

## Safe Schools Act – C.R.S. 22-32-109.1 *et seq.*

The Colorado Safe Schools Act was passed in 2000. The statute outlines specific requirements to create a safety plan that addresses prevention of school violence and emergency preparedness. The Safe Schools Act is periodically updated by the Colorado Legislature. It is important for school administration to regularly review the Safe Schools Act to ensure compliance.

The following is a checklist of the Safe Schools Act and the requirements imposed on schools. The checklist only **provides brief descriptions of the required elements**. It is important to review the relevant statute in its entirety to ensure compliance.

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### A. Colorado School Safety Requirements

1.  **Mission Statement**

Requires the board to adopt a mission statement, which specifically makes student and staff safety a priority. C.R.S. 22-32-109.1(1.5)

2.  **Safe School Plan**

Each school is required to adopt and implement a safe school plan. Before adoption, relevant stakeholders must be consulted. These may include school accountability committee, parents, teachers, administrators, students, student councils, and the community. C.R.S. 22-32-109.1(2)

a.  **Written Code of Conduct**

Board must adopt a conduct and discipline code that is to be uniformly, fairly, and consistently enforced for all students. At least once per year, each school must distribute a written copy of its code to every student who is enrolled. The policy must be kept on file or posted in the school. C.R.S. 22-32-109.1(a)(I). [CSI Board Student Conduct Policy](#).

i.  **Policies for Disruptive Students**

Each code of conduct must include policies and procedures for dealing with students who cause disruptions on school grounds, in school vehicles, or at school activities or events. The code must specifically address the district's policy for allowing a teacher to remove a disruptive student from the teacher's classroom. The policy must conform with any state and federal due process protections. The policy must also conform with state and federal laws regarding students with disabilities. C.R.S. 22-32-109.1(2)(a)(I)(B).

ii.  **Guidelines for Physical Intervention**

Each conduct code must include policies addressing how and when school staff may use physical intervention or force when responding to disruptive students. C.R.S. 22-32-109.1(2)(a)(I)(D).

iii.  **Prohibitions against Weapons, Drugs, and Tobacco**

Each code of conduct must contain a written policy that prohibits students from bringing or possessing deadly and dangerous weapons on school grounds, in school vehicles, or at any school activity or sanctioned event. The code must also contain a written policy that prohibits the possession, use, or distribution of drugs or other controlled substances at the same places, activities, or events. Each code must also include a written prohibition against the use or possession of tobacco products on school grounds, in school vehicles, or at school sanctioned activities or events. C.R.S. 22-32-109.1(2)(a)(I)(G). C.R.S. 22-32-109.1(2)(a)(I)(H). [CSI Board Weapons in School Policy](#).

iv.  **Search Policies**

Code of conduct must include a written policy regarding searches on school grounds. The policy should address the circumstances under which searches of students and their

belongings are permissible and should confirm expectations surrounding the search of lockers and other school-owned property. C.R.S. 22-32-109.1(2)(a)(I)(I).

v.  **Bullying Policies**

Code of conduct must include a specific bullying prevention and education policy. Schools must ensure that the policy spells out the consequences for students who bully others as well as for students who retaliate against others who report bullying. C.R.S. 22-32-109.1(2)(a)(I)(K).

vi.  **Restraint Policies**

Code of conduct must include a policy for the use of restraint and seclusion on students. The policy must include information explaining the process set-out by the Colorado State Board of Education for filing a complaint when restraint or seclusion has been used on a student. C.R.S. 22-32-109.1(2)(a)(I)(L).

vii.  **Gang-related Activity and Dress Code expectations**

Each code of conduct must include a specific policy prohibiting gang-related activities on school grounds, in school vehicles, or at school sanctioned activities and events. The code must also have a dress code policy prohibiting apparel that is likely to be disruptive to the school environment or to school order and safety. C.R.S. 22-32-109.1(2)(a)(I)(F) and 22-32-109.1(2)(a)(I)(J).

b.  **Mandatory Data Reporting Policies**

A policy must be in place describing the school's annual reporting of certain required information. The report must include the school's total enrollment, average daily attendance rate, dropout rate for grades 7-12, and average class size. The school is also required to report a number of different acts of sexual violence and violations of the school discipline code. Please see the CSI Data Team for more information about required reports. C.R.S. 22-32-109.1(2)(b), 22-32-109.1(2)(b)(I)-(II), (VII), 22-32-109.1(2)(b)(IX).

