

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0777.01 Jacob Baus x2173

HOUSE BILL 25-1248

HOUSE SPONSORSHIP

Stewart K.,

SENATE SPONSORSHIP

Kipp,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ADMINISTRATION OF DISCIPLINARY MEASURES IN
102 PUBLIC 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://leg.colorado.gov>.)

Under current law, the "Protection of Individuals from Restraint and Seclusion Act" contains parameters concerning exceptions for the use of restraint and seclusion for various agencies, including for public schools.

The bill removes public schools from the "Protection of Individuals from Restraint and Seclusion Act" and creates the "Protection

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

1 PRESENT ABILITY TO EFFECT SUCH BODILY HARM.

2 (3) "IEP TEAM" HAS THE SAME MEANING AS DESCRIBED IN SECTION
3 22-20-108.

4 (4) "INDIVIDUALIZED EDUCATION PROGRAM" OR "IEP" HAS THE
5 SAME MEANING AS SET FORTH IN SECTION 22-20-103.

6 (5) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
7 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
8 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
9 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
10 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
11 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT
12 OPERATES ONE OR MORE PUBLIC SCHOOLS.

13 (6) "MECHANICAL RESTRAINT" MEANS A PHYSICAL DEVICE USED
14 TO RESTRICT A STUDENT'S VOLUNTARY FREEDOM OF MOVEMENT OR THE
15 MOVEMENT OR NORMAL FUNCTION OF A PORTION OF THEIR BODY.
16 "MECHANICAL RESTRAINT" DOES NOT INCLUDE:

17 (a) A DEVICE THAT IS RECOMMENDED FOR THE STUDENT BY A
18 PHYSICIAN, OCCUPATIONAL THERAPIST, OR PHYSICAL THERAPIST; IS
19 AGREED TO FOR USE BY THE STUDENT BY THE STUDENT'S IEP TEAM OR
20 SECTION 504 TEAM; AND IS USED IN ACCORDANCE WITH THE STUDENT'S
21 IEP OR SECTION 504 PLAN;

22 (b) A PROTECTIVE DEVICE THAT IS USED TO PREVENT A STUDENT
23 FROM SELF-HARM, IS AGREED TO FOR USE BY THE STUDENT BY THE
24 STUDENT'S IEP TEAM OR SECTION 504 TEAM, AND IS USED IN ACCORDANCE
25 WITH THE STUDENT'S IEP OR SECTION 504 PLAN. THE PROTECTIVE DEVICE
26 MAY INCLUDE A HELMET OR MITTS.

27 (c) AN ADAPTIVE DEVICE THAT IS USED TO FACILITATE

1 INSTRUCTION OR THERAPY FOR THE STUDENT THAT IS RECOMMENDED FOR
2 THE STUDENT BY A PHYSICIAN, OCCUPATIONAL THERAPIST, OR PHYSICAL
3 THERAPIST; IS AGREED TO FOR USE BY THE STUDENT BY THE STUDENT'S
4 IEP TEAM OR SECTION 504 TEAM; AND IS USED IN ACCORDANCE WITH THE
5 STUDENT'S IEP OR SECTION 504 PLAN; OR

6 (d) A POSITIONING OR SECURING DEVICE THAT IS USED TO
7 FACILITATE THE STUDENT'S MEDICAL TREATMENT THAT IS RECOMMENDED
8 FOR THE STUDENT BY A PHYSICIAN, OCCUPATIONAL THERAPIST, OR
9 PHYSICAL THERAPIST; IS AGREED TO FOR USE BY THE STUDENT BY THE
10 STUDENT'S IEP TEAM OR SECTION 504 TEAM; AND IS USED IN ACCORDANCE
11 WITH THE STUDENT'S IEP OR SECTION 504 PLAN.

