

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 22-0867.01 Jane Ritter x4342

**HOUSE BILL 22-1376**

**HOUSE SPONSORSHIP**

**Herod and Young**, Amabile, Bernett, Boesenecker, Cutter, Duran, Esgar, Exum, Froelich, Hooton, Jodeh, Kipp, Lindsay, Lontine, McCluskie, McLachlan, Michaelson Jenet, Sirota, Titone, Valdez D.

**SENATE SPONSORSHIP**

**Priola and Winter**,

**House Committees**

Education  
Appropriations

**Senate Committees**

**A BILL FOR AN ACT**

101 **CONCERNING SUPPORTIVE LEARNING ENVIRONMENTS FOR K-12**  
102 **STUDENTS, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **APPROPRIATION.**

**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>.)*

The bill requires the department of education (department) to compile data and create reports based on information received from school districts and charter schools (schools) related to chronic absenteeism rates, the number of in-school and out-of-school suspensions, the number of expulsions, the number of students handcuffed or

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

HOUSE  
3rd Reading Unamended  
May 2, 2022

HOUSE  
Amended 2nd Reading  
April 29, 2022

restrained, the number of referrals to law enforcement, and the number of school-related arrests. The department shall annually update and post such data and reports on its website.

The department shall create easily accessible and user-friendly school district profiles relating to school climate, including school climate surveys.

Restrictions concerning the use of restraints on students are increased, including providing, creating, and implementing training for school staff and school security staff on the use of restraints and adding restrictions to the use of restraints on students.

The department is required to develop a policy for hiring, training, and evaluating school resource officers.

For the state fiscal year 2022-23, the bill requires an additional appropriation of \$2 million to the department to continue the expelled and at-risk student services program for the purpose of providing services and supports to develop effective attendance and discipline systems, to address educational inequities and disproportionate discipline practices, and to offer staff training and technical assistance to ensure the culturally responsive implementation of services and supports.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-134 and  
3 22-1-135 as follows:

4 **22-1-134. Information collected and posted on department**  
5 **website.** ON OR BEFORE AUGUST 31, 2023, THE DEPARTMENT OF  
6 EDUCATION SHALL STANDARDIZE THE REPORTING METHOD THAT SCHOOL  
7 DISTRICTS, INCLUDING CHARTER SCHOOLS OF A SCHOOL DISTRICT AND  
8 INSTITUTE CHARTER SCHOOLS, USE TO COLLECT AND REPORT DATA  
9 CONCERNING SUSPENSIONS AND EXPULSIONS, ARRESTS AND REFERRALS,  
10 CHRONIC ABSENTEEISM, INCIDENTS OF VIOLENCE, AND HARASSMENT AND  
11 BULLYING, AND THE SAFE SCHOOL REPORTING REQUIREMENTS SET FORTH  
12 IN SECTION 22-32-109.1. IN MAKING ITS DETERMINATION REGARDING THE  
13 STANDARDIZATION, THE DEPARTMENT OF EDUCATION SHALL CONSULT  
14 WITH SCHOOL DISTRICTS AND SCHOOL ADMINISTRATORS, SCHOOL BOARD

1 MEMBERS, TEACHERS, LAW ENFORCEMENT REPRESENTATIVES, SCHOOL  
2 RESOURCE OFFICERS, K-12 ADVOCATES, AND OTHER RELEVANT  
3 STAKEHOLDERS. IN MAKING ITS DETERMINATION, THE DEPARTMENT OF  
4 EDUCATION SHALL ENSURE ALL STUDENT-LEVEL DATA IS KEPT  
5 CONFIDENTIAL AND REPORTING COMPLIES WITH THE FEDERAL "FAMILY  
6 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g  
7 AND THE "STUDENT DATA TRANSPARENCY AND SECURITY ACT", CREATED  
8 PURSUANT TO ARTICLE 16 OF THIS TITLE 22. AS PART OF THE PROCESS, THE  
9 DEPARTMENT OF EDUCATION MAY CONSIDER WHETHER TO ADOPT NEW  
10 REPORTING CATEGORIES OR REQUIRE ADDITIONAL OR DIFFERENT DATA TO  
11 BE COLLECTED TO IMPROVE ACCURACY, CONSISTENCY, AND QUALITY OF  
12 DATA.

13 **22-1-135. Accessible district profile reports - school climate**  
14 **reports and surveys - reporting - definition.** (1) (a) ON OR BEFORE  
15 AUGUST 31, 2024, THE DEPARTMENT OF EDUCATION SHALL WORK TO  
16 DEVELOPEASILY ACCESSIBLE, USER-FRIENDLY PROFILE REPORTS FOR EACH  
17 SCHOOL DISTRICT AND THE CHARTER SCHOOL INSTITUTE. THE REPORTS  
18 MUST BE MADE EASILY ACCESSIBLE TO THE GENERAL PUBLIC THROUGH A  
19 LINK ON THE DEPARTMENT OF EDUCATION'S WEBSITE; UPDATED  
20 ANNUALLY; AND DISAGGREGATED BY GENDER, GRADE LEVEL, ETHNICITY,  
21 DISABILITY, ENGLISH LANGUAGE LEARNER STATUS, FREE AND  
22 REDUCED-PRICE LUNCH STATUS, AND HOMELESS STATUS TO THE MAXIMUM  
23 EXTENT POSSIBLE IN COMPLIANCE WITH THE FEDERAL "FAMILY  
24 EDUCATIONAL RIGHTS AND PRIVACY RIGHTS ACT OF 1974", 20 U.S.C.  
25 SEC. 1232g AND THE "STUDENT DATA TRANSPARENCY AND SECURITY  
26 ACT" CREATED PURSUANT TO ARTICLE 16 OF THIS TITLE 22. TO PREPARE  
27 THE PROFILE REPORTS, THE DEPARTMENT OF EDUCATION SHALL COLLECT

