

CHAPTER 418

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 24-1320

BY REPRESENTATIVE(S) Lukens and Velasco, Amabile, Bacon, Bird, Boesenecker, Duran, English, Epps, Froelich, Garcia, Hamrick, Hernandez, Herod, Joseph, Kipp, Lieder, Lindsay, Mabrey, Marvin, McLachlan, Ortiz, Parenti, Rutinel, Sirota, Snyder, Story, Vigil, Willford, Young, McCluskie, Daugherty, Mauro, Ricks, Titone;
also SENATOR(S) Marchman and Mullica, Bridges, Buckner, Cutter, Exum, Ginal, Gonzales, Hansen, Jaquez Lewis, Kolker, Michaelson Jenet, Priola, Roberts, Winter F., Zenzinger, Fenberg.

AN ACT

CONCERNING CREATING A TASK FORCE TO STUDY SCHOOL STAFF SAFETY ISSUES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add 24-33.5-2704** as follows:

24-33.5-2704. Educator safety task force - created - report - definitions - repeal. (1) THERE IS CREATED IN THE OFFICE OF SCHOOL SAFETY THE EDUCATOR SAFETY TASK FORCE.

(2) (a) (I) THE TASK FORCE CONSISTS OF THE FOLLOWING VOTING MEMBERS:

(A) THE DIRECTOR, OR THE DIRECTOR'S DESIGNEE, WHO IS THE CHAIRPERSON OF THE TASK FORCE;

(B) THREE PUBLIC SCHOOL TEACHERS WHO ARE LICENSED PURSUANT TO ARTICLE 60.5 OF TITLE 22 AND EMPLOYED BY A SCHOOL DISTRICT IN THIS STATE FROM A RURAL, URBAN, AND SUBURBAN DISTRICT, ONE PUBLIC SCHOOL TEACHER FROM A SUBURBAN DISTRICT APPOINTED BY THE GOVERNOR AND ONE PUBLIC SCHOOL TEACHER FROM A RURAL SCHOOL DISTRICT AND ONE PUBLIC SCHOOL TEACHER FROM AN URBAN SCHOOL DISTRICT APPOINTED BY THE SPEAKER OF THE HOUSE, ON THE ADVICE OF A STATEWIDE ASSOCIATION THAT REPRESENTS TEACHERS.

(C) TWO EDUCATION SUPPORT PROFESSIONALS, ONE OF WHOM FOCUSES ON ENGLISH LANGUAGE LEARNING, APPOINTED BY THE PRESIDENT OF SENATE ON THE

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ADVICE OF A STATEWIDE ASSOCIATION THAT REPRESENTS EDUCATION SUPPORT PROFESSIONALS;

(D) ONE SCHOOL SUPPORT PROFESSIONAL WHO IS LICENSED PURSUANT TO ARTICLE 60.5 OF TITLE 22, WHO FOCUSES ON ADDRESSING MENTAL HEALTH AT THE SCHOOL LEVEL AND HAS AN UNDERSTANDING OF NEUROLOGICAL AND DEVELOPMENT DISORDERS, SUCH AS AUTISM, APPOINTED BY THE GOVERNOR ON THE ADVICE OF A STATEWIDE ASSOCIATION THAT REPRESENTS EDUCATION SUPPORT PROFESSIONALS;

(E) TWO SCHOOL ADMINISTRATORS, WHO ARE EMPLOYED EITHER AT THE SCHOOL OR DISTRICT LEVEL BY A PUBLIC NON-CHARTER SCHOOL DISTRICT, ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE MINORITY LEADER OF THE HOUSE, ON THE ADVICE OF A STATEWIDE ASSOCIATION THAT REPRESENTS SCHOOL EXECUTIVES;

(F) ONE TEACHER WHO IS EMPLOYED AT A CHARTER SCHOOL, APPOINTED BY THE HOUSE MINORITY LEADER ON THE ADVICE OF A STATEWIDE ASSOCIATION THAT ADVOCATES FOR CHARTER SCHOOLS;

(G) ONE SCHOOL LEADER OR ADMINISTRATOR WHO IS EMPLOYED AT A DISTRICT CHARTER SCHOOL OR A SCHOOL AUTHORIZED BY THE CHARTER SCHOOL INSTITUTE, APPOINTED BY THE SENATE MINORITY LEADER ON THE ADVICE OF THE CHARTER SCHOOL INSTITUTE;