12 (7) "PHYSICAL RESTRAINT" MEANS THE USE OF BODILY, PHYSICAL
13 FORCE TO LIMIT A STUDENT'S VOLUNTARY FREEDOM OF MOVEMENT FOR
14 MORE THAN ONE MINUTE; EXCEPT THAT "PHYSICAL RESTRAINT" DOES NOT
15 INCLUDE THE HOLDING OF A STUDENT BY AN ADULT FOR THE PURPOSES OF
16 CALMING OR COMFORTING THE STUDENT.

17 (8) "PRONE RESTRAINT" MEANS A RESTRAINT IN WHICH THE
18 STUDENT WHO IS BEING RESTRAINED IS SECURED IN A FACE-DOWN
19 POSITION.

20 (9) "RESTRAINT" MEANS A METHOD OR DEVICE THAT IS USED TO
21 LIMIT A STUDENT'S VOLUNTARY FREEDOM OF MOVEMENT. "RESTRAINT"
22 INCLUDES SECLUSION, CHEMICAL RESTRAINT, MECHANICAL RESTRAINT,
23 AND PHYSICAL RESTRAINT. "RESTRAINT" DOES NOT INCLUDE THE HOLDING
24 OF AN INDIVIDUAL FOR LESS THAN ONE MINUTE BY AN ADULT FOR
25 PROTECTION OF THE INDIVIDUAL OR OTHER PERSONS.

26 (10) "SECLUSION" MEANS THE PLACEMENT OF AN INDIVIDUAL
27 ALONE IN A ROOM OR AREA FROM WHICH EGRESS IS PREVENTED.

1 "SECLUSION" IS A FORM OF RESTRAINT.

2 (11) "SECTION 504 PLAN" HAS THE SAME MEANING AS SET FORTH
3 IN SECTION 22-20-123 (2).

4 (12) "SECTION 504 TEAM" HAS THE SAME MEANING AS SET FORTH
5 IN SECTION 22-20-123 (2).

6 **22-15.5-103. Prohibit restraint - exceptions.** (1) EXCEPT AS
7 PROVIDED PURSUANT TO THIS ARTICLE 15.5, THE USE OF A RESTRAINT ON
8 A STUDENT OF A LOCAL EDUCATION PROVIDER IS PROHIBITED WHEN THE
9 STUDENT IS ON THE PROPERTY OF THE LOCAL EDUCATION PROVIDER OR IS
10 PARTICIPATING IN AN OFF-CAMPUS ACTIVITY OR EVENT SPONSORED BY THE
11 LOCAL EDUCATION PROVIDER.

12 (2) THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS
13 SECTION DOES NOT APPLY TO:

14 (a) THE USE OF MECHANICAL, PHYSICAL, OR PRONE RESTRAINTS ON
15 A STUDENT ENROLLED IN A SCHOOL OF A SCHOOL DISTRICT, CHARTER
16 SCHOOL OF A SCHOOL DISTRICT, OR INSTITUTE CHARTER SCHOOL WHO
17 OPENLY DISPLAYS A DEADLY WEAPON, AS DEFINED IN SECTION 18-1-901;

18 (b) THE USE OF MECHANICAL OR PRONE RESTRAINTS BY AN ARMED
19 SECURITY OFFICER OR A CERTIFIED PEACE OFFICER WORKING IN A LOCAL
20 EDUCATION PROVIDER'S FACILITIES WHEN THE OFFICER:

21 (I) HAS RECEIVED DOCUMENTED TRAINING IN DEFENSIVE TACTICS
22 UTILIZING HANDCUFFING PROCEDURES;

23 (II) HAS RECEIVED DOCUMENTED TRAINING IN RESTRAINT TACTICS
24 UTILIZING PRONE RESTRAINT; AND

25 (III) HAS MADE A REFERRAL TO A LAW ENFORCEMENT AGENCY
26 AND IS MAKING AN ARREST;