1 THE INDIVIDUAL STUDENT DATA DESCRIBED IN SUBSECTION (1)(b) OF THIS  
2 SECTION. THE DEPARTMENT OF EDUCATION SHALL MAINTAIN STRICT  
3 STANDARDS FOR STUDENT DATA PRIVACY, COMPLY WITH STANDARDS FOR  
4 REPORTING DATA FOR A STUDENT WITH AN ACCOMMODATION PURSUANT  
5 TO SECTION 504 OF THE FEDERAL "REHABILITATION ACT OF 1973", 29  
6 U.S.C. SEC. 701 ET SEQ., AS AMENDED, AND ITS IMPLEMENTING  
7 REGULATIONS, OR A STUDENT WITH AN INDIVIDUALIZED EDUCATION PLAN,  
8 AND SHALL NOT PUBLICLY REPORT INDIVIDUAL STUDENT DATA AS PART OF  
9 THE DISTRICT PROFILE REPORTS.

10 (b) THE PROFILE REPORTS MUST INCLUDE, BUT ARE NOT LIMITED  
11 TO:

12 (I) CHRONIC ABSENTEEISM RATES;

13 (II) THE NUMBER OF IN-SCHOOL AND OUT-OF-SCHOOL  
14 SUSPENSIONS;

15 (III) THE NUMBER OF EXPULSIONS;

16 (IV) THE NUMBER OF STUDENTS HANDCUFFED;

17 (V) THE NUMBER OF REFERRALS TO LAW ENFORCEMENT. AS USED  
18 IN THIS SECTION, "REFERRALS TO LAW ENFORCEMENT" MEANS WHEN A  
19 SCHOOL EMPLOYEE PROACTIVELY CALLS, SUMMONS, OR REQUESTS A LAW  
20 ENFORCEMENT OFFICIAL, INCLUDING A SCHOOL RESOURCE OFFICER, TO:

21 (A) RESPOND TO AN INCIDENT ON SCHOOL GROUNDS INVOLVING  
22 A POSSIBLE VIOLATION OF LOCAL, STATE, OR FEDERAL LAW;

23 (B) ENGAGE WITH A STUDENT OR THIRD PARTY ON SCHOOL  
24 GROUNDS WHO IS CREATING A POTENTIALLY DANGEROUS SITUATION; OR

25 (C) ENFORCE A LOCAL, STATE, OR FEDERAL RULE, REGULATION, OR  
26 LAW ON SCHOOL GROUNDS, IN A SCHOOL VEHICLE, OR AT A SCHOOL  
27 ACTIVITY OR SCHOOL-SANCTIONED EVENT;

1 (VI) THE NUMBER OF SCHOOL-RELATED ARRESTS, INCLUDING AN  
2 ARREST THAT OCCURS ON SCHOOL GROUNDS, IN A SCHOOL VEHICLE, OR AT  
3 A SCHOOL ACTIVITY OR SCHOOL-SANCTIONED EVENT;

4 (VII) THE NUMBER OF STUDENTS PHYSICALLY RESTRAINED; AND

5 (VIII) THE NUMBER OF STUDENTS PLACED IN SECLUSION.

6 (2) (a) THE DISTRICT PROFILES MUST INCLUDE DATA COLLECTED  
7 PURSUANT TO SECTION 22-2-112 (1)(u)(I) AND ANY OTHER EXISTING  
8 DISTRICT-LEVEL MEASURES THAT THE DEPARTMENT OF EDUCATION  
9 DETERMINES RELEVANT AND RELATED TO SCHOOL CLIMATE. IN  
10 DEVELOPING THE PROFILES, THE DEPARTMENT OF EDUCATION SHALL  
11 CONSULT WITH STAKEHOLDERS, INCLUDING MEMBERS OF THE STATE  
12 ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION, CREATED  
13 IN SECTION 22-7-303; MEMBERS OF THE COLORADO SPECIAL EDUCATION  
14 ADVISORY COMMITTEE APPOINTED PURSUANT TO SECTION 22-20-104  
15 (2)(a); AND STAKEHOLDERS WHO REPRESENT THE DISABILITY COMMUNITY;  
16 K-12 ADVOCATES AND STUDENTS; AND REPRESENTATIVES OF  
17 ASSOCIATIONS REPRESENTING SCHOOL EXECUTIVES, SCHOOL BOARDS,  
18 SPECIAL EDUCATION DIRECTORS, CHARTER SCHOOLS, AND TEACHERS.

