



COLORADO
Department of Public Safety

Executive Director's Office

Office of School Safety

School Security Disbursement Program

8 CCR 1507-71

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Senate Bill 23-241, the General Assembly amended section 24-33.5-1810, C.R.S., related to the School Security Disbursement Program (“Program”). Previously, the Program existed within the Division of Homeland Security and Emergency Management. After the passage of Senate Bill 23-241, the Program was relocated to the Office of School Safety within the Executive Director’s Office of the Department of Public Safety. Section 24-33.5-1810 (7), C.R.S. mandates that the Executive Director of the Department of Public Safety shall promulgate rules and regulations concerning the administration of the Program and the application criteria and timeframes for applying and for distributing the Program funds.

The General Assembly declared that the Department distribute the money credited to the School Security Disbursement Program account for the disbursement program as quickly as practicable based on the receipt of qualifying applications.

The purpose of this emergency rulemaking is to amend the adopted rules as soon as practicable to correct the eligibility criteria for applicants to better align the rules with statute. Because the statute is necessary for the preservation of public safety, delay in the correction of this eligibility criteria would be contrary to the statutory provisions. The absence of implementing rules to carry out the purpose of the statute would be contrary to this declaration. For these reasons, it is imperatively necessary that the proposed rules be adopted.

Jana Locke
Deputy Executive Director, Colorado Department of Public Safety

Date of Adoption

COLORADO DEPARTMENT OF PUBLIC SAFETY

Executive Director's Office, Office of

School Safety 8 CCR 1507-71

School Security Disbursement Program

1. Authority

This regulation is adopted pursuant to the authority in section 24-33.5-1810 (7), C.R.S. and is intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq., C.R.S. (the "APA").

2. Scope and Purpose

This regulation shall govern the implementation of the School Security Disbursement Program, which includes the time frames for applying for this program, the form of the program application, and the time frames for distributing program funds.

3. Applicability

The provisions of these rules shall be applicable to all eligible applicants and recipients of program funds as provided by law.

4. Definitions

"Disbursement Program" means the School Security Disbursement Program to disburse funds to local education providers for the purpose set forth in § 24-33.5-1810(3), C.R.S. to improve security in public school facilities or vehicles.

"Eligible Entity" means a local education provider or an eligible nonprofit organization as defined in § 24-33.5-1810(1)(c), C.R.S.

"Local Education Provider" means a school district, a charter school that is authorized pursuant to part 1 of article 30.5 of title 22, an institute charter school authorized pursuant to part 5 of article 30.5 of title 22, or board of cooperative services as defined in section 22-5-103, C.R.S.

"Recipient" means an eligible applicant receiving an award.

"Award" means financial assistance that provides support to accomplish a public purpose given by the state to an eligible recipient.

"Period of Performance" means the period of time during which the recipient is required to complete the approved activities and to receive and expend approved funds.

"Match Amount or Local Share" means the portion of the project borne by the applicant, not borne by the State. Local share can include cash and/or in-kind non-cash contributions.

5. Program Requirements

5.1 Eligibility

- A. Applicant must be a local education provider, including any combination of local education providers who wish to apply together as a single regional applicant, in order to apply, **or a nonprofit organization that is exempt from taxation under section 501(c)(3) of the federal "Internal Revenue Code or 1986, as amended," that applies to work with specific local education providers or first responders, and that:**
- 1. Has experience providing training for school safety incident response;**
 - 2. Has experience working with law enforcement agencies and other first responders;**
 - 3. Has experience working with school districts, school personnel, and students on issues related to school safety incident response; and**
 - 4. Identifies in its application location education providers or first responders that will participate in school safety incident response training or programs.**
- B. Eligible applicants must submit an application developed by the Executive Director's Office, Office of School Safety in conformance with the application and the terms of the program guidance described below.
- C.
- D. The program funds may only be used for the following purposes:
1. Capital construction that improves the security of a public school facility or public school vehicle, including any structure or installed hardware, device, or equipment that protects a public school facility or public school vehicle and the students, educators, and other individuals who attend, work in, or visit a public school facility or are transported in a public school vehicle from threats of physical harm including but not limited to any structure or installed hardware, device, or equipment that:
 - a. Prevents the entry of unauthorized individuals into a public school facility or a protected space within a public school facility or onto a public school vehicle; **or**
 - b. Can be used to expedite communication when a threat is present;**
 - ~~c. Prevents undesired objects and substances from entering a public school facility or public school vehicle;~~
 - ~~d. Sounds warnings when a threat is present;~~
 - ~~e. Can be used to expedite communication when a threat is present; or~~

~~f. Enables authorized individuals to visually monitor the public school facility or its ground or the public school vehicle;~~

2. Training in student threat assessment ~~provided to~~ for all school building staff who have contact with students, which must include best practices for conducting threat assessments, such as instruction on how to prevent bias when conducting a threat assessment;
3. In collaboration with local law enforcement agencies, providing the training for peace officers on interactions with students at school;
- ~~4. Training related to school security for on-site school resource officers employed by the local education provider; and~~
4. School emergency response training for all school building staff.;
5. Programs to help student become more resilient in meeting the daily challenges they face without resorting to violence against themselves or others, including addressing the fundamental causes of violence and aggression and helping students become responsible members of their schools, neighborhoods, communities, and families;
6. Developing and providing training programs, curricula, and seminars related to school safety incident response;
7. Developing best practices and protocols related to school safety incident response;
8. Implementing a school resource officer program; and
9. Implementing a co-responder program.

E. The contract agreement between the State and the recipient(s) of the program will specify additional requirements, including, but not limited to: performance measures, reporting requirements, and monitoring of recipient's activities and expenditures.

F. Additionally, the following criteria will be evaluated in awarding any grant:

1. The likely effectiveness of the applicant's use of the disbursed money to improve security in public school facilities or vehicles; and
2. The availability and commitment of the applicant to use financial resources (cash or in-kind) to provide local **matches** to support this program.

5.2 Award Details

A. Period of Performance: Twenty-eight (28) Months

B. Funding Instrument: Discretionary

5.3 Time Frames for Application

A. Time Frames

Application Submission Deadline: January 5, 20xx; 5:00 PM MST
Grant Awarded to Applicants Deadline: March 1, 20xx
Grant Fund Distribution Deadline: April 30, 20xx
Period of Performance – 28 months: March 1, 20xx – June 30, 20xx

B. Restrictions

1. Applications that are not submitted by the stated application submission deadline will not be reviewed or considered for funding.
2. Pre-award costs are NOT allowed under this program (costs incurred or work completed prior to application).

5.4 Application Submissions

A. Applicants must submit a hard copy of their signed application via U.S. mail and email an electronic copy of their application as specified in the program application.

5.5 Grant Guidance

The Executive Director's Office, Office of School Safety is responsible for the implementation of this grant program and will develop and publish a grant application and guidance.