27 (c) THE USE OF MECHANICAL, PHYSICAL, OR PRONE RESTRAINTS BY

1 A SCHOOL RESOURCE OFFICER OR A LAW ENFORCEMENT OFFICER ACTING
2 IN THE OFFICER'S OFFICIAL CAPACITY ON THE LOCAL EDUCATION
3 PROVIDER'S PROPERTY, IN A LOCAL EDUCATION PROVIDER'S VEHICLE, OR
4 AT AN ACTIVITY OR EVENT SPONSORED BY THE LOCAL EDUCATION
5 PROVIDER IF THERE IS A DANGER TO THE STUDENT OR OTHERS OR DURING
6 A CUSTODIAL ARREST THAT REQUIRES TRANSPORT; AND

7 (d) (I) AN EMERGENCY AFTER THE FAILURE OF LESS RESTRICTIVE
8 ALTERNATIVES; OR

9 (II) AN EMERGENCY AFTER A DETERMINATION THAT LESS
10 RESTRICTIVE ALTERNATIVES WOULD BE INAPPROPRIATE OR INEFFECTIVE
11 DURING THE EMERGENCY.

12 (3) IF A LOCAL EDUCATION PROVIDER USES A ROOM FOR SECLUSION
13 AS A TYPE OF RESTRAINT, THERE MUST BE AT LEAST ONE WINDOW TO
14 MONITOR THE STUDENT WHEN THE DOOR IS CLOSED. IF A WINDOW IS NOT
15 FEASIBLE, MONITORING MUST BE WITH A VIDEO CAMERA. A STUDENT
16 PLACED IN SECLUSION MUST BE CONTINUALLY MONITORED. THE ROOM
17 MUST BE A SAFE SPACE FREE OF INJURIOUS ITEMS. THE ROOM USED FOR
18 SECLUSION MUST NOT BE A ROOM THAT IS USED BY SCHOOL STAFF FOR
19 STORAGE, CUSTODIAL PURPOSES, OR OFFICE SPACE.

20 (4) (a) A LOCAL EDUCATION PROVIDER THAT, OR LOCAL
21 EDUCATION PROVIDER'S EMPLOYEE OR AGENT WHO, USES RESTRAINT
22 SHALL USE THE RESTRAINT:

23 (I) ONLY FOR THE PURPOSE OF PREVENTING THE CONTINUATION OR
24 RENEWAL OF THE APPROPRIATE CIRCUMSTANCES DESCRIBED IN
25 SUBSECTION (2) OF THIS SECTION FOR THE INCIDENT;

26 (II) ONLY FOR THE PERIOD OF TIME NECESSARY TO ACCOMPLISH ITS
27 PURPOSE; AND

1 (III) IN THE CASE OF PHYSICAL RESTRAINT, ONLY IF NO MORE
2 FORCE THAN IS NECESSARY TO LIMIT THE INDIVIDUAL'S FREEDOM OF
3 MOVEMENT IS USED.

4 (b) IF PROPERTY DAMAGE MAY BE INVOLVED, RESTRAINT MAY
5 ONLY BE USED WHEN THE DESTRUCTION OF PROPERTY WOULD RESULT IN
6 A SERIOUS, PROBABLE, IMMINENT THREAT OF BODILY HARM TO SELF OR
7 OTHERS AND WHEN THERE IS THE PRESENT ABILITY TO EFFECT SUCH
8 BODILY HARM.

9 **22-15.5-104. General duties relating to use of restraint.** (1) A
10 LOCAL EDUCATION PROVIDER THAT, OR A LOCAL EDUCATION PROVIDER'S
11 EMPLOYEE OR AGENT WHO, USES A RESTRAINT SHALL ENSURE THAT:

12 (a) A PHYSICAL RESTRAINT OF A STUDENT DOES NOT PLACE EXCESS
13 PRESSURE ON THE CHEST OR BACK OF THE STUDENT OR INHIBIT OR IMPEDE
14 THE STUDENT'S ABILITY TO BREATHE; AND

15 (b) DURING THE PHYSICAL RESTRAINT OF A STUDENT, THE
16 STUDENT'S BREATHING IS NOT COMPROMISED.