(H) A REPRESENTATIVE OF AN ORGANIZATION THAT REPRESENTS STUDENTS AND FAMILIES FROM DISPROPORTIONATELY IMPACTED SCHOOLS THAT RECEIVES MONEY UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", AS AMENDED, AND THE SCHOOLS ARE IN A SCHOOL DISTRICT IN WHICH THE MAJORITY OF THE STUDENTS ENROLLED IN THE DISTRICT IDENTIFY AS MINORITY, APPOINTED BY THE PRESIDENT OF THE SENATE;

(I) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS STUDENTS WITH DISABILITIES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(J) AN INDIVIDUAL WHO WORKS FOR A NONPROFIT ENTITY THAT FOCUSES ON SCHOOL SAFETY AND TRAINING, APPOINTED BY THE SENATE MINORITY LEADER; AND

(K) A CERTIFIED RESTORATIVE JUSTICE PROFESSIONAL WHO HAS EXPERIENCE WITH COMMUNITY-BASED JUVENILE RESTORATIVE JUSTICE, APPOINTED BY THE GOVERNOR.

(II) THE TASK FORCE CONSISTS OF THE FOLLOWING NONVOTING MEMBERS:

(A) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S DESIGNEE;

(B) A REPRESENTATIVE OF THE BEHAVIORAL HEALTH ADMINISTRATION CREATED IN SECTION 27-50-203, APPOINTED BY THE COMMISSIONER OF THE BEHAVIORAL HEALTH ADMINISTRATION; AND

(C) A STUDENT REPRESENTING A COMMUNITY DISPROPORTIONATELY IMPACTED BY SCHOOL DISCIPLINE, APPOINTED BY THE GOVERNOR.

(b) THE APPOINTING AUTHORITIES SHALL APPOINT THE TASK FORCE MEMBERS BY JULY 31, 2024.

(c) ANY VACANCY OCCURRING IN THE MEMBERSHIP OF THE TASK FORCE MUST BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

(d) A MAJORITY OF THE MEMBERS OF THE TASK FORCE CONSTITUTES A QUORUM FOR THE TRANSACTION OF BUSINESS, AND A MAJORITY OF A QUORUM PRESENT AT ANY MEETING IS SUFFICIENT FOR ANY OFFICIAL ACTION TAKEN BY THE TASK FORCE.

(e) THE CHAIRPERSON OF THE TASK FORCE SHALL CONVENE THE FIRST MEETING OF THE TASK FORCE NO LATER THAN SEPTEMBER 1, 2024. THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES IN 2024 AND AT LEAST THREE TIMES IN 2025. THE TASK FORCE SHALL ESTABLISH PROCEDURES TO ALLOW MEMBERS OF THE TASK FORCE TO PARTICIPATE IN THE MEETINGS REMOTELY.

(f) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT COMPENSATION, BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR SERVICE ON THE TASK FORCE.

(g) UPON THE REQUEST OF THE CHAIRPERSON OF THE TASK FORCE, THE OFFICE OF SCHOOL SAFETY SHALL PROVIDE STAFF ASSISTANCE, MEETING SPACE, OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY RESOURCES TO THE TASK FORCE AS NECESSARY FOR THE PERFORMANCE OF ITS DUTIES.

(3) (a) THE TASK FORCE SHALL STUDY:

(I) ANY ISSUE RELATING TO THE SAFETY AND WELL-BEING OF PUBLIC SCHOOL STAFF, INCLUDING LAWS OR REGULATIONS THAT AFFECT THE SAFETY AND WELL-BEING OF PUBLIC SCHOOL STAFF;

(II) THE EFFECTS OF THE DECLINING NUMBER OF EDUCATION PROFESSIONALS ON STUDENT BEHAVIORS, AS WELL AS THE EFFECTS OF WIDESPREAD STAFF SHORTAGES, CLASS SIZE, AND CASELOADS ON DISRUPTIVE LEARNING ENVIRONMENTS;

