Second Regular Session Seventy-third General Assembly STATE OF COLORADO

ENGROSSED

This Version Includes All Amendments Adopted on Second Reading in the House of Introduction

LLS NO. 22-0642.01 Conrad Imel x2313

SENATE BILL 22-085

SENATE SPONSORSHIP

Coram and Zenzinger,

HOUSE SPONSORSHIP

McLachlan and Catlin,

House Committees

Senate CommitteesState, Veterans, & Military Affairs
Appropriations

101

102

A BILL FOR AN ACT

CONCERNING CREATING THE COLORADO SAFE STUDENT PROTECTION PROGRAM.

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 creates the Colorado safe student protection program (program) to provide grants to school districts and charter schools to support student safety, including equipment and training to ensure safe student transportation on school buses, and to facilitate the development of a secure website, online application, and mobile application that provide parental notifications about student safety and age-appropriate

health and safety information at no cost to parents (secure digital notification and information tools). The department of education (department) operates the grant program and selects a program facilitator to support schools awarded a program grant. The department allocates a portion of the program money to the program facilitator.

Subject to available appropriations, program grants are 3-year grants that cover the 2022-23 through 2024-25 school years. The department annually distributes grant money. A grant recipient may use a grant award to:

- Provide parents with the secure digital notification and information tools;
- Increase the safety of students and the security of school buses by equipping school buses with hardware and software that monitor driver behavior and enable the buses to communicate directly with first responders; and
- Fund relevant school bus safety training, including federal transportation security awareness training.

The program facilitator may be a public benefit corporation or a nonprofit organization that operates with a charitable purpose and must have at least 7 years of experience in student safety, including student transportation safety. The department allocates program money to the program facilitator. The program facilitator must use program money to:

- Support program grant recipients;
- Develop the secure digital notification and information tools;
- Recruit school bus drivers and conduct or facilitate federal transportation security awareness training;
- Develop and make publicly available school bus transportation safety information and age-appropriate student safety educational materials;
- Conduct a statewide awareness campaign to reduce instances of drivers illegally failing to stop for a school bus; and
- Seek additional sources of funding on behalf of the program.

The program is a 3-year program that repeals in 2025. The bill makes an appropriation.

- 1 Be it enacted by the General Assembly of the State of Colorado:
- 2 **SECTION 1.** In Colorado Revised Statutes, **add** article 106 to
- 3 title 22 as follows:

4 ARTICLE 106

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1	Colorado Safe Student Protection Act
2	22-106-101. Short title. The short title of this article 106 is
3	"Anna and Makayla's Law".
4	22-106-102. Definitions. As used in this article 106, unless
5	THE CONTEXT OTHERWISE REQUIRES:
6	(1) "CHARITABLE PURPOSE" HAS THE SAME MEANING AS SET FORTH
7	IN SECTION 6-16-103 (2).
8	(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
9	CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.
10	(3) "FEDERAL TRANSPORTATION SECURITY AWARENESS TRAINING
11	PROGRAM" MEANS THE SECURITY AWARENESS TRAINING PROGRAM
12	OFFERED TO FRONT LINE TRANSPORTATION PROFESSIONALS THAT IS
13	MANAGED BY THE FEDERAL TRANSPORTATION SECURITY ADMINISTRATION
14	WITHIN THE FEDERAL DEPARTMENT OF HOMELAND SECURITY, KNOWN AS
15	"FIRST OBSERVER PLUS".
16	(4) "GRANT PROGRAM" MEANS THE PROGRAM TO AWARD GRANTS
17	PURSUANT TO SECTION 22-106-104.
18	(5) "PROGRAM" MEANS THE COLORADO SAFE STUDENT
19	PROTECTION PROGRAM CREATED IN SECTION 22-106-103.
20	(6) "PROGRAM FACILITATOR" MEANS THE ORGANIZATION
21	SELECTED BY THE DEPARTMENT PURSUANT TO SECTION 22-106-105 TO
22	SUPPORT GRANT RECIPIENTS.
23	(7) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
24	COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL
25	BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE
26	DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE,
2.7	URBANIZED AREA

