.

22-106-105. Program facilitator - report. (1) As soon as possible after the effective date of this section, the department, in accordance with state board rules, shall select an organization to serve as a program facilitator that supports school districts awarded a grant pursuant to this article 106. The general assembly strongly encourages the department to select an organization before the start of the 2022-23 academic year.

(2) The program facilitator may be a public benefit corporation, as described in section 7-101-503 (1), or a nonprofit that operates with a charitable purpose and must have at least seven years of experience in student safety, evidence-based school bus safety and surface transportation security, child safety campaign management, and conducting fundraising campaigns that support student safety-related initiatives.

(3) In order to be selected as the program facilitator, an organization must submit an application to the department. An application must:

(a) Demonstrate that the applicant has the experience required of the program facilitator, as described in subsection (2) of this section;

(b) Describe any public service campaigns conducted by the applicant with the support of governmental entities or media organizations;

(c) Demonstrate the applicant's ability to obtain corporate sponsorships and other funding through gifts, grants,
AND DONATIONS THAT WOULD ALLOW THE APPLICANT TO PROVIDE SCHOOL
DISTRICTS WITH SERVICES DESCRIBED IN THIS ARTICLE 106, IN ADDITION
TO THE SERVICES FUNDED WITH STATE MONEY; AND
(d) INCLUDE ANY OTHER INFORMATION REQUIRED BY STATE
BOARD RULES.

(4) (a) THE DEPARTMENT SHALL SELECT ONE ORGANIZATION THAT
MEETS THE ELIGIBILITY REQUIREMENTS DESCRIBED IN THIS SECTION TO
SERVE AS THE PROGRAM FACILITATOR.

(b) THE ORGANIZATION SELECTED BY THE DEPARTMENT SHALL
CONTINUE TO SERVE AS THE PROGRAM FACILITATOR AS LONG AS THE
ORGANIZATION MEETS THE CRITERIA DESCRIBED IN SUBSECTION (2) OF
THIS SECTION AND DOES NOT VIOLATE ANY PROVISION OF THIS SECTION.

(5) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE
DEPARTMENT SHALL ANNUALLY DISTRIBUTE PROGRAM MONEY
APPROPRIATED TO THE DEPARTMENT TO THE PROGRAM FACILITATOR AS
FOLLOWS:

(I) FROM THE MONEY APPROPRIATED TO THE DEPARTMENT FOR
FISCAL YEAR 2021-22 FOR USE IN THAT YEAR AND FISCAL YEAR 2022-23,
TWO MILLION FIVE HUNDRED THOUSAND DOLLARS;

(II) IN FISCAL YEAR 2023-24, ONE MILLION FIVE HUNDRED
THOUSAND DOLLARS; AND

(III) IN FISCAL YEAR 2024-25, ONE MILLION DOLLARS.

(b) THE PROGRAM FACILITATOR SHALL USE PROGRAM MONEY FOR
THE FOLLOWING:

(I) SUPPORTING SCHOOL DISTRICTS AWARDED GRANTS PURSUANT
TO SECTION 22-106-104;

(II) DEVELOPING AND MAINTAINING THE SECURE DIGITAL
NOTIFICATION AND INFORMATION TOOLS DESCRIBED IN SECTION 22-106-103 (1)(b) TO PROVIDE SECURE AND VERIFIABLE PARENTAL NOTIFICATION, AT NO COST TO PARENTS, RELATING TO STUDENT SAFETY, INCLUDING SCHOOL BUS STATUS, AND TO MAKE STUDENT SAFETY RESOURCES AND INFORMATIONAL MATERIALS AVAILABLE TO USERS;

(III) RECRUITING SCHOOL BUS DRIVERS;

(IV) CONDUCTING OR FACILITATING, AT NO COST TO SCHOOLS, TRAINING FROM THE FEDERAL TRANSPORTATION SECURITY AWARENESS TRAINING PROGRAM;

(V) DEVELOPING, AND MAKING PUBLICLY AVAILABLE, SCHOOL BUS TRANSPORTATION SAFETY INFORMATION AND AGE-APPROPRIATE STUDENT SAFETY EDUCATIONAL MATERIALS;

(VI) CONDUCTING A STATEWIDE AWARENESS CAMPAIGN TO REDUCE INSTANCES WHEN DRIVERS FAIL TO STOP FOR A SCHOOL BUS WHEN REQUIRED BY LAW, KNOWN AS A STOP-ARM VIOLATION; AND

(VII) SEEKING PRIVATE FUNDING FOR THE PROGRAM AND STUDYING THE AVAILABILITY OF NEW FUNDING SOURCES, INCLUDING SEEKING GIFTS, GRANTS, AND DONATIONS ON BEHALF OF THE PROGRAM FROM THE FEDERAL GOVERNMENT, CORPORATIONS, OR OTHER NONGOVERNMENTAL ENTITIES.

(6) ON OR BEFORE JUNE 30, 2023, AND ON OR BEFORE EACH JUNE 30 THEREAFTER, THE PROGRAM FACILITATOR SHALL SUBMIT A REPORT TO THE DEPARTMENT CONCERNING THE OPERATION OF THE PROGRAM. THE REPORT MUST INCLUDE DOCUMENTATION OF THE PROGRAM FACILITATOR'S USE OF PROGRAM MONEY AND A DESCRIPTION OF THE PROGRAM FACILITATOR'S DUTIES PERFORMED AS REQUIRED PURSUANT TO SUBSECTION (5) OF THIS SECTION.
In addition to the responsibilities described in this section, the program facilitator shall make its best efforts to support student safety initiatives in school districts that were not awarded a program grant, including soliciting and securing funding for those initiatives.

22-106-106. Program funding. (1) In addition to any money appropriated for fiscal year 2021-22 for use in that year and fiscal year 2022-23, in state fiscal years 2023-24 and 2024-25, the general assembly shall appropriate the following amounts to the department for the purposes of this article 106:

(a) In fiscal year 2023-24, four million five hundred thousand dollars; and

(b) In fiscal year 2024-25, three million five hundred thousand dollars.

22-106-107. Department report. The department shall include information about the program in its annual presentation to the legislative committees of reference pursuant to section 2-7-203.

22-106-108. Repeal of article. This article 106 is repealed, effective July 31, 2025.

SECTION 2. Appropriation. For the 2021-22 state fiscal year, $5,500,000 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the Colorado safe student protection program. Any money appropriated in this section not expended prior to July 1, 2022, is further appropriated to the department for the 2022-23 state fiscal year for the same purpose.
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, or safety.