

Legislation



COLORADO LEAGUE *of*
CHARTER SCHOOLS

HB22-1376

HB22-1376 Supportive Learning Environments For K-12 Students

- Sponsors: Rep. Leslie Herod (D), Rep. Mary Young (D), Sen. Kevin Priola (R), Sen. Faith Winter (D)
- The bill was signed into law by the Governor and took effect on May 26, 2022.

Description

Concerning supportive learning environments for K-12 students, and, in connection therewith, making an appropriation.

Overview

The bill modifies state laws related to school discipline, use of restraint and seclusion, data reporting and availability, enforcement authority, and school resource officers (SROs).

Data standardization. By August 31, 2023, the bill requires the Colorado Department of Education (CDE) to standardize the reporting method that schools use to collect and report data on suspensions, expulsions, arrests, absenteeism, incidents of violence, harassment, bullying, and other metrics.

Profile reports. By August 31, 2024, the CDE must work to develop profile reports for each school district and the Charter School Institute and make the reports available online. The profile reports must include chronic absenteeism rates; the number of expulsions, suspensions, school-related arrests, law enforcement referrals; and the number of students handcuffed, physically restrained, and placed in seclusion.

School reporting. The bill requires that school reporting on disciplinary code violations include any information deemed necessary by CDE, which may include additional information, such as a

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Legislation

descriptive information on the students involved in the incident, behaviors that led to the incident, and interventions attempted. School districts must submit to the CDE data on the number and types of disciplinary incidents and disciplinary actions taken in response, at a student level. The CDE must report the data, disaggregated by age, ethnicity, race, gender, and other categories, but not including individual student data, and must abide by certain student data protections.

Restraint. The bill specifies that restraint must not be used as a form of discipline or to gain compliance from a student, and may not be used for more than one minute, with limited exceptions. By June 30, 2023, and each year thereafter, school districts must submit data from their annual review of uses of restraint to the CDE as part of the standardized data collection.

The bill also establishes parent notification requirements if a student is in a physical restraint between one and five minutes. The State Board of Education must initiate rulemaking by July 1, 2023 to determine whether to require the reporting of restraint data, including engaging with certain stakeholders through the rulemaking process.

Handcuffs. The bill prohibits an SRO or law enforcement officer acting in their official capacity on school property from using handcuffs on any student, unless there is a danger to themselves or others, or handcuffs are used during a custodial arrest that requires transport.

Seclusion room. If a school uses a seclusion room, the bill requires that there must be at least one window for monitoring when the door is closed, or video monitoring must be available. A student placed in seclusion must be continually monitored. The room must not be one used by school staff for storage, custodial, or office space, and must be free of items that may injure the student. SRO model policy. The bill requires that the Peace Officer Standards and Training (POST) Board create a model policy for selecting SROs.

Teaching and learning conditions survey. The bill adds the relationship between teaching and learning conditions and measures of school climate, as measured by students and teachers, to the biennial teaching and learning conditions survey administered by the CDE. It also allows the survey results to be used to improve ways to measure and improve school climate.

School Impact

The bill increases workload for schools to adjust disciplinary practices or seclusion rooms as necessary to comply with the bill, submit additional data to CDE, and to adjust data systems to align with new standardized reporting procedures.