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1	(8) "SCHOOL DISTRICT" MEANS ANY SCHOOL DISTRICT ORGANIZED
2	AND EXISTING PURSUANT TO LAW. "SCHOOL DISTRICT" INCLUDES A
3	CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
4	1 of article 30.5 of title 22 or a charter school authorized by
5	THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
6	30.5 of title 22 that is responsible for the transportation of
7	STUDENTS ENROLLED IN THE SCHOOL.
8	(9) "SECURE DIGITAL NOTIFICATION AND INFORMATION TOOLS"
9	MEANS THE SECURE WEBSITE, ONLINE APPLICATION, AND MOBILE
10	APPLICATION DESCRIBED IN SECTION 22-106-103 (1)(b).
11	(10) "SILENT DURESS ALARM" MEANS A SILENT ALARM THAT
12	SENDS A DISTRESS CALL AND THE LAST-KNOWN GLOBAL POSITIONING
13	SYSTEM COORDINATES OF THE SCHOOL BUS TO SCHOOL OFFICIALS AND
14	EMERGENCY RESPONSE PERSONNEL.
15	(11) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
16	CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
17	STATE CONSTITUTION.
18	22-106-103. Colorado safe student protection program -
19	creation - department duties - rules. (1) There is created in the
20	DEPARTMENT THE COLORADO SAFE STUDENT PROTECTION PROGRAM TO:
21	(a) INCREASE THE SAFETY OF STUDENTS, INCLUDING THE SAFETY
22	AND SECURITY OF SCHOOL BUSES;
23	(b) FACILITATE THE DEVELOPMENT, MAINTENANCE, AND
24	IMPLEMENTATION OF SECURE DIGITAL NOTIFICATION AND INFORMATION
25	TOOLS, INCLUDING AN INTERNET WEBSITE, ONLINE APPLICATION, AND
26	MOBILE APPLICATION, THAT SEND STUDENT SAFETY NOTIFICATIONS TO
27	PARENTS AND PROVIDE USERS WITH GENERAL STUDENT HEALTH AND

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1	SAFETY RESOURCES AND INFORMATION. EACH TOOL MUST:
2	(I) PROVIDE SECURE AND VERIFIABLE PARENTAL NOTIFICATION, AT
3	NO COST TO PARENTS, RELATING TO STUDENT SAFETY, INCLUDING, IF
4	APPLICABLE, SCHOOL BUS STATUS;
5	(II) HAVE THE CAPABILITY TO ALLOW PARENTS TO OPT IN OR OUT
6	OF RECEIVING NOTIFICATIONS;
7	(III) INCLUDE DATA PRIVACY AND INTEGRITY PROTECTIONS; AND
8	(IV) INCLUDE DEVICE IDENTITY AND INTEGRITY PROTECTIONS;
9	(c) Provide school districts with grants to equip their
10	SCHOOL BUSES WITH HARDWARE AND SOFTWARE THAT MONITOR DRIVER
11	BEHAVIOR AND ENABLE THE BUSES TO COMMUNICATE DIRECTLY WITH
12	FIRST RESPONDERS BY CELLULAR, SATELLITE, OR ANY OTHER AVAILABLE
13	MEANS OF COMMUNICATION AND BY USING A SILENT DURESS ALARM;
14	(d) Improve school bus driver training, including training
15	RELATED TO TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS; AND
16	(e) INFORM AND EDUCATE THE PUBLIC ABOUT STUDENT SAFETY.
17	INCLUDING SCHOOL TRANSPORTATION SAFETY.
18	(2) THE DEPARTMENT SHALL:
19	(a) <u>SUBJECT TO AVAILABLE FUNDS</u> , <u>AWARD</u> PROGRAM GRANTS, AS
20	DESCRIBED IN SECTION 22-106-104, IN ACCORDANCE WITH STATE BOARD
21	RULES; AND
22	(b) SELECT AN ORGANIZATION TO SERVE AS THE PROGRAM
23	FACILITATOR, AS DESCRIBED IN SECTION 22-106-105, IN ACCORDANCE
24	WITH STATE BOARD RULES.
25	(3) Pursuant to article 4 of this title 22, the state board
26	SHALL ADOPT RULES NECESSARY FOR THE ADMINISTRATION OF THIS
27	ARTICLE 106. AT A MINIMUM, THE RULES MUST INCLUDE:

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1	(a) PROCEDURES TO IMPLEMENT THE GRANT PROGRAM,
2	INCLUDING:
3	(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
4	(II) THE CRITERIA FOR AWARDING A GRANT TO A SCHOOL DISTRICT
5	AND DETERMINING THE AMOUNT OF THE AWARD; AND
6	(III) A PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF
7	GRANT MONEY TO RURAL, URBAN, AND SUBURBAN SCHOOL DISTRICTS AND
8	SCHOOL DISTRICTS IN ALL AREAS OF THE STATE; AND
9	(b) PROCEDURES FOR SELECTING A PROGRAM FACILITATOR,
10	INCLUDING:
11	(I) AN APPLICATION PROCESS, INCLUDING DEADLINES;
12	(II) A PROCESS FOR DISTRIBUTING PROGRAM MONEY TO THE
13	PROGRAM FACILITATOR; AND
14	(III) PROCEDURES FOR VERIFYING THE PROGRAM FACILITATOR'S
15	CONTINUED ELIGIBILITY TO SERVE AS THE FACILITATOR.
16	(4) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
17	GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
18	PURPOSES OF THIS ARTICLE 106.
19	22-106-104. Program grants - report. (1) (a) SUBJECT TO
20	AVAILABLE MONEY, THE DEPARTMENT SHALL AWARD GRANTS TO SCHOOL
21	DISTRICTS TO ACHIEVE THE GOALS OF THE PROGRAM BY PROVIDING THOSE
22	DISTRICTS WITH FUNDING NECESSARY TO:
23	(I) PROVIDE PARENTS WITH NO-COST SECURE DIGITAL
24	NOTIFICATION AND INFORMATION TOOLS;
25	(II) INCREASE THE SAFETY OF STUDENTS AND THE SECURITY OF
26	SCHOOL BUSES BY EQUIPPING SCHOOL BUSES WITH HARDWARE AND
7	SOFTWARE THAT MONITOR DRIVER BEHAVIOR AND ENABLE THE BUSES TO

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1	COMMUNICATE DIRECTLY WITH FIRST RESPONDERS; AND
2	(III) FUND NECESSARY AND RELEVANT SCHOOL BUS SAFETY
3	TRAINING.
4	(b) THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS OF THE
5	PROGRAM AND ANY GRANT PROGRAM APPLICATION DEADLINES.
6	(2) IN ORDER TO BE ELIGIBLE FOR A GRANT PURSUANT TO THIS
7	SECTION, A SCHOOL DISTRICT MUST SUBMIT AN APPLICATION TO THE
8	DEPARTMENT. THE APPLICATION MUST INCLUDE THE FOLLOWING
9	INFORMATION:
10	(a) A DESCRIPTION OF ANY STUDENT SAFETY AND SECURITY
11	CHALLENGES FACED BY THE SCHOOL DISTRICT;
12	(b) A SUMMARY OF THE SCHOOL BUS TRANSPORTATION PROVIDED
13	BY THE SCHOOL DISTRICT TO ITS STUDENTS AND A DESCRIPTION OF ANY
14	SCHOOL BUS SAFETY AND SECURITY CHALLENGES FACED BY THE SCHOOL
15	DISTRICT;
16	(c) How the school district will use a grant award in
17	FURTHERANCE OF THE GOALS OF THE PROGRAM, AS DESCRIBED IN SECTION
18	22-106-103 (1);
19	(d) ANY MEASURABLE GOALS THAT THE SCHOOL DISTRICT EXPECTS
20	TO ACHIEVE WITH GRANT MONEY; AND
21	(e) ANY OTHER INFORMATION REQUIRED BY STATE BOARD RULE.
22	(3) AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS
23	SECTION, THE DEPARTMENT SHALL AWARD GRANTS TO APPLICANTS IN
24	ACCORDANCE WITH STATE BOARD RULES
25	(4) THE PROGRAM FACILITATOR SHALL PROVIDE A SCHOOL
26	DISTRICT THAT RECEIVES A GRANT AWARD SUPPORT AND
27	RECOMMENDATIONS. A SCHOOL DISTRICT THAT RECEIVES A GRANT AWARD