17 (2) A LOCAL EDUCATION PROVIDER'S EMPLOYEE OR AGENT SHALL
18 PROVIDE THE STUDENT RELIEF PERIODS FROM SECLUSION FOR REASONABLE
19 ACCESS TO TOILET FACILITIES.

20 (3) A LOCAL EDUCATION PROVIDER'S EMPLOYEE OR AGENT SHALL
21 RELEASE THE STUDENT IN PHYSICAL RESTRAINT WITHIN FIFTEEN MINUTES
22 AFTER THE INITIATION OF THE PHYSICAL RESTRAINT, EXCEPT WHEN IT
23 WOULD BE UNSAFE TO DO SO.

24 **22-15.5-105. Training concerning the use of restraint.** (1) A
25 LOCAL EDUCATION PROVIDER THAT USES RESTRAINT SHALL ENSURE THAT
26 EMPLOYEES AND AGENTS WHO ARE INVOLVED IN USING RESTRAINT IN ITS
27 FACILITIES OR PROGRAMS ARE TRAINED IN THE APPROPRIATE USE OF

1 RESTRAINT.

2 (2) A LOCAL EDUCATION PROVIDER THAT USES RESTRAINT SHALL
3 ENSURE THAT ALL EMPLOYEES AND AGENTS WHO ARE INVOLVED IN USING
4 RESTRAINT IN ITS FACILITIES OR PROGRAMS ARE TRAINED TO EXPLAIN THE
5 USE OF RESTRAINT TO THE STUDENT WHO IS TO BE RESTRAINED AND TO
6 THE STUDENT'S FAMILY.

7 **22-15.5-106. Documentation requirements for restraint.** (1) A
8 LOCAL EDUCATION PROVIDER SHALL REQUIRE ITS EMPLOYEE OR AGENT
9 WHO USES A RESTRAINT ON A STUDENT TO SUBMIT A WRITTEN REPORT OF
10 THE INCIDENT TO THE LOCAL EDUCATION PROVIDER NO LATER THAN ONE
11 SCHOOL DAY AFTER THE INCIDENT OCCURRED.

12 (2) NO LATER THAN JULY 1, 2025, EACH SCHOOL DISTRICT AND
13 INSTITUTE CHARTER SCHOOL SHALL ESTABLISH A REVIEW PROCESS, AT
14 LEAST ANNUALLY, AND DOCUMENT THE RESULTS OF EACH REVIEW
15 PROCESS IN WRITING. THE PURPOSE OF EACH ANNUAL REVIEW PROCESS IS
16 TO ENSURE THAT THE LOCAL EDUCATION PROVIDER IS PROPERLY
17 ADMINISTERING RESTRAINT, MINIMIZING AND PREVENTING THE USE OF
18 RESTRAINT BY INCREASING THE USE OF POSITIVE BEHAVIOR
19 INTERVENTIONS, AND REDUCING THE INCIDENCE OF INJURY TO STUDENTS,
20 EMPLOYEES, AND AGENTS. EACH ANNUAL REVIEW PROCESS MUST
21 INCLUDE, BUT IS NOT LIMITED TO:

22 (a) ANALYSIS OF INCIDENT REPORTS, INCLUDING CONSIDERATION
23 OF PROCEDURES USED DURING THE RESTRAINT, PREVENTIVE OR
24 ALTERNATIVE TECHNIQUES ATTEMPTED, DOCUMENTATION, AND
25 FOLLOW-UP;

26 (b) TRAINING NEEDS OF STAFF;

27 (c) STAFF-TO-STUDENT RATIOS; AND

1 (d) ENVIRONMENTAL CONSIDERATIONS, INCLUDING PHYSICAL
2 SPACE, STUDENT SEATING ARRANGEMENTS, AND NOISE LEVELS.