19 (b) THE DEPARTMENT OF EDUCATION MAY CONSULT WITH STATE  
20 AND NATIONAL ORGANIZATIONS OR OTHER STATES WITH EXPERTISE IN  
21 MEASURING AND IMPROVING STUDENTS' EXPERIENCE AT SCHOOL. BY  
22 DECEMBER 31, 2023, THE DEPARTMENT OF EDUCATION MAY MAKE  
23 RECOMMENDATIONS TO THE STATE BOARD OF EDUCATION AND THE  
24 GENERAL ASSEMBLY FOR ADDITIONAL INDICATORS TO CONSIDER FOR  
25 INCLUSION IN THE DISTRICT PROFILE REPORT, INCLUDING, BUT NOT LIMITED  
26 TO, MEASURES OF STUDENT ENGAGEMENT, STUDENTS' EMOTIONAL AND  
27 PHYSICAL SAFETY AND SENSE OF BELONGING, AND TEACHERS'

1 PERSPECTIVES OF LEARNING CONDITIONS. RECOMMENDATIONS MAY ALSO  
2 LEVERAGE INFORMATION LEARNED FROM PILOT AND GRANT PROGRAMS  
3 RELATED TO IMPROVING STUDENTS' EXPERIENCES IN SCHOOL.

4 (3) BEGINNING IN THE 2023-24 SCHOOL YEAR, THE DEPARTMENT  
5 OF EDUCATION SHALL ANNUALLY COLLECT INFORMATION CONCERNING  
6 SCHOOL CLIMATE SURVEYS ADMINISTERED TO STUDENTS OR FAMILIES, OR  
7 SCHOOL CLIMATE TOOLS UTILIZED BY SCHOOLS AND SCHOOL DISTRICTS,  
8 INCLUDING WHICH SURVEY OR TOOL IS USED, IF ANY, AND HOW THE  
9 RESULTS OF SUCH SURVEYS ARE MADE PUBLICLY ACCESSIBLE, IF AT ALL.  
10 THE DEPARTMENT OF EDUCATION SHALL INCLUDE THIS INFORMATION IN  
11 THE DISTRICT PROFILE REPORTS.

12 **SECTION 2.** In Colorado Revised Statutes, 22-2-112, **amend**  
13 (1)(u)(I) as follows:

14 **22-2-112. Commissioner - duties - report - legislative**  
15 **declaration - repeal.** (1) Subject to the supervision of the state board,  
16 the commissioner has the following duties:

17 (u) (I) To prepare an annual report on the number of pupils  
18 enrolled in public schools in the state based on the pupil enrollments  
19 reported to the state board pursuant to section 22-54-112 (2)(a) for the  
20 applicable school year, and the number of SCHOOL COUNSELORS, SCHOOL  
21 SOCIAL WORKERS, SCHOOL NURSES, AND school psychologists in the state,  
22 ~~who are~~ licensed by the department pursuant to part 2 of article 60.5 of  
23 this title 22, and employed by a school district, board of cooperative  
24 services, ~~or~~ charter school, OR ENTITY THAT CONTRACTS WITH ANY OF THE  
25 ABOVE who are reported as full-time equivalent OR PART-TIME employees.  
26 The report must state the number of pupils and licensed and employed  
27 school psychologists, SCHOOL COUNSELORS, SCHOOL SOCIAL WORKERS,

1 AND SCHOOL NURSES in total for the state and disaggregated by school  
2 district, board of cooperative services, and the state charter school  
3 institute.

4 **SECTION 3.** In Colorado Revised Statutes, 22-2-503, **amend** (1)  
5 introductory portion, (1)(b), (1)(c), (2)(e), and (2)(f); and **add** (1)(d) and  
6 (2)(g) as follows:

7 **22-2-503. Teaching and learning conditions survey.** (1) Subject  
8 to available appropriations, the department shall administer a biennial  
9 teaching and learning conditions survey, referred to in this section as the  
10 "survey", to all preschool teachers, elementary teachers, secondary  
11 teachers, and education support professionals in public schools of the  
12 state. The survey ~~shall~~ **MUST** be designed to assess, at a minimum:

13 (b) The correlation, if any, between teaching and learning  
14 conditions and teacher retention; ~~and~~

15 (c) The relationship, if any, between teaching and learning  
16 conditions and school administration; AND

17 (d) THE RELATIONSHIP, IF ANY, BETWEEN TEACHING AND  
18 LEARNING CONDITIONS AND MEASURES OF SCHOOL CLIMATE, AS  
19 EXPERIENCED BY STUDENTS AND TEACHERS.

20 (2) The survey results may be used by schools, school districts, the  
21 department, state policymakers, and researchers as a resource for:

22 (e) State education reform initiatives concerning achievement  
23 gaps, teacher gaps, dropout rates, and graduation rates; ~~and~~

24 (f) Other analyses to inform school improvement efforts; AND

25 (g) IMPROVING WAYS TO MEASURE AND IMPROVE SCHOOL CLIMATE  
26 AND TEACHING AND LEARNING ENVIRONMENTS.

27 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-528, **amend**

1 (2), (3)(a), and (3)(b) introductory portion; and **add** (3)(d), (3)(e), and (5)  
2 as follows:

3 **22-30.5-528. Institute charter schools - use of restraints on**  
4 **students - certain restraints prohibited - reports and review process**  
5 **- complaints and investigations - rules - definitions.** (2) Pursuant to  
6 ~~section 26-20-111, the use of a chemical, mechanical, or prone restraint~~  
7 ~~upon a student in an institute charter school is prohibited~~ THE  
8 "PROTECTION OF INDIVIDUALS FROM RESTRAINT AND SECLUSION ACT",  
9 SECTIONS 26-20-101 TO 26-20-111, SETS FORTH THE KEY DEFINITIONS AND  
10 PROHIBITIONS ON THE USE OF RESTRAINTS, INCLUDING THE USE OF  
11 RESTRAINTS ON STUDENTS, DESCRIBED IN SECTION 26-20-111.