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1	MAY ONLY USE THE GRANT AWARD FOR THE FOLLOWING:
2	(a) THE OPERATION AND USE OF SECURE DIGITAL NOTIFICATION
3	AND INFORMATION TOOLS TO PROVIDE SECURE AND VERIFIABLE PARENTAL
4	NOTIFICATION, AT NO COST TO PARENTS, RELATING TO STUDENT SAFETY,
5	INCLUDING SCHOOL BUS STATUS, AND TO MAKE STUDENT SAFETY
6	RESOURCES AND INFORMATIONAL MATERIALS AVAILABLE TO USERS;
7	(b) ACQUIRING EQUIPMENT NECESSARY FOR SCHOOL BUSES TO
8	COMMUNICATE DIRECTLY WITH FIRST RESPONDERS BY CELLULAR,
9	SATELLITE, OR ANY OTHER AVAILABLE MEANS OF AND BY USING A SILENT
10	DURESS ALARM, INCLUDING INSTALLATION, MAINTENANCE, TRAINING,
11	TELECOMMUNICATION, AND DATA-RELATED COSTS RELATED TO THE
12	EQUIPMENT;
13	(c) ACQUIRING EQUIPMENT TO MONITOR SCHOOL BUS DRIVER
14	BEHAVIOR TO PREVENT EXCESSIVE SPEED, TRAVELING OFF ROUTE, AND
15	UNNECESSARY IDLING, SO THAT GRANT RECIPIENTS CAN TRAIN DRIVERS TO
16	FOLLOW PROCEDURES THAT REDUCE ACCIDENTS, LOWER SCHOOL BUS
17	OPERATING COSTS, AND REDUCE EMISSIONS PRODUCED BY SCHOOL BUSES;
18	(d) SCHOOL BUS DRIVER TRAINING, INCLUDING TRAINING RELATED
19	TO PROVIDING TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS, AND
20	THE PROVISION OF BACKGROUND CHECKS WHEN NECESSARY FOR SCHOOL
21	BUS DRIVERS TO OPERATE EQUIPMENT ACQUIRED WITH GRANT MONEY;
22	AND
23	(e) OBTAINING CREDENTIALS OR OTHER PERMISSIONS, INCLUDING
24	DIGITAL IDENTITIES, NECESSARY FOR DISTRICT PERSONNEL, INCLUDING
25	BUS DRIVERS, TO PROPERLY OPERATE EQUIPMENT ACQUIRED WITH GRANT
26	MONEY AND TO FACILITATE PARTICIPATION IN THE FEDERAL
27	TRANSPORTATION SECURITY AWARENESS TRAINING PROGRAM.

