

CHAPTER 206

GOVERNMENT - STATE

SENATE BILL 08-001

BY SENATOR(S) Morse, Bacon, Boyd, Gibbs, Gordon, Groff, Keller, Sandoval, Schwartz, Spence, Tapia, Veiga, Wiens, and Windels;
also REPRESENTATIVE(S) Stephens, Benefield, Carroll T., Frangas, Green, Jahn, King, Labuda, Loooper, Madden, Massey, McFadyen, Merrifield, Middleton, Peniston, Romanoff, Rose, Scanlan, Solano, Stafford, and Todd.

AN ACT

CONCERNING CREATION OF A SCHOOL SAFETY RESOURCE CENTER WITHIN THE DEPARTMENT OF PUBLIC SAFETY, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Article 33.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 18
SCHOOL SAFETY RESOURCE CENTER**

24-33.5-1801. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

- (a) A SAFE AND HEALTHY LEARNING ENVIRONMENT FOR ALL STUDENTS IN COLORADO IS AN IMPORTANT PRIORITY FOR THE STATE;
- (b) RESEARCH INTO EVIDENCE-BASED PRACTICES CONTINUES TO DEMONSTRATE THAT ACADEMIC ACHIEVEMENT IMPROVES AS THE LEVEL OF SAFETY AND SECURITY IN A SCHOOL INCREASES;
- (c) STUDIES OF RECENT SCHOOL ATTACKS HAVE ESTABLISHED THAT SCHOOL VIOLENCE MAY BE PREVENTED WITH APPROPRIATE INFORMATION SHARING;
- (d) SUICIDE, WHICH REMAINS ONE OF THE LEADING CAUSES OF DEATH FOR COLORADO'S YOUTH, MAY ALSO BE PREVENTED WITH APPROPRIATE INTERVENTION;

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

(e) BOTH THE PHYSICAL AND PSYCHOLOGICAL WELL-BEING OF STUDENTS AND SCHOOL PERSONNEL IS CRITICALLY IMPORTANT; AND

(f) IMPROVING STUDENT ENGAGEMENT, INCLUDING REDUCING DROPOUT RATES AND TRUANCY LEVELS, IS AN IMPORTANT FACTOR FOR ENSURING THAT SCHOOLS ARE SAFE AND SUCCESSFUL.

(2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

(a) THE MOST APPROPRIATE WAY TO PREVENT AND PREPARE FOR ACTS OF VIOLENCE AND OTHER EMERGENCIES THAT MAY OCCUR ON SCHOOL CAMPUSES IS TO FOSTER A COOPERATIVE EFFORT BY SCHOOLS, LAW ENFORCEMENT AGENCIES, EMERGENCY RESPONDERS, BEHAVIORAL HEALTH EXPERTS, PARENTS, AND COMMUNITY MEMBERS TO IDENTIFY, GATHER, AND APPLY THE NECESSARY RESOURCES; AND

(b) EMERGENCY RESPONSE AND CRISIS MANAGEMENT MEASURES SHOULD BE IMPLEMENTED IN ALL COMMUNITIES WITHIN THE STATE TO PROTECT STUDENTS AND SCHOOL PERSONNEL.

(3) NOW, THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT:

(a) SAFE SCHOOLS ARE A MATTER OF STATEWIDE CONCERN;

(b) ALL SCHOOLS HAVE COMMON NEEDS AND GOALS TO ENSURE A SAFE ENVIRONMENT;

(c) RESOURCES ARE NEEDED TO FULLY DEVELOP SAFETY PLANS AND PRACTICES IN COLORADO'S SCHOOLS, COLLEGES, AND UNIVERSITIES; AND

(d) A SCHOOL SAFETY RESOURCE CENTER DEDICATED TO PROVIDING EVIDENCE-BASED PRACTICES AND EXPERTISE TO ALL SCHOOLS IS A COST-EFFECTIVE MEANS TO IMPROVE SCHOOL SAFETY.

24-33.5-1802. Definitions. AS USED IN THIS PART 18, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADVISORY BOARD" MEANS THE SCHOOL SAFETY RESOURCE CENTER ADVISORY BOARD CREATED IN THE DEPARTMENT PURSUANT TO SECTION 24-33.5-1804.

(2) "CENTER" MEANS THE SCHOOL SAFETY RESOURCE CENTER CREATED IN THE DEPARTMENT PURSUANT TO SECTION 24-33.5-1803.

(3) "DIRECTOR" MEANS THE DIRECTOR OF THE CENTER.

(4) "SCHOOL" MEANS AN INSTITUTION AT WHICH INSTRUCTION IS PROVIDED BY INSTRUCTORS TO STUDENTS IN ONE OR MORE BUILDINGS ON A CAMPUS. "SCHOOL" INCLUDES A SCHOOL SERVING ANY OF GRADES PRESCHOOL THROUGH TWELVE AND AN INSTITUTION OF HIGHER EDUCATION.