12 (3) (a) On and after August 9, 2017, each ~~school district~~  
13 INSTITUTE CHARTER SCHOOL shall require any school employee or  
14 volunteer who uses any type of restraint on a student of the INSTITUTE  
15 CHARTER school ~~district~~ to submit a written report of the incident to the  
16 INSTITUTE CHARTER SCHOOL'S administration ~~of the school~~ not later than  
17 one school day after the incident occurred.

18 (b) On and after August 9, 2017, each INSTITUTE CHARTER school  
19 ~~district~~ shall establish a review process, conduct the review process at  
20 least annually, and document the results of each review process in  
21 writing. Each annual review process must include a review of each  
22 incident in which restraint was used on a student during the preceding  
23 year. The purpose of each annual review process is to ensure that the  
24 INSTITUTE CHARTER school ~~district~~ is properly administering restraint,  
25 identifying additional training needs, minimizing and preventing the use  
26 of restraint by increasing the use of positive behavior interventions, and  
27 reducing the incidence of injury to students and staff. Each annual review



1 process must include but is not limited to:

2 (d) THE DEPARTMENT OF EDUCATION HAS ENFORCEMENT  
3 AUTHORITY OVER THE RESTRAINT INVESTIGATION DECISIONS. THIS  
4 ENFORCEMENT AUTHORITY MUST FOLLOW THE SAME PROCEDURES  
5 OUTLINED FOR STATE COMPLAINTS UNDER THE FEDERAL "INDIVIDUALS  
6 WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS  
7 AMENDED, AND THE DEPARTMENT'S STATE-LEVEL COMPLAINT  
8 PROCEDURES.

9 (e) NO LATER THAN JUNE 30, 2023, AND EVERY JUNE 30  
10 THEREAFTER, EACH INSTITUTE CHARTER SCHOOL SHALL SUBMIT THE DATA  
11 FROM THE ANNUAL REVIEW CONDUCTED PURSUANT TO SUBSECTION (3)(b)  
12 OF THIS SECTION TO THE DEPARTMENT OF EDUCATION PURSUANT TO  
13 SECTION 22-1-134.

14 (5) THE DEPARTMENT OF EDUCATION SHALL CREATE AND  
15 IMPLEMENT RIGOROUS STANDARDS FOR TRAINING SCHOOL STAFF AND  
16 ADMINISTRATORS ON THE "PROTECTION OF INDIVIDUALS FROM RESTRAINT  
17 AND SECLUSION ACT", SECTIONS 26-20-101 TO 26-20-111.

18 **SECTION 5.** In Colorado Revised Statutes, 22-32-109.1, **amend**  
19 (2) introductory portion, (2)(b) introductory portion, (2)(b)(IV)(E), and  
20 (2)(b)(IV)(K); and **add** (1)(g.3) and (2)(b.5) as follows:

21 **22-32-109.1. Board of education - specific powers and duties**  
22 **- safe school plan - conduct and discipline code - safe school reporting**  
23 **requirements - school response framework - school resource officers**  
24 **- definitions. (1) Definitions.** As used in this section, unless the context  
25 otherwise requires:

26 (g.3) "SCHOOL" MEANS A PUBLIC SCHOOL OF A SCHOOL DISTRICT,  
27 A CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL.

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

16           (b) **Safe school reporting requirements.** A policy whereby the  
17 principal of each public school in a school district is required to submit  
18 annually in a manner and by a date specified by rule of the state board,  
19 AND IN ACCORDANCE WITH STANDARDIZED METHODS AND ANY REVISED  
20 REPORTING CATEGORIES IDENTIFIED AND ADOPTED THROUGH THE  
21 STAKEHOLDER PROCESS SET FORTH IN SECTION 22-1-134, a written report  
22 to the board of education of the school district concerning the learning  
23 environment in the school during that school year. The board of education  
24 of the school district shall annually compile the reports from every school  
25 in the district and submit the compiled report to the department of  
26 education in a format specified by rule of the state board. The compiled  
27 report must be easily accessible by the general public through a link on

1 the department of education's website home page. The report must  
2 include, but need not be limited to, the following specific information for  
3 the preceding school year, INCLUDING ANY DISCIPLINARY INCIDENT  
4 SPECIFIED IN SUBSECTION (2)(b)(IV)(E) OR (2)(b)(IV)(K) OF THIS SECTION  
5 THAT REQUIRES ADDITIONAL REPORTING ON THE INCIDENT:

6 (IV) The number of conduct and discipline code violations. Each  
7 violation must be reported only in the most serious category that is  
8 applicable to that violation, including but not limited to specific  
9 information identifying the number of, and the action taken with respect  
10 to, each of the following types of violations:



11 (E) Being willfully disobedient or openly and persistently defiant  
12 or repeatedly interfering with the school's ability to provide educational  
13 opportunities to, and a safe environment for, other students. IN ADDITION  
14 TO PROVIDING INFORMATION ON SUCH DISCIPLINARY INCIDENTS IN THE  
15 COMPILED REPORT REQUIRED BY THIS SUBSECTION (2)(b), THE REPORT  
16 FILING MUST INCLUDE ANY ADDITIONAL INFORMATION DEEMED  
17 NECESSARY BY THE DEPARTMENT OF EDUCATION PURSUANT TO THE  
18 PROCESS REQUIRED PURSUANT TO SECTION 22-1-134. INFORMATION  
19 INCLUDED IN REPORTING FOR INCIDENTS CURRENTLY CATEGORIZED AS  
20 DISOBEDIENCE OR DEFIANCE MAY INCLUDE, BUT IS NOT LIMITED TO  
21 SCHOOL AND DISTRICT CODE; LOCATION OF INCIDENTS; DESCRIPTION OF  
22 THE BEHAVIORS THAT CONSTITUTED THE VIOLATIONS; INTERVENTIONS OR  
23 DE-ESCALATION STRATEGIES ATTEMPTED LEADING UP TO THE INCIDENT;  
24 AND DESCRIPTIVE INFORMATION OF THE STUDENT OR STUDENTS INVOLVED  
25 IN THE INCIDENTS, INCLUDING, BUT NOT LIMITED TO, GENDER, GRADE  
26 LEVEL, ETHNICITY, RACE, AND WHETHER THE STUDENT HAS FEDERAL  
27 SECTION 504 ACCOMMODATIONS OR AN INDIVIDUALIZED EDUCATION PLAN.

1 INFORMATION ON THE REPORT MUST BE SUBMITTED IN ACCORDANCE WITH  
2 THE DEPARTMENT OF EDUCATION'S DATA PRIVACY AND REPORTING  
3 REQUIREMENTS.

4 (K) Other violations of the code of conduct and discipline that  
5 resulted in documentation of the conduct in a student's record. IN  
6 ADDITION TO PROVIDING INFORMATION ON SUCH DISCIPLINARY INCIDENTS  
7 IN THE COMPILED REPORT REQUIRED BY THIS SUBSECTION (2)(b), THE  
8 REPORT FILING MUST INCLUDE ANY ADDITIONAL INFORMATION DEEMED  
9 NECESSARY BY THE DEPARTMENT OF EDUCATION PURSUANT TO THE  
10 PROCESS REQUIRED PURSUANT TO SECTION 22-1-134. INFORMATION  
11 INCLUDED IN REPORTING FOR INCIDENTS CURRENTLY CATEGORIZED AS  
12 DISOBEDIENCE OR DEFIANCE MAY INCLUDE, BUT IS NOT LIMITED TO  
13 SCHOOL AND DISTRICT CODE; LOCATION OF THE INCIDENTS; DESCRIPTION  
14 OF THE BEHAVIORS THAT CONSTITUTED THE VIOLATIONS; INTERVENTIONS  
15 OR DE-ESCALATION STRATEGIES ATTEMPTED LEADING UP TO THE  
16 INCIDENTS; AND DESCRIPTIVE INFORMATION OF THE STUDENT OR  
17 STUDENTS INVOLVED IN THE INCIDENTS, INCLUDING, BUT NOT LIMITED TO,  
18 GENDER, GRADE LEVEL, ETHNICITY, RACE, AND WHETHER THE STUDENT  
19 HAS FEDERAL SECTION 504 ACCOMMODATIONS OR AN INDIVIDUALIZED  
20 EDUCATION PLAN. INFORMATION ON THE REPORT MUST BE SUBMITTED IN  
21 ACCORDANCE WITH THE DEPARTMENT OF EDUCATION'S DATA PRIVACY  
22 AND REPORTING REQUIREMENTS.

23 (b.5) IN ADDITION TO THE ITEMS SPECIFIED IN SUBSECTION (2)(b)  
24 OF THIS SECTION, EACH SCHOOL DISTRICT BOARD OF EDUCATION OR  
25 INSTITUTE CHARTER SCHOOL BOARD FOR A CHARTER SCHOOL AUTHORIZED  
26 BY THE CHARTER SCHOOL INSTITUTE SHALL ANNUALLY REVIEW AND  
27 SUBMIT DATA TO THE DEPARTMENT OF EDUCATION CONCERNING THE

1 NUMBER AND TYPES OF DISCIPLINARY INCIDENTS AND THE DISCIPLINARY  
2 ACTIONS TAKEN IN RESPONSE TO SUCH INCIDENTS. THE DEPARTMENT OF  
3 EDUCATION SHALL COLLECT THE DATA DESCRIBED IN SUBSECTION  
4 (2)(b)(IV) OF THIS SECTION AT THE INDIVIDUAL STUDENT LEVEL AND  
5 REPORT DISAGGREGATED STUDENT DATA ON THE TYPE OF DISCIPLINARY  
6 INCIDENTS AND ACTION TAKEN. SUCH STUDENT DATA MUST BE  
7 DISAGGREGATED BY GENDER, GRADE LEVEL, RACE, ETHNICITY,  
8 DISABILITY, WHETHER THE STUDENT HAS FEDERAL SECTION 504  
9 ACCOMMODATIONS OR AN INDIVIDUALIZED EDUCATION PLAN, ENGLISH  
10 LANGUAGE LEARNER STATUS, FREE AND REDUCED-PRICE LUNCH STATUS,  
11 AND HOMELESS STATUS, TO THE MAXIMUM EXTENT POSSIBLE IN  
12 COMPLIANCE WITH THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND  
13 PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g AND THE "STUDENT DATA  
14 TRANSPARENCY AND SECURITY ACT", CREATED IN ARTICLE 16 OF THIS  
15 TITLE 22. THE DEPARTMENT OF EDUCATION SHALL NOT REPORT  
16 INDIVIDUAL STUDENT DATA IN MEETING THE REQUIREMENTS OF THIS  
17 SUBSECTION (2) AND SHALL ENSURE COMPLIANCE WITH STANDARDS FOR  
18 REPORTING DATA FOR A STUDENT WITH A FEDERAL SECTION 504  
19 ACCOMMODATION OR AN INDIVIDUALIZED EDUCATION PLAN.