3.  **School Response Framework**

Each school is required to institute a school response framework. Schools should organize safety teams and provide procedures, training, and equipment necessary to protect students. The school response

framework must include an incident management plan (emergency readiness plan). This plan should include regular incident exercise, inventory emergency equipment and test communication systems, and ensure appropriate training of staff and key personnel. Schools should evaluate their plan on at least an annual basis. C.R.S. 22-32-109.1(4). [CSI Board Safe Schools Plans Policy](#).

4.  **Site Inspection Protocols and Open Schools Policies**  
Each school should adopt a policy requiring inspections of all school buildings each year. Schools must also ensure that parents and members of the board have reasonable access to school classes, activities, and functions upon reasonable notice to the school administrator's office. C.R.S. 22-32-109.1(5).
5.  **Employee Screening Processes**  
Each school must adopt a policy of screening employees' criminal history. The policy must address the school's initial obligation to screen potential employees during the hiring process as well as its ongoing obligation to review employees' criminal histories for any new instances of criminal activity. C.R.S. 22-32-109.1(5).
6.  **Access to Colorado's Sex Offender Registry**  
All schools must provide parents with a statement explaining how to access the sex offender registry. Schools may elect to post the statement explaining how to access the registry on their websites. C.R.S. 22-1-124.
7.  **Information Sharing Policy**  
Each school must have an information sharing policy. The policy should be consistent with confidentiality provisions outlined in the Colorado Open Records Act (CORA) and the Family Educational Rights and Privacy Act (FERPA). C.R.S. 22-32-109.1(6), 24-72-204(3).
8.  **Teacher Protection Policies**  
Each school is required to adopt policies and procedures to protect teachers and school employees. Certain offenses against school staff trigger a school's teacher or employee protection policies. Schools must require teachers or school employees to file a complaint with the school and board. C.R.S. 22-32-109.1(3).
9.  **Threat Assessment Policies**

Every school should develop written policies on reporting, information sharing, and threat assessment. The threat assessment policy should establish an integrated system approach in dealing with the risks posed by students who express thoughts of violence toward themselves and others. Colorado requires a systems-based approach that promotes interagency social support teams to ensure a safe school environment. C.R.S. 22-32-109.1(3).

10.  **Internet Safety Plan**

Schools should provide age-appropriate internet safety curricula to students in grades kindergarten through twelve. Schools are encouraged to work with law enforcement and collaborate with parents, teachers, and organizations representing parents and teachers when developing an internet safety plan. C.R.S. 22-32-109.1(2)(c)(I), [CSI Board Internet Safety Policy](#).

11.  **Child Sexual Abuse Prevention Plan**

Each school is encouraged, but not required, to implement age-appropriate curricula on child sexual abuse and assault prevention as part of its safe school plan. C.R.S. 22-32-109.1(2.5)(a).

12.  **Federal Requirements Specific to Title IX**

Title IX requires schools to implement safety measures to prevent and respond to sexual violence. Schools must appoint a Title IX coordinator, adopt and disseminate a notice of nondiscrimination, and adopt and publish grievance procedures for Title IX complaints. 20 U.S.C. § 1681(a), 34 C.F.R. §§ 106.8-106.9.

## References & Resources

- Colorado School Violence Prevention: A Legal Manual (2018): [https://coag.gov/sites/default/files/filefield\\_paths/final\\_as\\_of\\_october\\_11\\_2018.pdf](https://coag.gov/sites/default/files/filefield_paths/final_as_of_october_11_2018.pdf)
- Colorado School Safety Resource Center – Safe School Act Resources and Checklist: <http://cdpsdocs.state.co.us/safeschools/CSSRC%20Documents/SafeSchoolsActCSSRCRecommendations616.pdf>
- School Response Framework: <https://resources.csi.state.co.us/wp-content/uploads/2018/08/School-Safety-Readiness-Incident-Management-Plan-Checklist.pdf>

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