A BILL FOR AN ACT

Concerning the Recreation of the School Security Disbursement Program to Provide Funding for Local Education Providers to Implement School Security Improvements to Prevent Incidents of School Violence.

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.)

In 2018, the general assembly enacted Senate Bill 18-269, which created the school security disbursement program (program) to provide funding for school districts, charter schools, institute charter schools, and
boards of cooperative services (local education providers) to implement school security improvements to prevent incidents of school violence. Pursuant to the provisions of Senate Bill 18-269, the program was repealed on July 1, 2021. The bill recreates and reenacts the program in the department of public safety (department).

The bill allows a local education provider to apply for a disbursement by submitting an application to the department. A local education provider that receives a disbursement may use the money for one or more of the following purposes:

- Capital construction that improves the security of a public school facility or public school vehicle;
- Training in student threat assessment for school staff;
- Training for on-site school resource officers;
- School emergency response training for school staff; and
- Programs to help students become more resilient in meeting the daily challenges they face without resorting to violence.

The department is required to review the applications received from local education providers and to disburse money to applicants that satisfy the application requirements. The department is required to give priority to applicants that commit to providing matching funds for the amount of the disbursement received.

The bill recreates and reenacts the school security disbursement program account within the school safety resource center cash fund and directs the transfer of money to the account to pay the disbursements. Each disbursement recipient is required to report to the department concerning its use of the money, and the department is required to annually provide a summary of the reports to specified committees of the general assembly. The disbursement program is repealed, effective July 1, 2032.

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

SECTION 1. In Colorado Revised Statutes, recreate and reenact, with amendments, 24-33.5-1810 as follows:

24-33.5-1810. School security disbursement program - created - rules - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DISBURSEMENT PROGRAM" MEANS THE SCHOOL SECURITY DISBURSEMENT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.
(b) "ELIGIBLE ENTITY" MEANS A LOCAL EDUCATION PROVIDER OR AN ELIGIBLE NONPROFIT ORGANIZATION.

(c) "ELIGIBLE NONPROFIT ORGANIZATION" MEANS A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT APPLIES TO WORK WITH SPECIFIC LOCAL EDUCATION PROVIDERS OR FIRST RESPONDERS, AND THAT:

(I) HAS EXPERIENCE PROVIDING TRAINING FOR SCHOOL SAFETY INCIDENT RESPONSE;

(II) HAS EXPERIENCE WORKING WITH LAW ENFORCEMENT AGENCIES AND OTHER FIRST RESPONDERS;

(III) HAS EXPERIENCE WORKING WITH SCHOOL DISTRICTS, SCHOOL PERSONNEL, AND STUDENTS ON ISSUES RELATED TO SCHOOL SAFETY INCIDENT RESPONSE; AND

(IV) IDENTIFIES IN ITS APPLICATION LOCAL EDUCATION PROVIDERS OR FIRST RESPONDERS THAT WILL PARTICIPATE IN SCHOOL SAFETY INCIDENT RESPONSE TRAINING OR PROGRAMS.

(d) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A CHARTER SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, AN INSTITUTE CHARTER SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, OR A BOARD OF COOPERATIVE SERVICES AS DEFINED IN SECTION 22-5-103.

(2) (a) THERE IS CREATED IN THE DEPARTMENT THE SCHOOL SECURITY DISBURSEMENT PROGRAM TO PROVIDE DISBURSEMENTS TO ELIGIBLE ENTITIES TO USE FOR THE PURPOSES DESCRIBED IN SUBSECTION (3) OF THIS SECTION TO IMPROVE SECURITY WITHIN PUBLIC SCHOOLS.

(b) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT
SHALL DISBURSE MONEY TO APPLICANTS AS PROVIDED IN SUBSECTION (5) OF THIS SECTION FROM MONEY CREDITED TO THE SCHOOL SECURITY DISBURSEMENT CASH FUND, CREATED IN SECTION 24-33.5-1811. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT DISTRIBUTE THE MONEY CREDITED TO THE SCHOOL SECURITY DISBURSEMENT CASH FUND AS QUICKLY AS PRACTICABLE BASED ON THE RECEIPT OF QUALIFYING APPLICATIONS.

(3) AN ELIGIBLE ENTITY THAT RECEIVES A DISBURSEMENT FROM THE DISBURSEMENT PROGRAM MAY USE THE DISBURSED MONEY ONLY FOR THE FOLLOWING PURPOSES:

(a) CAPITAL CONSTRUCTION THAT IMPROVES THE SECURITY OF A PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE, INCLUDING BUT NOT LIMITED TO ANY STRUCTURE OR INSTALLED HARDWARE, DEVICE, OR EQUIPMENT THAT PROTECTS A PUBLIC SCHOOL FACILITY OR PUBLIC SCHOOL VEHICLE AND THE STUDENTS, EDUCATORS, AND OTHER INDIVIDUALS WHO ATTEND, WORK IN, OR VISIT A PUBLIC SCHOOL FACILITY OR ARE TRANSPORTED IN A PUBLIC SCHOOL VEHICLE FROM THREATS OF PHYSICAL HARM INCLUDING BUT NOT LIMITED TO ANY STRUCTURE OR INSTALLED HARDWARE, DEVICE, OR EQUIPMENT THAT:

(I) PREVENTS THE ENTRY OF UNAUTHORIZED INDIVIDUALS INTO A PUBLIC SCHOOL FACILITY OR A PROTECTED SPACE WITHIN A PUBLIC SCHOOL FACILITY OR ONTO A PUBLIC SCHOOL VEHICLE; OR

(II) CAN BE USED TO EXPEDITE COMMUNICATION WHEN A THREAT IS PRESENT;