20    
21 **SECTION 6.** In Colorado Revised Statutes, 22-32-147, **add**  
22 (3)(d), (5), and (6) as follows:

23 **22-32-147. Use of restraints on students - certain restraints**  
24 **prohibited - reports and review process - rules - definitions.**

25 (3) (d) NO LATER THAN JUNE 30, 2023, AND EVERY JUNE 30 THEREAFTER,  
26 EACH SCHOOL DISTRICT SHALL SUBMIT THE DATA FROM THE ANNUAL  
27 REVIEW CONDUCTED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION TO

1 THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-1-134.

2 (5) THE DEPARTMENT OF EDUCATION SHALL MAKE TRAINING  
3 AVAILABLE ON THE "PROTECTION OF INDIVIDUALS FROM RESTRAINT AND  
4 SECLUSION ACT", SECTIONS 26-20-101 TO 26-20-111, AND ON THE  
5 DEPARTMENT OF EDUCATION'S CORRESPONDING RULES FOR  
6 ADMINISTRATION OF SUCH ACT TO INDIVIDUALS CERTIFIED IN THE USE OF  
7 RESTRAINT.

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

15 **SECTION 7.** In Colorado Revised Statutes, 22-33-205, **amend**  
16 (4) introductory portion; and **add** (3.5) as follows:

17 **22-33-205. Services for expelled and at-risk students - grants**  
18 **- criteria - rules - funding.** (3.5) (a) FOR THE STATE FISCAL YEAR  
19 2022-23, THE GENERAL ASSEMBLY SHALL APPROPRIATE AN ADDITIONAL  
20 FIVE HUNDRED THOUSAND DOLLARS TO THE GRANT PROGRAM. UP TO FIVE  
21 HUNDRED THOUSAND DOLLARS OF ANY INCREASE IN APPROPRIATION FOR  
22 THE PROGRAM FOR THE 2022-23 STATE FISCAL YEAR MAY BE GRANTED TO  
23 APPLICANTS THAT PROVIDE SERVICES AND SUPPORT TO DEVELOP  
24 EFFECTIVE ATTENDANCE AND DISCIPLINE SYSTEMS; ADDRESS  
25 EDUCATIONAL INEQUITIES AND DISPROPORTIONATE DISCIPLINE PRACTICES;  
26 AND OFFER STAFF TRAINING AND TECHNICAL ASSISTANCE TO ENSURE THE  
27 CULTURALLY RESPONSIVE IMPLEMENTATION OF SERVICES, SUPPORTS, AND

1 PROGRAMMING. THE SERVICES AND SUPPORTS MUST INCLUDE, BUT NEED  
2 NOT BE LIMITED TO, EQUITY, DIVERSITY, AND INCLUSION TRAINING FOR  
3 STAFF; POSITIVE BEHAVIOR INTERVENTION MODELS; AND RESTORATIVE  
4 JUSTICE PRACTICES AS DESCRIBED IN SECTION 22-32-144.

5 (b) THE DEPARTMENT OF EDUCATION IS AUTHORIZED TO RETAIN UP  
6 TO FIVE PERCENT OF ANY MONEY APPROPRIATED FOR THE PROGRAM FOR  
7 THE PURPOSE OF ANNUALLY ADMINISTERING, MAINTAINING, AND  
8 EVALUATING THE PROGRAM. THE DEPARTMENT OF EDUCATION IS  
9 AUTHORIZED AND ENCOURAGED TO USE UP TO TWO PERCENT OF THE FIVE  
10 PERCENT RETAINED PURSUANT TO THIS SUBSECTION (3.5)(b) FOR THE  
11 PURPOSE OF PARTNERING WITH ORGANIZATIONS OR AGENCIES THAT  
12 PROVIDE SERVICES AND SUPPORTS THAT ARE DESIGNED TO REDUCE THE  
13 NUMBER OF TRUANCY CASES REQUIRING COURT INVOLVEMENT AND THAT  
14 ALSO REFLECT THE BEST INTERESTS OF STUDENTS AND FAMILIES.