3 (3) IF A RESTRAINT IS USED FOR MORE THAN ONE MINUTE BUT LESS
4 THAN FIVE MINUTES, THE LOCAL EDUCATION PROVIDER SHALL PROVIDE
5 WRITTEN NOTICE ON THE DAY OF THE RESTRAINT TO THE PARENT OR LEGAL
6 GUARDIAN OF THE STUDENT. THE WRITTEN NOTICE MUST INCLUDE THE
7 DATE, THE NAME OF THE STUDENT, AND THE NUMBER OF RESTRAINTS USED
8 THAT DAY THAT LASTED BETWEEN ONE AND FIVE MINUTES.

9 (4) IF A RESTRAINT IS USED FOR FIVE MINUTES OR MORE, OR IF THE
10 STUDENT IS PLACED IN SECLUSION FOR ANY LENGTH OF TIME, THE LOCAL
11 EDUCATION PROVIDER SHALL MAIL OR EMAIL A WRITTEN REPORT OF THE
12 INCIDENT TO THE PARENT OR LEGAL GUARDIAN OF THE STUDENT NOT
13 MORE THAN FIVE CALENDAR DAYS AFTER THE USE OF THE RESTRAINT ON
14 THE STUDENT. THE WRITTEN REPORT MUST BE PLACED IN THE STUDENT'S
15 CONFIDENTIAL FILE AND INCLUDE:

- 16 (a) THE ANTECEDENT OF THE STUDENT'S BEHAVIOR, IF KNOWN;
- 17 (b) A DESCRIPTION OF THE INCIDENT;
- 18 (c) ANY EFFORTS MADE TO DE-ESCALATE THE SITUATION;
- 19 (d) ANY ALTERNATIVES TO THE USE OF RESTRAINTS THAT WERE
20 ATTEMPTED;
- 21 (e) THE TYPE AND DURATION OF THE RESTRAINT USED;
- 22 (f) ANY INJURIES THAT OCCURRED; AND
- 23 (g) THE NAMES OF THE LOCAL EDUCATION PROVIDER'S EMPLOYEES
24 OR AGENTS WHO WERE PRESENT AND EMPLOYEES AND AGENTS WHO WERE
25 INVOLVED IN ADMINISTERING THE RESTRAINT.

26 (5) NO LATER THAN JUNE 30, 2026, AND NO LATER THAN EVERY
27 JUNE 30 THEREAFTER, EACH LOCAL EDUCATION PROVIDER SHALL SUBMIT

1 THE DATA FROM THE ANNUAL REVIEW CONDUCTED PURSUANT TO
2 SUBSECTION (2) OF THIS SECTION AND REPORT IT TO THE DEPARTMENT OF
3 EDUCATION PURSUANT TO SECTION 22-1-138.

4 (6) THE DEPARTMENT OF EDUCATION SHALL MAKE TRAINING
5 AVAILABLE TO LOCAL EDUCATION PROVIDERS AND LOCAL EDUCATION
6 PROVIDERS' EMPLOYEES AND AGENTS ON THE REQUIREMENTS OF THIS
7 ARTICLE 15.5 AND ON THE STATE BOARD OF EDUCATION'S CORRESPONDING
8 RULES FOR ADMINISTRATION.

9 (7) THE DEPARTMENT OF EDUCATION HAS ENFORCEMENT
10 AUTHORITY OVER RESTRAINT INVESTIGATION DECISIONS. THIS
11 ENFORCEMENT AUTHORITY MUST FOLLOW THE SAME PROCEDURES
12 OUTLINED FOR STATE COMPLAINTS UNDER THE FEDERAL "INDIVIDUALS
13 WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AND
14 THE DEPARTMENT'S STATE-LEVEL COMPLAINT PROCEDURES.

15 **22-15.5-107. Rules.** (1) NO LATER THAN JANUARY 1, 2026, THE
16 STATE BOARD OF EDUCATION SHALL ADOPT, AMEND, OR REPEAL RULES AS
17 NECESSARY TO REFLECT THIS ARTICLE 15.5.