(III) INCIDENTS OF AGGRESSIVE STUDENT BEHAVIORS TOWARD EDUCATORS TO INFORM SOLUTIONS. THE STUDY OF INCIDENTS OF AGGRESSIVE STUDENT BEHAVIOR MUST INCLUDE AN EXAMINATION OF THE STUDENT'S HISTORY, THE SCHOOL'S ATTEMPTS AT ADDRESSING THE BEHAVIOR AND MENTAL HEALTH NEEDS, INCLUDING, BUT NOT LIMITED TO, BEHAVIORAL ASSESSMENTS OR BEHAVIORAL PLANS, ACCESS TO MENTAL HEALTH SUPPORTS WITHIN THE SCHOOL, AND REFERRALS TO SUPPORTS OUTSIDE OF THE SCHOOL. THE STUDY OF INCIDENTS OF AGGRESSIVE STUDENT BEHAVIOR MUST ALSO INCLUDE EXAMINING THE NUMBER OF SUSPENSIONS THAT HAVE OCCURRED AND THE NUMBER OF ABBREVIATED SCHOOL DAYS BECAUSE OF BEHAVIOR CONCERNS. THE STUDY OF THESE INCIDENTS MUST PROTECT THE PRIVACY OF STUDENTS AND MUST INCLUDE WORKER'S COMPENSATION DATA, REPORTED INCIDENTS IN THE TEACHING AND LEARNING CONDITIONS IN COLORADO SURVEY, AND OTHER RELEVANT DATA THAT MAY INFORM SOLUTIONS. THE SOLUTIONS MUST NOT INCLUDE POLICIES THAT FOCUS ON ADDITIONAL STUDENT DISCIPLINE OR CRIMINAL REFERRAL OF STUDENTS OR ACTIVATE ANY CURRENT POLICIES THAT

CAUSE STUDENTS OF COLOR AND STUDENTS WITH DISABILITIES TO BE AT DISPROPORTIONATE RISK FOR CRIMINAL REFERRALS.

(IV) THE WORK AND RECOMMENDATIONS OF THE FOLLOWING TASK FORCES: THE SCHOOL FINANCE TASK FORCE, THE SCHOOL SAFETY WORKING GROUP, THE DISPROPORTIONATE DISCIPLINE TASK FORCE, AND THE FACILITY SCHOOLS WORKING GROUP;

(V) THE IMPACT OF INSUFFICIENT FUNDING, LACK OF COORDINATION OF SERVICES BETWEEN SCHOOL AND COMMUNITY, AND THE LACK OF WRAPAROUND SERVICES ON LEARNING ENVIRONMENTS; AND

(VI) THE ROLE THAT RESOURCE INEQUALITY MAY HAVE ON STAFF SAFETY ISSUES.

(b) THE TASK FORCE SHALL MAKE RECOMMENDATIONS FOR ADMINISTRATIVE AND STATUTORY CHANGES THAT ARE NECESSARY TO FACILITATE SCHOOL STAFF SAFETY SOLUTIONS.

(4) ON OR BEFORE JUNE 30, 2025, THE TASK FORCE SHALL SUBMIT A FINAL REPORT, INCLUDING ITS FINDINGS AND RECOMMENDATIONS ON THE ISSUES IDENTIFIED IN SUBSECTION (3) OF THIS SECTION, TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES; THE GOVERNOR; THE STATE BOARD; THE COMMISSIONER OF EDUCATION; AND THE DEPARTMENT OF EDUCATION.

(5) FOR THE PURPOSES OF THIS SECTION:

(a) "EDUCATION SUPPORT PROFESSIONAL" MEANS A PERSON THAT IS EMPLOYED BY A SCHOOL DISTRICT IN THIS STATE WHO IS NOT REQUIRED AS A CONDITION OF EMPLOYMENT TO HOLD A LICENSE ISSUED PURSUANT TO THIS TITLE 22. THE TERM INCLUDES ADMINISTRATIVE STAFF, PARAPROFESSIONALS, CUSTODIAL STAFF, FOOD SERVICE WORKERS, AND BUS DRIVERS.

(b) "TASK FORCE" MEANS THE EDUCATOR SAFETY TASK FORCE CREATED IN SUBSECTION (1) OF THIS SECTION.

(6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2025.

SECTION 2. Appropriation. For the 2024-25 state fiscal year, \$146,250 is appropriated to the department of public safety for use by the executive director's office. This appropriation is from the general fund. To implement this act, the office may use this appropriation for administrative services related to the office of school safety.

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

Approved: June 5, 2024