24-33.5-1803. School safety resource center - created - duties. (1) THERE IS HEREBY CREATED WITHIN THE DEPARTMENT THE SCHOOL SAFETY RESOURCE CENTER TO ASSIST SCHOOLS IN PREVENTING, PREPARING FOR, RESPONDING TO, AND RECOVERING FROM EMERGENCIES AND CRISIS SITUATIONS AND TO FOSTER POSITIVE LEARNING ENVIRONMENTS. THE DIRECTOR OF THE CENTER SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION.

(2) THE CENTER AND THE DIRECTOR SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF THIS TITLE.

(3) THE CENTER HAS THE FOLLOWING DUTIES:

(a) TO ASSIST SCHOOLS IN DEVELOPING AND IMPLEMENTING SAFETY AND PREPAREDNESS PLANS, INCLUDING BUT NOT LIMITED TO ANY SUCH PLANS THAT ARE REQUIRED BY STATE LAW OR APPLICABLE RULES OF ACCREDITATION;

(b) TO ASSIST SCHOOLS IN ESTABLISHING PRACTICES AND STRATEGIES FOR USE IN RESPONDING TO AN EMERGENCY OR CRISIS SITUATION;

(c) TO ASSIST SCHOOLS IN DEVELOPING AND ESTABLISHING PREVENTION AND INTERVENTION EFFORTS TO ENSURE SAFE AND SECURE LEARNING ENVIRONMENTS;

(d) TO CONDUCT REGULAR RESEARCH AND ASSESSMENT PROJECTS TO DETERMINE THE EFFICACY OF STATEWIDE AND LOCAL POLICIES AND PROGRAMMING;

(e) TO MAKE INFORMATION AND OTHER RESOURCES AVAILABLE TO ALL SCHOOLS AND SCHOOL OFFICIALS; AND

(f) TO SELECT AT LEAST ONE BUT NOT MORE THAN FIVE SCHOOL DISTRICTS OR REGIONS, WITH THE CONSENT OF THE AFFECTED SCHOOL DISTRICT BOARDS OF EDUCATION, TO SERVE AS PILOT SITES DURING THE FIRST YEAR OF THE CENTER'S OPERATION. THE CENTER SHALL EVALUATE AND DEVELOP ENHANCED SCHOOL SAFETY SERVICES TO BE PROVIDED BY THE CENTER TO THE PILOT SITES.

(4) SUBJECT TO THE PROVISIONS OF SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION, THE DIRECTOR SHALL APPOINT EMPLOYEES NECESSARY TO CONDUCT AN EFFICIENT CENTER.

24-33.5-1804. School safety resource center advisory board - created - repeal. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE SCHOOL SAFETY RESOURCE CENTER ADVISORY BOARD TO RECOMMEND POLICIES OF THE CENTER.

(2) (a) THE ADVISORY BOARD SHALL CONSIST OF NOT LESS THAN THIRTEEN MEMBERS, EACH OF WHOM SHALL BE APPOINTED TO A TERM OF TWO YEARS AS FOLLOWS:

(1) ONE MEMBER SHALL REPRESENT THE DEPARTMENT OF EDUCATION CREATED

PURSUANT TO SECTION 24-1-115 AND BE APPOINTED BY THE COMMISSIONER OF EDUCATION.

(II) ONE MEMBER SHALL BE AN INDIVIDUAL WITH PROFESSIONAL EXPERTISE IN BEHAVIORAL HEALTH TREATMENT WHO REPRESENTS AN ELEMENTARY OR SECONDARY SCHOOL OR A SCHOOL DISTRICT AND BE APPOINTED BY THE COMMISSIONER OF EDUCATION.

(III) ONE MEMBER SHALL BE A SCHOOL ADMINISTRATOR AND BE APPOINTED BY THE COMMISSIONER IN CONSULTATION WITH A STATEWIDE ASSOCIATION OF SCHOOL EXECUTIVES.

(IV) ONE MEMBER SHALL REPRESENT STATE UNIVERSITIES AND COLLEGES AND BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION APPOINTED PURSUANT TO SECTION 24-1-114.

(V) ONE MEMBER SHALL REPRESENT COMMUNITY COLLEGES AND JUNIOR COLLEGES AND BE APPOINTED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION CREATED PURSUANT TO SECTION 23-60-104, C.R.S.

(VI) ONE MEMBER SHALL BE A MEMBER OF A PARENTS' ORGANIZATION AND BE APPOINTED BY THE GOVERNOR.

(VII) ONE MEMBER SHALL BE A DISTRICT ATTORNEY AND BE APPOINTED BY THE GOVERNOR.