18 (2) THE STATE BOARD OF EDUCATION SHALL ADOPT RULES
19 ESTABLISHING A PROCESS BY WHICH A STUDENT, A STUDENT'S PARENT OR
20 LEGAL GUARDIAN, OR A THIRD PARTY ON BEHALF OF A STUDENT OR
21 STUDENT'S PARENT OR LEGAL GUARDIAN MAY FORMALLY COMPLAIN
22 ABOUT THE USE OF RESTRAINT BY A LOCAL EDUCATION PROVIDER'S
23 EMPLOYEE OR AGENT. TO THE EXTENT PRACTICABLE, THE RULES MUST
24 DETAIL THE PROCESS FOR FILING A STATE COMPLAINT UNDER THE FEDERAL
25 "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400
26 ET SEQ.

27 (3) THE STATE BOARD OF EDUCATION MAY ADOPT RULES

1 REGARDING THE USE OF RESTRAINT AND SECLUSION CONSISTENT WITH THE
2 PROVISIONS OF THIS ARTICLE 15.5.

3 **22-15.5-108. Limitations.** (1) NOTHING IN THIS ARTICLE 15.5
4 FORMS AN INDEPENDENT BASIS OF STATUTORY AUTHORITY FOR USING
5 RESTRAINT.

6 (2) NOTHING IN THIS ARTICLE 15.5 AUTHORIZES A LOCAL
7 EDUCATION PROVIDER TO IMPLEMENT POLICIES, PROCEDURES, OR
8 STANDARDS, OR AUTHORIZES THE DEPARTMENT OF EDUCATION TO ADOPT
9 RULES THAT WOULD LIMIT, DECREASE, OR ADVERSELY IMPACT ANY
10 POLICIES, PROCEDURES, STANDARDS, RULES, OR ORDINANCES THAT
11 PROVIDE GREATER PROTECTION CONCERNING THE USE OF RESTRAINT THAN
12 IS DESCRIBED IN THIS ARTICLE 15.5.

13 **SECTION 2.** In Colorado Revised Statutes, 22-1-139, **amend**
14 (1)(b)(VII) as follows:

15 **22-1-139. Accessible district profile reports - school climate**
16 **reports and surveys - reporting - definition.** (1) (b) The profile reports
17 must include, but are not limited to:

18 (VII) The number of students ~~physically~~ restrained; and

19 **SECTION 3.** In Colorado Revised Statutes, 22-32-109.1, **amend**
20 (2)(a)(I) introductory portion, (2)(a)(I)(L), and (2)(b)(IV) introductory
21 portion as follows:

22 **22-32-109.1. Board of education - specific powers and duties**
23 **- safe school plan - conduct and discipline code - safe school reporting**
24 **requirements - school response framework - school resource officers**
25 **- definitions.** (2) **Safe school plan.** To provide a learning environment
26 that is safe, conducive to the learning process, and free from unnecessary
27 disruption, each school district board of education or institute charter

1 school board for a charter school authorized by the charter school institute
2 shall, following consultation with the school district accountability
3 committee and school accountability committees, parents, teachers,
4 administrators, students, student councils where available, and, where
5 appropriate, the community at large, adopt and implement a safe school
6 plan, or review and revise, as necessary in response to any relevant data
7 collected by the school district, any existing plans or policies already in
8 effect. In addition to the aforementioned parties, each school district
9 board of education, in adopting and implementing its safe school plan,
10 may consult with victims' advocacy organizations, school psychologists,
11 local law enforcement, and community partners. The plan, at a minimum,
12 must include the following:

13 (a) **Conduct and discipline code.** (I) A concisely written conduct
14 and discipline code that must be enforced uniformly, fairly, and
15 consistently for all students. Copies of the code ~~shall~~ MUST be provided
16 to each student upon enrollment at the preschool, elementary, middle, and
17 high school levels and be posted or kept on file at each public school in
18 the school district. The school district shall take reasonable measures to
19 ensure that each student of each public school in the school district is
20 familiar with the code. The code must include, but need not be limited to:

