

## CHAPTER 219

---

**EDUCATION - PUBLIC SCHOOLS**

---

**HOUSE BILL 94-1003**

BY REPRESENTATIVES Adkins, Armstrong, Greenwood, Hagedorn, Knox, Mattingly, Reeser, Blue, and Lyle;  
also SENATORS Ruddick, Hopper, Gallagher, Mendez, and Tanner.

**AN ACT****CONCERNING THE CREATION OF THE COLORADO LAW-RELATED EDUCATION PROGRAM.**

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

**SECTION 1.** 22-25-102, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-25-102. Legislative declaration.** (1) The general assembly hereby finds and declares that comprehensive health education is an essential element of public education in the state of Colorado. The school system is a logical vehicle for conveying to children and parents significant health information, developing an awareness of the value of good health to the individual and to the community, promoting healthy behavior and positive self-concepts, and providing means for dealing with peer and other pressures. It is further declared that many serious health problems in Colorado, including high-risk behaviors, are directly attributable to the insufficient health knowledge and motivation of the school-age population and the general public and that studies have demonstrated the effectiveness of a planned school curriculum throughout the elementary and secondary grades in developing healthy behavior. The purpose of this article is to foster healthy behaviors in our children and communities through a comprehensive educational plan which has as its goal not only the increase of health knowledge but also the modification of high-risk behaviors.

(2) SINCE THE ENACTMENT OF THIS ARTICLE THE GENERAL ASSEMBLY HAS FURTHER DETERMINED THAT THE INSIDIOUS ATTRACTIONS OF GANGS AND SUBSTANCE ABUSE ARE ENDANGERING THE YOUTH OF COLORADO AND, BY DOING SO, ARE ENDANGERING ALL COLORADO CITIZENS. ACCORDINGLY, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE IMPLEMENTATION OF EDUCATIONAL PROGRAMS IN THE PUBLIC

---

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

SCHOOLS IS NECESSARY TO ASSIST YOUNG PEOPLE IN AVOIDING GANG INVOLVEMENT AND SUBSTANCE ABUSE.

**SECTION 2.** 22-25-103, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

**22-25-103. Definitions.** As used in this article, unless the context otherwise requires:

(3.5) "GANG" MEANS A GROUP OF THREE OR MORE INDIVIDUALS WITH A COMMON INTEREST, BOND, OR ACTIVITY CHARACTERIZED BY CRIMINAL OR DELINQUENT CONDUCT, ENGAGED IN EITHER COLLECTIVELY OR INDIVIDUALLY.

(4.5) "LAW-RELATED EDUCATION PROGRAM" MEANS AN EDUCATIONAL PROGRAM FOR TEACHING NONLAWYERS ABOUT LAW, THE LEGAL SYSTEM, AND THE FUNDAMENTAL PRINCIPLES AND VALUES ON WHICH OUR CONSTITUTIONAL DEMOCRACY IS BASED, WHICH PROGRAM'S APPROACH IS CHARACTERIZED BY RELEVANT CURRICULUM MATERIALS, INTERACTIVE TEACHING STRATEGIES, AND EXTENSIVE USE OF COMMUNITY RESOURCE PERSONS AND EXPERIENCE.

(6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 3.** Article 25 of title 22, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-25-104.5. Law-related education program - creation - repeals.**

(1) (a) THERE IS HEREBY CREATED, WITHIN THE COLORADO DEPARTMENT OF EDUCATION PREVENTION INITIATIVES UNIT, THE COLORADO LAW-RELATED EDUCATION PROGRAM FOR THE PURPOSE OF PROMOTING BEHAVIOR WHICH WILL REDUCE THE INCIDENCE OF GANG OR OTHER ANTI-SOCIAL BEHAVIOR AND SUBSTANCE ABUSE BY STUDENTS IN THE PUBLIC SCHOOLS THROUGH EDUCATION.

(b) UNDER THE PROGRAM, EACH SCHOOL DISTRICT IN THE STATE IS STRONGLY ENCOURAGED TO IMPLEMENT A LAW-RELATED EDUCATION PROGRAM PURSUANT TO THE REQUIREMENTS OF THIS ARTICLE WHICH PROGRAM SHALL SPECIFICALLY ADDRESS THE DEVELOPMENT OF RESISTANCE TO ANTI-SOCIAL GANG BEHAVIOR AND SUBSTANCE ABUSE WITHOUT COMPROMISING ACADEMICS.