(VIII) ONE MEMBER SHALL REPRESENT THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF HUMAN SERVICES CREATED PURSUANT TO SECTION 26-1-105, C.R.S., AND BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES.

(IX) ONE MEMBER SHALL REPRESENT THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED PURSUANT TO SECTION 25-1-102, C.R.S., AND BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(X) ONE MEMBER SHALL REPRESENT THE COLORADO DEPARTMENT OF LAW CREATED PURSUANT TO SECTION 24-1-113 AND BE APPOINTED BY THE ATTORNEY GENERAL.

(XI) ONE MEMBER SHALL REPRESENT THE DEPARTMENT AND BE APPOINTED BY THE EXECUTIVE DIRECTOR.

(XII) ONE MEMBER SHALL BE AN INDIVIDUAL WITH PROFESSIONAL EXPERTISE IN SCHOOL SECURITY AND BE APPOINTED BY THE EXECUTIVE DIRECTOR.

(XIII) ONE MEMBER SHALL BE A LAW ENFORCEMENT PROFESSIONAL AND BE APPOINTED BY THE EXECUTIVE DIRECTOR.

(b) THE APPOINTING AUTHORITY OF EACH MEMBER OF THE ADVISORY BOARD SHALL APPOINT THE MEMBER ON OR BEFORE OCTOBER 1, 2008, AND REAPPOINT THE

MEMBER OR APPOINT A NEW MEMBER NO LATER THAN ONE MONTH BEFORE THE EXPIRATION OF THE MEMBER'S TERM.

(c) ADDITIONAL ADVISORY BOARD MEMBERS MAY BE ADDED TO THE ADVISORY BOARD AS NECESSARY SUBJECT TO:

(I) THE APPROVAL OF THE EXECUTIVE DIRECTOR; AND

(II) A MAJORITY VOTE OF APPROVAL BY THE EXISTING ADVISORY BOARD MEMBERS.

(3) IF ANY MEMBER OF THE ADVISORY BOARD VACATES HIS OR HER OFFICE DURING THE TERM FOR WHICH APPOINTED TO THE ADVISORY BOARD, THE VACANCY SHALL BE FILLED BY APPOINTMENT BY THE EXECUTIVE DIRECTOR FOR THE UNEXPIRED TERM.

(4) THE ADVISORY BOARD SHALL ANNUALLY ELECT FROM ITS MEMBERS A CHAIRPERSON AND A SECRETARY.

(5) THE ADVISORY BOARD SHALL MEET AS DETERMINED NECESSARY BY THE DIRECTOR. THE MEMBERS OF THE ADVISORY BOARD SHALL RECEIVE NO COMPENSATION BUT SHALL BE REIMBURSED BY THE DEPARTMENT FOR NECESSARY TRAVEL AND OTHER EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

(6) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

(b) PRIOR TO SAID REPEAL, THE ADVISORY BOARD APPOINTED PURSUANT TO THIS SECTION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

24-33.5-1805. Authorization to contract for services. THE DEPARTMENT IS AUTHORIZED TO CONTRACT FOR SERVICES WITH ANY STATE, COUNTY, LOCAL, MUNICIPAL, OR PRIVATE AGENCY TO IMPLEMENT THE PROVISIONS OF THIS PART 18 AND FULFILL THE DUTIES OF THE CENTER, WHICH DUTIES ARE DESCRIBED IN SECTION 24-33.5-1803 (3).

24-33.5-1806. Evaluation - report. (1) ON OR BEFORE JANUARY 1, 2010, THE DIRECTOR SHALL PREPARE AND SUBMIT TO THE EXECUTIVE DIRECTOR A REPORT EVALUATING THE EFFICACY AND VALUE OF THE SERVICES PROVIDED BY THE CENTER TO SCHOOLS.

(2) ON OR BEFORE JANUARY 15, 2010, THE EXECUTIVE DIRECTOR SHALL PREPARE AND SUBMIT TO THE EDUCATION AND JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT EVALUATING THE EFFICACY AND VALUE OF THE SERVICES PROVIDED BY THE CENTER TO SCHOOLS.

SECTION 2. 2-3-1203 (3) (dd), Colorado Revised Statutes, 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:

(dd) July 1, 2017:

(XI) THE SCHOOL SAFETY RESOURCE CENTER ADVISORY BOARD CREATED PURSUANT TO SECTION 24-33.5-1804, C.R.S.

SECTION 3. Appropriation - adjustments to the 2008 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2008, the sum of four hundred sixty-six thousand three hundred thirty-six dollars (\$466,336) and 6.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) For the implementation of this act, the general fund appropriation to the controlled maintenance trust fund made in section 23 of the annual general appropriation act, for the fiscal year beginning July 1, 2008, shall be decreased by four hundred sixty-six thousand three hundred thirty-six dollars (\$466,336).

SECTION 4. 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 13, 2008