21 (L) Information concerning the school district's policies for the
22 use of restraint and seclusion on students, including a reference to ~~section~~
23 ~~26-20-111~~ THE "PROTECTION OF STUDENTS FROM RESTRAINT AND
24 SECLUSION ACT", ARTICLE 15.5 OF THIS TITLE 22, and information
25 concerning the process for filing a complaint regarding the use of restraint
26 or seclusion, as such process is set forth by rule of the state board
27 pursuant to ~~section 22-32-147~~ SECTION 22-15.5-107.

1 (b) **Safe school reporting requirements.** A policy whereby the
2 principal of each public school in a school district is required to submit
3 annually, in a manner and by a date specified by rule of the state board,
4 and in accordance with standardized methods and any revised reporting
5 categories identified and adopted through the stakeholder process set
6 forth in section 22-1-138, a written report to the board of education of the
7 school district concerning the learning environment in the school during
8 that school year. The board of education of the school district shall
9 annually compile the reports from every school in the district and submit
10 the compiled report to the department of education in a format specified
11 by rule of the state board. The compiled report must be easily accessible
12 by the general public through a link on the department of education's
13 website home page. The report must include, but need not be limited to,
14 the following specific information for the preceding school year,
15 including any disciplinary incident specified in subsection (2)(b)(IV)(E)
16 or (2)(b)(IV)(K) of this section that requires additional reporting on the
17 incident:

18 (IV) The number of conduct and discipline code violations. Each
19 violation must be reported only in the most serious category that is
20 applicable to that violation, including, but not limited to, specific
21 information identifying the number of VIOLATIONS, WHETHER THE
22 VIOLATION OCCURRED ON THE LOCAL EDUCATION PROVIDER'S PROPERTY
23 OR OFF CAMPUS, and the action taken with respect to each of the following
24 types of violations:

25 **SECTION 4.** In Colorado Revised Statutes, 26-20-102, **amend**
26 (1)(a)(III), (6) introductory portion, and (6)(c); **repeal** (1)(a)(VI); and **add**
27 (1)(b)(V) as follows:

1 **26-20-102. Definitions.** As used in this article 20, unless the
2 context otherwise requires:

3 (1) (a) "Agency" means:

4 (III) Any public or private entity that has entered into a contract
5 for services with an entity described in subsection (1)(a)(I) OR (1)(a)(II)
6 ~~or (1)(a)(VI)~~ of this section;

7 (VI) ~~Any school district, including any school or charter school of~~
8 ~~a school district, and the state charter school institute established in~~
9 ~~section 22-30.5-503, including any institute charter school.~~

10 (b) "Agency" does not include:

11 (V) A LOCAL EDUCATION PROVIDER, AS DEFINED PURSUANT TO
12 SECTION 22-15.5-102.

13 (6) "Restraint" means any method or device used to involuntarily
14 limit freedom of movement, including bodily physical force, mechanical
15 devices, or chemicals. Restraint must not be used as a form of discipline
16 or to gain compliance. ~~from a student~~ If property damage might be
17 involved, restraint may only be used when the destruction of property
18 could possibly result in bodily harm to the individual or another person.
19 "Restraint" includes chemical restraint, mechanical restraint, and physical
20 restraint. "Restraint" does not include:

21 (c) The holding of an individual for less than one minute by a staff
22 person for protection of the individual or other persons; ~~except that~~
23 ~~nothing in this subsection (6)(c) may be interpreted to permit the holding~~
24 ~~of a public school student in a prone position, except as described in~~
25 ~~section 26-20-111 (2), (3), or (4); or~~

26 **SECTION 5.** In Colorado Revised Statutes, **repeal** 22-30.5-528,
27 22-32-147, and 26-20-111.

1 **SECTION 6. Safety clause.** The general assembly finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety or for appropriations for
4 the support and maintenance of the departments of the state and state
5 institutions.