

CHAPTER 154

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 01-080

BY SENATOR(S) Tate, Fitz-Gerald, Gordon, Hanna, Hernandez, Linkhart, Pascoe, Phillips, Takis, Thiebaut, Tupa, and Windels; also REPRESENTATIVE(S) Lee, Bacon, Borodkin, Boyd, Chavez, Coleman, Daniel, Fairbank, Garcia, Groff, Grossman, Jahn, Mace, Madden, Marshall, Plant, Ragsdale, Saliman, Sanchez, Tapia, Veiga, Vigil, and Williams S.

AN ACT

CONCERNING THE PREVENTION OF BULLYING.

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

SECTION 1. Legislative declaration. The general assembly hereby finds, determines, and declares that bullying disrupts a school's ability to educate students and threatens public safety by creating an atmosphere in which such behavior can escalate into violence. The general assembly therefore finds that a policy to create an environment free of bullying shall be part of each school district's safe school plan.

SECTION 2. The introductory portion to 22-32-109.1 (2) and 22-32-109.1 (2) (a) (VIII) and (2) (a) (IX), Colorado Revised Statutes, are amended, and the said 22-32-109.1 (2) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

22-32-109.1. Board of education - specific powers and duties - safe schools.
(2) **Safe school plan.** In order to provide a learning environment that is safe, conducive to the learning process, and free from unnecessary disruption, following consultation with the school district accountability committee and school advisory councils, or school accountability committee, whichever is applicable, parents, teachers, administrators, students, STUDENT COUNCILS WHERE AVAILABLE, and, where appropriate, the community at large, each school district board of education shall adopt and implement a safe school plan, or review and revise, if necessary, any existing plans or policies already in effect, which shall include, but not be limited to, the following:

(a) **Conduct and discipline code.** A concisely written conduct and discipline code that shall be enforced uniformly, fairly, and consistently for all students. Copies

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

of the code shall be provided to each student upon enrollment at the elementary, middle, and high school levels and shall be posted or kept on file at each public school in the school district. The code shall include, but shall not be limited to:

(VIII) A written policy concerning searches on school grounds, including student lockers; ~~and~~

(IX) A dress code policy that defines and prohibits students from wearing apparel that is deemed disruptive to the classroom environment or to the maintenance of a safe and orderly school. The dress code policy may require students to wear a school uniform or may establish minimum standards of dress; AND

(X) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (X), A SPECIFIC POLICY CONCERNING BULLYING PREVENTION AND EDUCATION. FOR PURPOSES OF THIS SUBPARAGRAPH (X), "BULLYING" MEANS ANY WRITTEN OR VERBAL EXPRESSION, OR PHYSICAL ACT OR GESTURE, OR A PATTERN THEREOF, THAT IS INTENDED TO CAUSE DISTRESS UPON ONE OR MORE STUDENTS IN THE SCHOOL, ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, AT A DESIGNATED SCHOOL BUS STOP, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS. THE SCHOOL DISTRICT'S POLICY SHALL INCLUDE A REASONABLE BALANCE BETWEEN THE PATTERN AND THE SEVERITY OF SUCH BULLYING BEHAVIOR.

SECTION 3. 22-32-109.1 (2) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

22-32-109.1. Board of education - specific powers and duties - safe schools.

(2) **Safe school plan.** In order to provide a learning environment that is safe, conducive to the learning process, and free from unnecessary disruption, following consultation with the school district accountability committee and school advisory councils, or school accountability committee, whichever is applicable, parents, teachers, administrators, students, and, where appropriate, the community at large, each school district board of education shall adopt and implement a safe school plan, or review and revise, if necessary, any existing plans or policies already in effect, which shall include, but not be limited to, the following:

(b) **Safe school reporting requirements.** A policy whereby the principal of each public school in a school district shall submit annually, in a manner and by a date specified by rule of the state board, a written report to the board of education of such school district concerning the learning environment in the school during that school year. The board of education of the school district annually shall compile the reports from every school in the district and shall submit the compiled report to the department of education in a format specified by rule of the state board. The compiled report shall be made available to the general public. Such report shall include, but need not be limited to, the following specific information for the preceding school year:

(VIII) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (VIII), THE SCHOOL'S POLICY CONCERNING BULLYING PREVENTION AND EDUCATION, INCLUDING INFORMATION RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF ANY BULLYING PREVENTION PROGRAMS.

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 2, 2001