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1	(3) ANNUALLY, ON A SCHEDULE DETERMINED BY THE
2	DEPARTMENT, A SCHOOL DISTRICT THAT RECEIVES A GRANT PURSUANT TO
3	THIS SECTION SHALL SUBMIT A REPORT TO THE DEPARTMENT THAT
4	INCLUDES INFORMATION ABOUT THE USE OF GRANT MONEY, WHETHER THE
5	SCHOOL DISTRICT ACHIEVED ANY OF THE GOALS DESCRIBED IN ITS GRANT
6	APPLICATION, AND ANY OTHER INFORMATION REQUESTED BY THE
7	<u>DEPARTMENT.</u>
8	_
9	22-106-105. Program facilitator - report. (1) AS SOON AS
10	POSSIBLE AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT,
11	IN ACCORDANCE WITH STATE BOARD RULES, SHALL SELECT AN
12	ORGANIZATION TO SERVE AS A PROGRAM FACILITATOR THAT SUPPORTS
13	SCHOOL DISTRICTS AWARDED A GRANT PURSUANT TO THIS ARTICLE 106.
14	_
15	(2) The program facilitator may be a public benefit
16	CORPORATION, AS DESCRIBED IN SECTION 7-101-503 (1), OR A NONPROFIT
17	THAT OPERATES WITH A CHARITABLE PURPOSE AND MUST HAVE AT LEAST
18	SEVEN YEARS OF EXPERIENCE IN STUDENT SAFETY, EVIDENCE-BASED
19	SCHOOL BUS SAFETY AND SURFACE TRANSPORTATION SECURITY, CHILD
20	SAFETY CAMPAIGN MANAGEMENT, AND CONDUCTING FUNDRAISING
21	CAMPAIGNS THAT SUPPORT STUDENT SAFETY-RELATED INITIATIVES.
22	(3) IN ORDER TO BE SELECTED AS THE PROGRAM FACILITATOR, AN
23	ORGANIZATION MUST SUBMIT AN APPLICATION TO THE DEPARTMENT. AN
24	APPLICATION MUST:
25	(a) Demonstrate that the applicant has the experience
26	REQUIRED OF THE PROGRAM FACILITATOR, AS DESCRIBED IN SUBSECTION
27	(2) OF THIS SECTION;

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1	(b) DESCRIBE ANY PUBLIC SERVICE CAMPAIGNS CONDUCTED BY
2	THE APPLICANT WITH THE SUPPORT OF GOVERNMENTAL ENTITIES OR MEDIA
3	ORGANIZATIONS;
4	(c) DEMONSTRATE THE APPLICANT'S ABILITY TO OBTAIN
5	CORPORATE SPONSORSHIPS AND OTHER FUNDING THROUGH GIFTS, GRANTS,
6	AND DONATIONS THAT WOULD ALLOW THE APPLICANT TO PROVIDE SCHOOL
7	DISTRICTS WITH SERVICES DESCRIBED IN THIS ARTICLE 106, IN ADDITION
8	TO THE SERVICES FUNDED WITH STATE MONEY; AND
9	(d) INCLUDE ANY OTHER INFORMATION REQUIRED BY STATE
10	BOARD RULES.
11	(4) (a) THE DEPARTMENT SHALL SELECT ONE ORGANIZATION THAT
12	MEETS THE ELIGIBILITY REQUIREMENTS DESCRIBED IN THIS SECTION TO
13	SERVE AS THE PROGRAM FACILITATOR.
14	(b) THE ORGANIZATION SELECTED BY THE DEPARTMENT SHALL
15	CONTINUE TO SERVE AS THE PROGRAM FACILITATOR AS LONG AS THE
16	ORGANIZATION MEETS THE CRITERIA DESCRIBED IN SUBSECTION (2) OF
17	THIS SECTION AND DOES NOT VIOLATE ANY PROVISION OF THIS SECTION.
18	(5) (a) The department shall distribute fifty percent of
19	MONEY, INCLUDING ANY MONEY APPROPRIATED AND ANY GIFTS, GRANTS,
20	AND DONATIONS, FOR THE GRANT PROGRAM TO THE PROGRAM
21	FACILITATOR.
22	(b) THE PROGRAM FACILITATOR SHALL USE PROGRAM MONEY FOR
23	THE FOLLOWING:
24	(I) SUPPORTING SCHOOL DISTRICTS AWARDED GRANTS PURSUANT
25	TO SECTION 22-106-104;
26	(II) DEVELOPING AND MAINTAINING THE SECURE DIGITAL
27	NOTIFICATION AND INFORMATION TOOLS DESCRIBED IN SECTION