(2) (a) A LAW-RELATED EDUCATION PROGRAM IMPLEMENTED BY A SCHOOL DISTRICT MAY BE DESIGNED TO PROMOTE RESPONSIBLE CITIZENSHIP AND REDUCE ANTI-SOCIAL BEHAVIOR WITHOUT COMPROMISING ACADEMICS. SPECIFIC GRADE LEVELS SHOULD BE DETERMINED BY SCHOOL DISTRICTS BASED ON LOCAL CURRICULAR FRAMEWORKS AND REVIEW OF WHAT IS KNOWN ABOUT EXISTING AND PROMISING PROGRAMS. ALL TOPICS ADDRESSED IN SUCH LAW-RELATED EDUCATION PROGRAM SHALL BE TAUGHT IN A MANNER WHICH IS APPROPRIATE FOR THE AGES OF THE STUDENTS TO BE INSTRUCTED.

(b) THE TOPICS FOR INSTRUCTION IN A LAW-RELATED EDUCATION PROGRAM IMPLEMENTED BY A SCHOOL DISTRICT MAY INCLUDE, BUT NEED NOT BE LIMITED TO,

THE FOLLOWING:

(I) THE RIGHTS AND RESPONSIBILITIES OF CITIZENSHIP;

(II) THE FOUNDATIONS AND PRINCIPLES OF AMERICAN CONSTITUTIONAL DEMOCRACY;

(III) THE ROLE OF LAW IN AMERICAN SOCIETY;

(IV) THE ORGANIZATION AND PURPOSE OF LEGAL AND POLITICAL SYSTEMS;

(V) THE DISPOSITION TO ABIDE BY LAW;

(VI) THE OPPORTUNITIES FOR RESPONSIBLE PARTICIPATION;

(VII) THE ALTERNATIVE DISPUTE RESOLUTION APPROACH INCLUDING MEDIATION AND CONFLICT RESOLUTION.

(c) SCHOOLS ARE ENCOURAGED TO SEEK THE COOPERATION OF AND USE THE EXPERTISE OF AVAILABLE STATE AND LOCAL LAW-RELATED EDUCATION PROGRAMS SUCH AS THE DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) PROGRAM.

(3) (a) THERE IS HEREBY CREATED, WITHIN THE DEPARTMENT OF EDUCATION PREVENTION INITIATIVES UNIT, THE LAW-RELATED EDUCATION ADVISORY BOARD WHICH BOARD SHALL CONSIST OF A MINIMUM OF NINE MEMBERS APPOINTED BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE. MEMBERS OF THE BOARD SHALL BE APPOINTED FOR TERMS OF THREE YEARS AND NO PERSON SHALL BE APPOINTED TO SERVE MORE THAN TWO CONSECUTIVE TERMS. EXPERTISE IN LAW-RELATED EDUCATION OR DELINQUENCY PREVENTION IS A REQUIREMENT OF ALL EDUCATION AND LAW-RELATED PROFESSIONALS ON THE BOARD.

(b) (I) ONE MEMBER OF THE BOARD SHALL BE A LICENSED SCHOOL ADMINISTRATOR.

(II) ONE MEMBER OF THE BOARD SHALL BE A LICENSED ELEMENTARY SCHOOL TEACHER.

(III) ONE MEMBER OF THE BOARD SHALL BE A LICENSED SECONDARY SCHOOL TEACHER.

(IV) ONE MEMBER OF THE BOARD SHALL BE A LEVEL I OR LEVEL Ia PEACE OFFICER AS DEFINED IN SECTION 18-1-901 (3) (I), C.R.S., WHO IS CURRENTLY EMPLOYED BY A LAW ENFORCEMENT AGENCY.

(V) ONE MEMBER OF THE BOARD SHALL BE A DRUG OR GANG PREVENTION PRACTITIONER.

(VI) TWO MEMBERS OF THE BOARD SHALL BE MEMBERS OF THE GENERAL PUBLIC WHO ARE NOT LICENSED TEACHERS, LICENSED ADMINISTRATORS, POLICE OFFICERS, OR ACTIVE MEMBERS OF AN EXISTING COMMUNITY DRUG OR GANG EDUCATION PROGRAM, ONE OF WHOM IS THE PARENT OF A CHILD CURRENTLY ATTENDING PUBLIC SCHOOL IN

COLORADO.

(VII) ONE MEMBER OF THE BOARD SHALL BE A LICENSED SCHOOL SOCIAL WORKER OR A LICENSED MENTAL HEALTH PROFESSIONAL, THE MAJORITY OF WHOSE PRACTICE DEALS WITH CHILDREN OR ADOLESCENTS.