15 ~~(4) The department of education is authorized to retain up to one~~  
16 ~~percent of any money appropriated for the program for the purpose of~~  
17 ~~annually evaluating the program. The department of education is~~  
18 ~~authorized and encouraged to retain up to an additional two percent of~~  
19 ~~any money appropriated for the program for the purpose of partnering~~  
20 ~~with organizations or agencies that provide services and supports that are~~  
21 ~~designed to reduce the number of truancy cases requiring court~~  
22 ~~involvement and that also reflect the best interests of students and~~  
23 ~~families. Notwithstanding section 24-1-136 (11)(a)(I), on or before~~  
24 ~~January 1, 2006, and on or before January 1 each year thereafter, the~~  
25 ~~department of education shall report to the education committees of the~~  
26 ~~house of representatives and the senate, or any successor committees, the~~  
27 ~~evaluation findings on the outcomes and the effectiveness of the program~~

1 related to school attendance, attachment, and achievement. At a  
2 minimum, the report must include:

3 **SECTION 8.** In Colorado Revised Statutes, 24-31-312, **add** (7)  
4 as follows:

5 **24-31-312. School resource officer training.** (7) THE P.O.S.T.  
6 BOARD, WITH RESPECT TO THE HIRING, TRAINING, AND EVALUATION OF  
7 SCHOOL RESOURCE OFFICERS AND PROFESSIONALIZING A SCHOOL-POLICE  
8 PARTNERSHIP, SHALL CREATE A MODEL POLICY FOR SELECTING SCHOOL  
9 RESOURCE OFFICERS PURSUANT TO THE GENERAL DUTIES AND  
10 RESPONSIBILITIES GRANTED TO THE P.O.S.T. BOARD PURSUANT TO  
11 SECTION 24-31-303. THE P.O.S.T. BOARD SHALL CONSULT WITH SCHOOL  
12 BOARD MEMBERS, SCHOOL RESOURCE OFFICERS, K-12 ADVOCATES, AND  
13 OTHER RELEVANT STAKEHOLDERS, INCLUDING STUDENT GROUPS, IN THE  
14 DEVELOPMENT OF THE MODEL POLICY. THE DEPARTMENT OF EDUCATION  
15 SHALL POST THE MODEL POLICY ON ITS WEBSITE AND DISTRIBUTE THE  
16 POLICY TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND INSTITUTE  
17 CHARTER SCHOOLS FOR CONSIDERATION AND POSSIBLE ADOPTION. THE  
18 MODEL POLICY MAY BE USED BY SCHOOL DISTRICTS, CHARTER SCHOOLS,  
19 INSTITUTE CHARTER SCHOOLS, AND POLICE DEPARTMENTS. THE MODEL  
20 POLICY MUST, AT A MINIMUM, REQUIRE THAT:

21 (a) ONCE SELECTED, SCHOOL RESOURCE OFFICERS MUST BE FULLY  
22 TRAINED IN STANDARD BEST PRACTICES, AS SET FORTH BY A NATIONAL  
23 ASSOCIATION OF SCHOOL RESOURCE OFFICERS;

24 (b) A CANDIDATE DEMONSTRATE, WHENEVER POSSIBLE, A RECORD  
25 OF EXPERIENCE DEVELOPING POSITIVE RELATIONSHIPS WITH YOUTH,  
26 WHICH MAY INCLUDE PARTICIPATION IN YOUTH OR COMMUNITY POLICING  
27 PROGRAMS;



1 (c) A CANDIDATE VOLUNTARILY APPLY TO SERVE AS A SCHOOL  
2 RESOURCE OFFICER; AND

3 (d) THE EMPLOYING LAW ENFORCEMENT AGENCY AND SCHOOL  
4 DISTRICT JOINTLY CREATE AN EVALUATION PROCESS TO EVALUATE  
5 SCHOOL RESOURCE OFFICERS.

6 **SECTION 9.** In Colorado Revised Statutes, 26-20-102, **amend**  
7 (5), (6) introductory portion, and (6)(c) as follows:

8 **26-20-102. Definitions.** As used in this article 20, unless the  
9 context otherwise requires:

10 (5) "Physical restraint" means the use of bodily, physical force to  
11 involuntarily limit an individual's freedom of movement FOR MORE THAN  
12 ONE MINUTE; except that "physical restraint" does not include the holding  
13 of a child by one adult for the purposes of calming or comforting the  
14 child.

15 (6) "Restraint" means any method or device used to involuntarily  
16 limit freedom of movement, including bodily physical force, mechanical  
17 devices, or chemicals. RESTRAINT MUST NOT BE USED AS A FORM OF  
18 DISCIPLINE OR TO GAIN COMPLIANCE FROM A STUDENT. IF PROPERTY  
19 DAMAGE MIGHT BE INVOLVED, RESTRAINT MAY ONLY BE USED WHEN THE  
20 DESTRUCTION OF PROPERTY COULD POSSIBLY RESULT IN BODILY HARM TO  
21 THE INDIVIDUAL OR ANOTHER PERSON. "Restraint" includes chemical  
22 restraint, mechanical restraint, and physical restraint. "Restraint" does not  
23 include:

24 (c) The holding of an individual for less than ~~five minutes~~ ONE  
25 MINUTE by a staff person for protection of the individual or other persons;  
26 except that nothing in this subsection (6)(c) may be interpreted to permit  
27 the holding of a public school student in a prone position, except as

1 described in section 26-20-111 (2), (3), or (4); or

2 **SECTION 10.** In Colorado Revised Statutes, 26-20-111, **amend**  
3 (1); and **add** (5), (6), (7), (8), and (9) as follows:

4 **26-20-111. Use of restraints in public schools - certain**  
5 **restraints prohibited.** (1) Except as provided otherwise in this section,  
6 and notwithstanding any other provision of this article 20:

7 (a) The use of a chemical, mechanical, or prone restraint upon a  
8 student of a school of a school district, charter school of a school district,  
9 or institute charter school is prohibited when the student is on the  
10 property of any agency or is participating in an off-campus,  
11 school-sponsored activity or event; AND

12 (b) A SCHOOL RESOURCE OFFICER OR A LAW ENFORCEMENT  
13 OFFICER ACTING IN THE OFFICER'S OFFICIAL CAPACITY ON SCHOOL  
14 GROUNDS, IN A SCHOOL VEHICLE, OR AT A SCHOOL ACTIVITY OR  
15 SANCTIONED EVENT SHALL NOT USE HANDCUFFS ON ANY STUDENT, UNLESS  
16 THERE IS A DANGER TO THEMSELVES OR OTHERS OR HANDCUFFS ARE USED  
17 DURING A CUSTODIAL ARREST THAT REQUIRES TRANSPORT.