(b) TRAINING IN STUDENT THREAT ASSESSMENT FOR ALL SCHOOL
BUILDING STAFF WHO HAVE CONTACT WITH STUDENTS, WHICH MUST
INCLUDE BEST PRACTICES FOR CONDUCTING THREAT ASSESSMENTS, SUCH
AS INSTRUCTION ON HOW TO PREVENT BIAS WHEN CONDUCTING A THREAT
ASSESSMENT;

(c) IN COLLABORATION WITH LOCAL LAW ENFORCEMENT
AGENCIES, PROVIDING THE TRAINING FOR PEACE OFFICERS ON
INTERACTIONS WITH STUDENTS AT SCHOOL;

(d) SCHOOL EMERGENCY RESPONSE TRAINING FOR ALL SCHOOL
BUILDING STAFF;

(e) PROGRAMS TO HELP STUDENTS BECOME MORE RESILIENT IN
MEETING THE DAILY CHALLENGES THEY FACE WITHOUT RESORTING TO
VIOLENCE AGAINST THEMSELVES OR OTHERS, INCLUDING ADDRESSING THE
FUNDAMENTAL CAUSES OF VIOLENCE AND AGGRESSION AND HELPING
STUDENTS BECOME RESPONSIBLE MEMBERS OF THEIR SCHOOLS,
NEIGHBORHOODS, COMMUNITIES, AND FAMILIES;

(f) DEVELOPING AND PROVIDING TRAINING PROGRAMS,
CURRICULUMS, AND SEMINARS RELATED TO SCHOOL SAFETY INCIDENT
RESPONSE; AND

(g) DEVELOPING BEST PRACTICES AND PROTOCOLS RELATED TO
SCHOOL SAFETY INCIDENT RESPONSE.

(4) AN ELIGIBLE ENTITY, INCLUDING ANY COMBINATION OF
ELIGIBLE ENTITIES THAT WISH TO APPLY TOGETHER AS A SINGLE, REGIONAL
APPLICANT, MAY APPLY FOR A DISBURSEMENT FROM THE DISBURSEMENT
PROGRAM BY SUBMITTING AN APPLICATION TO THE DEPARTMENT THAT
INCLUDES THE FOLLOWING INFORMATION:

(a) THE PURPOSE OR PURPOSES DESCRIBED IN SUBSECTION (3) OF
THIS SECTION FOR WHICH THE APPLICANT IS REQUESTING THE
DISBURSEMENT;
(b) The amount of disbursed money requested based on an
itemized estimate of the expected cost of the purpose or purposes
for which the applicant is requesting the disbursement and
taking into account any matching money, if applicable, pursuant
to subsection (5) of this section;
(c) Evidence of the availability of and commitment of the
applicant to use financial resources to match the amount of the
disbursement;
(d) The applicant's commitment to provide information to
the department as required for the annual report described in
subsection (6) of this section;
(e) If the eligible entity is a charter school that is
authorized pursuant to part 1 of article 30.5 of title 22, located
within a school district facility, and participating in the school
district's safety and security services, information
demonstrating that the charter school has collaborated with
the school district in preparing and submitting the application;
and
(f) Any additional information, as specified by rule of the
executive director, that is necessary for the department to
evaluate the likely effectiveness of the applicant's use of the
disbursed money in improving security in public school facilities
or vehicles.
(5) The department shall review each application received
pursuant to subsection (4) of this section. Subject to available
appropriations, the department shall disburse money to the
APPLICANT IF THE DEPARTMENT DETERMINES THAT THE APPLICATION MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (4) OF THIS SECTION AND THE PURPOSE OR PURPOSES FOR WHICH THE APPLICANT INTENDS TO USE THE DISBURSED MONEY ARE LIKELY TO IMPROVE SECURITY IN PUBLIC SCHOOL FACILITIES OR VEHICLES AND ARE NOT LIKELY TO EXACERBATE IDENTIFIED STUDENT DISCIPLINARY DISPARITIES. THE DEPARTMENT SHALL GIVE PRIORITY TO APPLICANTS THAT COMMIT TO PROVIDING FINANCIAL RESOURCES TO MATCH THE AMOUNT OF THE DISBURSEMENT. THE DEPARTMENT SHALL DETERMINE THE DISBURSEMENT AMOUNT TAKING INTO ACCOUNT THE AMOUNT IDENTIFIED IN THE APPLICATION.

(6) (a) On or before August 1, 2023, and on or before August 1 each year thereafter, each eligible entity that received a disbursement in the preceding school year shall submit a report to the department specifying the amount received; the source and amount of matching money provided, if applicable; and the purpose or purposes for which the eligible entity used the disbursed money, including an itemized accounting of how the money was expended.

(b) Beginning with the annual presentation in 2024 provided by the department to the committees of reference pursuant to section 2-7-203, the department shall include in the annual presentation a summary of the reports received pursuant to subsection (6)(a) of this section. Notwithstanding section 24-1-136 (11)(a)(I), beginning in January 2024, and every January thereafter, the department shall submit a summary of the reports received pursuant to subsection (6)(a) of this section to the education committees of the senate and the house of
REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

(7) The executive director shall promulgate rules pursuant to the "State Administrative Procedure Act", Article 4 of this Title 24, to establish the time frames for submitting disbursement applications and awarding disbursements and to specify any additional information that must be included in disbursement applications as described in subsection (4)(f) of this section.

(8) This section is repealed, effective July 1, 2032.

SECTION 2. Effective date. This act takes effect upon passage; except that section 24-33.5-1810 (2)(b), Colorado Revised Statutes, as enacted in section 1 of this act, takes effect only if House Bill 22-1243 becomes law and takes effect on the effective date of this act or House Bill 22-1243, whichever is later.

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.