(VIII) ONE MEMBER SHALL BE A DIRECTOR OR COORDINATOR OF LAW-RELATED EDUCATION PROGRAMS WITH EXPERTISE IN DELINQUENCY PREVENTION THEORY AND RESEARCH OR IMPLEMENTATION OF SCHOOL-BASED LAW-RELATED EDUCATION PROGRAMS.

(c) ANY MEMBER OF THE BOARD MAY BE REMOVED AT ANY TIME FOR CAUSE BY THE GOVERNOR. IF ANY MEMBER OF THE BOARD VACATES HIS OR HER OFFICE, A VACANCY ON THE BOARD SHALL EXIST, AND THE GOVERNOR SHALL FILL SUCH VACANCY BY APPOINTMENT.

(d) MEMBERS OF THE BOARD SHALL BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS ARTICLE.

(e) THE DEPARTMENT OF EDUCATION PREVENTION INITIATIVES UNIT SHALL PROVIDE SUCH OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES TO THE BOARD AS IS NECESSARY FOR THE BOARD TO CARRY OUT ITS POWERS AND DUTIES AS SET FORTH IN THIS ARTICLE.

(f) THE TERM "LICENSED", AS IT APPEARS IN SUBPARAGRAPHS (I) TO (III) OF PARAGRAPH (b) OF THIS SUBSECTION (3), SHALL INCLUDE ANY PERSON CERTIFICATED PURSUANT TO THE PROVISIONS OF ARTICLE 60 OF THIS TITLE.

(g) (I) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 1999.

(II) PRIOR TO SUCH REPEAL, THE ADVISORY BOARD SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

(4) (a) IN ADDITION TO ANY OTHER DUTIES CONFERRED UPON THE LAW-RELATED EDUCATION ADVISORY BOARD, THE ADVISORY BOARD SHALL STUDY, DEVELOP, AND MAKE RECOMMENDATIONS TO THE STATE BOARD OF EDUCATION REGARDING THE FOLLOWING:

(I) GUIDELINES TO ASSIST SCHOOL DISTRICTS IN THE IMPLEMENTATION OF EFFECTIVE, COMPREHENSIVE LAW-RELATED EDUCATION PROGRAMS;

(II) SUGGESTED TOPICS FOR INSTRUCTION;

(III) SUGGESTED TEXTS AND OTHER INSTRUCTIONAL MATERIALS;

(IV) AGE-SPECIFIC TRAINING PROGRAM GUIDELINES FOR INSTRUCTORS AND ADMINISTRATORS IN ANTI-SOCIAL GANG BEHAVIOR AND SUBSTANCE ABUSE;

(V) AN INVENTORY AND EVALUATION OF EXISTING LAW-RELATED EDUCATION PROGRAMS WHICH ARE CURRENTLY AVAILABLE IN SCHOOL DISTRICTS AND

COMMUNITIES. NEW COLLABORATIVES AND APPROACHES SHOULD BE ENCOURAGED FOLLOWING A REVIEW OF RESEARCH REGARDING PROMISING PRACTICES AND EFFECTIVE PROGRAMS;

(VI) ALLOCATION OF GRANTS TO SCHOOL DISTRICTS TO IMPLEMENT LAW-RELATED EDUCATION PROGRAMS; AND

(VII) METHODS AND PROCEDURES BY WHICH A LAW-RELATED EDUCATION PROGRAM WHICH MAY BE IMPLEMENTED BY A SCHOOL DISTRICT IS TO BE MEASURED TO DETERMINE ITS EFFECTIVENESS AGAINST THE INCIDENCE OF GANG INVOLVEMENT AND SUBSTANCE ABUSE BY THE STUDENTS OF THAT SCHOOL DISTRICT.

(b) ANY RECOMMENDATIONS MADE BY THE LAW-RELATED EDUCATION ADVISORY BOARD PURSUANT TO THIS SUBSECTION (4) SHALL BE CAREFULLY CONSIDERED BY THE STATE BOARD OF EDUCATION. THE STATE BOARD OF EDUCATION MAY REFER ANY RECOMMENDATION BACK TO THE LAW-RELATED EDUCATION ADVISORY BOARD WITH WRITTEN COMMENTS FOR FURTHER REVIEW AND DISCUSSION.

(c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 1999.