18 (5) IF A SCHOOL DISTRICT, CHARTER SCHOOL OF A SCHOOL  
19 DISTRICT, OR INSTITUTE CHARTER SCHOOL USES A SECLUSION ROOM,  
20 THERE MUST BE AT LEAST ONE WINDOW FOR MONITORING WHEN THE DOOR  
21 IS CLOSED. IF A WINDOW IS NOT FEASIBLE, MONITORING MUST BE POSSIBLE  
22 THROUGH A VIDEO CAMERA. A STUDENT PLACED IN A SECLUSION ROOM  
23 MUST BE CONTINUALLY MONITORED. THE ROOM MUST BE A SAFE SPACE  
24 FREE OF INJURIOUS ITEMS. THE SECLUSION ROOM MUST NOT BE A ROOM  
25 THAT IS USED BY SCHOOL STAFF FOR STORAGE, CUSTODIAL, OR OFFICE  
26 SPACE.

27 (6) NOTHING IN THIS SECTION PROHIBITS SCHOOL PERSONNEL FROM

1 TAKING ANY LAWFUL ACTIONS NECESSARY, INCLUDING SECLUSION OR  
2 RESTRAINT, WHEN AND WHERE NECESSARY TO KEEP STUDENTS AND STAFF  
3 SAFE FROM HARM DURING AN EMERGENCY, AS DEFINED BY RULE OF THE  
4 STATE BOARD. SCHOOL PERSONNEL SHALL COMPLY WITH ALL  
5 DOCUMENTATION AND REPORTING REQUIREMENTS, EVEN IN THE CASE OF  
6 AN EMERGENCY.

7 (7) IF A PHYSICAL RESTRAINT IS BETWEEN ONE AND FIVE MINUTES,  
8 THE NOTIFICATION REQUIREMENT MUST BE A WRITTEN NOTICE TO THE  
9 PARENT ON THE DAY OF THE RESTRAINT. THE NOTICE MUST INCLUDE THE  
10 DATE, THE STUDENT'S NAME, AND THE NUMBER OF RESTRAINTS THAT DAY  
11 THAT LASTED BETWEEN ONE AND FIVE MINUTES.

12 (8) ON OR BEFORE JULY 1, 2023, THE DEPARTMENT OF EDUCATION  
13 SHALL CONVENE A STAKEHOLDER GROUP TO DRAFT RULES FOR REPORTING  
14 RESTRAINTS FROM ONE TO FIVE MINUTES AND DATA TO BE COLLECTED BY  
15 THE DEPARTMENT OF EDUCATION. THE DEPARTMENT OF EDUCATION SHALL  
16 PRESENT THESE RULES TO THE STATE BOARD FOR CONSIDERATION ON OR  
17 BEFORE DECEMBER 31, 2023. THE STAKEHOLDER GROUP MUST INCLUDE,  
18 BUT IS NOT LIMITED TO, REPRESENTATIVES FROM THE GENERAL  
19 EDUCATION ADMINISTRATION, A STATEWIDE ORGANIZATION  
20 REPRESENTING SPECIAL EDUCATION DIRECTORS, THE DEPARTMENT OF  
21 EDUCATION, AND A DISABILITY RIGHTS ORGANIZATION.

22 (9) STATUTORY PROVISIONS CONCERNING THE USE OF RESTRAINTS  
23 IN SCHOOL DISTRICTS, CHARTER SCHOOLS OF A SCHOOL DISTRICT, OR  
24 INSTITUTE CHARTER SCHOOLS, INCLUDING REPORTING REQUIREMENTS, ARE  
25 SET FORTH IN SECTIONS 22-30.5-528 AND 22-32-147.

26 **SECTION 11. Appropriation.** (1) For the 2022-23 state fiscal  
27 year, \$1,016,451 is appropriated to the department of education. This

1 appropriation is from the general fund. To implement this act, the  
2 department may use this appropriation as follows:

3 (a) \$263,900 for information technology services;

4 (b) \$500,000 for the expelled and at-risk student services grant  
5 program; and

6 (c) \$252,551 for the office of dropout prevention and student  
7 reengagement, which amount is based on an assumption that the  
8 department will require an additional 2.4 FTE.

9 (2) For the 2022-23 state fiscal year, \$30,000 is appropriated to  
10 the department of law for use by the peace officers training board. This  
11 appropriation is from the P.O.S.T board cash fund created in section  
12 24-31-303 (2)(b), C.R.S. To implement this act, the board may use this  
13 appropriation for peace officers standards and training board support.

14 **SECTION 12. Safety clause.** The general assembly hereby finds,  
15 determines, and declares that this act is necessary for the immediate  
16 preservation of the public peace, health, or safety.