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1	22-106-103 (1)(b) TO PROVIDE SECURE AND VERIFIABLE PARENTAL
2	NOTIFICATION, AT NO COST TO PARENTS, RELATING TO STUDENT SAFETY,
3	INCLUDING SCHOOL BUS STATUS, AND TO MAKE STUDENT SAFETY
4	RESOURCES AND INFORMATIONAL MATERIALS AVAILABLE TO USERS;
5	(III) RECRUITING SCHOOL BUS DRIVERS;
6	(IV) CONDUCTING OR FACILITATING, AT NO COST TO SCHOOLS,
7	TRAINING FROM THE FEDERAL TRANSPORTATION SECURITY AWARENESS
8	TRAINING PROGRAM;
9	(V) DEVELOPING, AND MAKING PUBLICLY AVAILABLE, SCHOOL BUS
10	TRANSPORTATION SAFETY INFORMATION AND AGE-APPROPRIATE STUDENT
11	SAFETY EDUCATIONAL MATERIALS;
12	(VI) CONDUCTING A STATEWIDE AWARENESS CAMPAIGN TO
13	REDUCE INSTANCES WHEN DRIVERS FAIL TO STOP FOR A SCHOOL BUS WHEN
14	REQUIRED BY LAW, KNOWN AS A STOP-ARM VIOLATION; AND
15	(VII) SEEKING PRIVATE FUNDING FOR THE PROGRAM AND
16	STUDYING THE AVAILABILITY OF NEW FUNDING SOURCES, INCLUDING
17	SEEKING GIFTS, GRANTS, AND DONATIONS ON BEHALF OF THE PROGRAM
18	FROM THE FEDERAL GOVERNMENT, CORPORATIONS, OR OTHER
19	NONGOVERNMENTAL ENTITIES.
20	(6) On a schedule determined by the department, but at
21	<u>LEAST ANNUALLY</u> , THE PROGRAM FACILITATOR SHALL SUBMIT A REPORT
22	TO THE DEPARTMENT CONCERNING THE OPERATION OF THE PROGRAM. THE
23	REPORT MUST INCLUDE DOCUMENTATION OF THE PROGRAM FACILITATOR'S
24	USE OF PROGRAM MONEY AND A DESCRIPTION OF THE PROGRAM
25	FACILITATOR'S DUTIES PERFORMED AS REQUIRED PURSUANT TO
26	SUBSECTION (5) OF THIS SECTION.
27	(7) In addition to the responsibilities described in this

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SECTION, THE PROGRAM FACILITATOR SHALL MAKE ITS BEST EFFORTS TO
SUPPORT STUDENT SAFETY INITIATIVES IN SCHOOL DISTRICTS THAT WERE
NOT AWARDED A PROGRAM GRANT, INCLUDING SOLICITING AND SECURING
FUNDING FOR THOSE INITIATIVES.
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<u>26-106-106.</u> Department report. The department shall
INCLUDE INFORMATION ABOUT THE PROGRAM IN ITS ANNUAL
PRESENTATION TO THE LEGISLATIVE COMMITTEES OF REFERENCE
PURSUANT TO SECTION 2-7-203.
SECTION 2. Appropriation. For the 2021-22 state fiscal year,
\$3,500,000 is appropriated to the department of education. This
appropriation is from the general fund. To implement this act, the
department may use this appropriation for the Colorado safe student
protection program. Any money appropriated in this section not expended
prior to July 1, 2022, is further appropriated to the department for the
2022-23 state fiscal year for the same purpose.
SECTION 3. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.

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