(5) (a) THE STATE BOARD SHALL PROMULGATE GUIDELINES, BASED UPON THE RECOMMENDATIONS OF THE LAW-RELATED EDUCATION ADVISORY BOARD, TO PROVIDE GRANTS TO AND TO ASSIST SCHOOL DISTRICTS IN THE IMPLEMENTATION OF EFFECTIVE, COMPREHENSIVE LAW-RELATED EDUCATION PROGRAMS ADDRESSING GANG AWARENESS AND SUBSTANCE ABUSE RESISTANCE. THE INITIAL VERSION OF SUCH GUIDELINES SHALL BE PREPARED ON OR BEFORE JULY 1, 1995. SUCH GUIDELINES SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING:

(I) SUGGESTED TOPICS FOR INSTRUCTION;

(II) SUGGESTED TEXTS AND OTHER INSTRUCTIONAL MATERIALS; AND

(III) THE NECESSARY TRAINING FOR INSTRUCTORS.

(b) THE STATE BOARD SHALL MAKE SUCH GUIDELINES AVAILABLE TO ALL SCHOOL DISTRICTS FOR USE IN IMPLEMENTING LAW-RELATED EDUCATION PROGRAMS.

(c) THE DEPARTMENT OF EDUCATION, THROUGH THE COORDINATOR AND STAFF OF THE PREVENTION INITIATIVES UNIT, SHALL BE RESPONSIBLE FOR IMPLEMENTATION, MONITORING, AND ADMINISTRATION OF THE PROGRAM AND SHALL MAINTAIN CERTIFICATIONS AND RECORDS AND ACT AS A STATEWIDE CLEARINGHOUSE FOR INFORMATION AND ASSISTANCE FOR THE SCHOOL DISTRICT LAW-RELATED EDUCATION PROGRAMS.

(6) (a) ALL SCHOOL DISTRICTS ARE ENCOURAGED TO CREATE PROGRAMS FOR THE TRAINING OF INSTRUCTORS AND ADMINISTRATORS IN GANG AWARENESS AND SUBSTANCE ABUSE RESISTANCE EDUCATION IN ORDER TO PROVIDE EFFECTIVE INSTRUCTION TO STUDENTS CONCERNING THE DANGERS OF GANG INVOLVEMENT AND SUBSTANCE ABUSE BY THE STUDENTS IN THE SCHOOL DISTRICT.

(b) UPON THE REQUEST OF SCHOOL DISTRICT OFFICIALS, THE STATE BOARD OR THE

LAW-RELATED EDUCATION ADVISORY BOARD SHALL ASSIST SCHOOL DISTRICT OFFICIALS IN THE PREPARATION OF PLANS FOR THE CREATION BY SCHOOL DISTRICTS OF TRAINING PROGRAMS FOR INSTRUCTORS AND ADMINISTRATORS IN GANG AWARENESS AND SUBSTANCE ABUSE RESISTANCE EDUCATION.

(7) (a) EACH SCHOOL DISTRICT MAY PREPARE AN ANNUAL REPORT CONCERNING THE PROGRESS OF THE SCHOOL DISTRICT IN IMPLEMENTING A LAW-RELATED EDUCATION PROGRAM. SUCH REPORT SHALL BE FILED WITH THE STATE BOARD ON OR BEFORE OCTOBER 1, 1996, AND ON OR BEFORE OCTOBER 1 OF EACH YEAR THEREAFTER.

(b) EACH ANNUAL REPORT OF A SCHOOL DISTRICT PREPARED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (7) SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, AN ANALYSIS BY SCHOOL DISTRICT OFFICIALS OF THE EFFECT OF THE LAW-RELATED EDUCATION PROGRAM ON THE INCIDENCE OF GANG INVOLVEMENT AND SUBSTANCE ABUSE BY THE STUDENTS IN THE SCHOOL DISTRICT.

**SECTION 4.** 22-25-105 (1), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-25-105. Review of local comprehensive health education programs - allocation of funds by the state board of education.** (1) Any school district or board of cooperative services which is seeking funding for a local comprehensive health education program under this article shall file an application with the department of education in such form as the department of education shall require. SUCH APPLICATION SHALL INCLUDE PROVISIONS FOR THE IMPLEMENTATION OF A LAW-RELATED EDUCATION PROGRAM FOR THE PURPOSE OF REDUCING THE INCIDENCE OF GANG INVOLVEMENT AND SUBSTANCE ABUSE BY STUDENTS THROUGH EDUCATION.

**SECTION 5.** 2-3-1203 (3) (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(I) July 1, 1999:

(V) THE LAW-RELATED EDUCATION ADVISORY BOARD, CREATED PURSUANT TO SECTION 22-25-104.5 (3), C.R.S.

**SECTION 6. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 7. 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: May 22, 1994