Colorado Bullying Prevention and Education Best Practices and Model Policy

February 2022

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Table of Contents

Acknowledgements	3
Purpose	3
History	3
Definition of Bullying	4
Prevention and Intervention	7
Reporting and Investigating Incidents	11
Consequences	14
District Policy Requirements	15
Development of the Model Policy	16
Colorado Bullying Prevention and Education Model Policy	18
Appendix A. Ashawnty's Law	21
Appendix B. Jack and Cait's Law	23
Appendix C. Other Tools and Resources	27
Appendix D. Bullying Prevention Implementation Guide	28
Appendix E. Flowchart of Bullying Investigation Process	44
Appendix F. Sample Bullying Report Form	45
Appendix G. Sample Bullying Investigation Checklist	47
Appendix H. Review of Other State Model Policies and Approaches	50
Appendix I. Research References	52
Appendix J. Draft Policy Public Feedback Survey	56

Acknowledgements

The Colorado Department of Education (CDE) would like to acknowledge those who have made the Colorado Bullying Prevention and Education Best Practices and Model Policy (Model Policy) possible. This includes the families of students in Colorado who have experienced bullying, students, community members, and educational organization members. The guidance and feedback provided by Maya Haynes, Barbara Coloroso, Amber Connet, Kati Garner, and others allow this updated Model Policy to represent the voice of all those who are impacted by bullying.

Purpose

The Model Policy was created to provide districts, families, and students with resources, tools, and a common understanding of what constitutes best practice for bullying prevention. This document includes the updated Model Policy drafted to meet the requirements set forth in Senate Bill 18-151 and describes bullying prevention best practices. As school districts are considering this model when developing their own bullying prevention policy, they are encouraged to review these best practices as well. The extensive research of approaches, policies, and practices of other state model policies has been conveyed throughout this document in an effort to support greater reductions in bullying for the students of Colorado.

History

The state of Colorado first began addressing the need for bullying prevention and education policy in the year 2000. As part of the response to the tragedy at Columbine High School, the Colorado General Assembly passed the Safe Schools Act (C.R.S. 22-32-109.1). This Act and its subsequent amendments included the requirement that each school district board of education adopt a policy for bullying prevention and education. The following summer, in 2001, the Colorado Association of School Boards (CASB) developed a sample bullying prevention and education policy for its member school districts in accordance with the amended Safe Schools Act. By the 2002-2003 school year, CDE found/verified that 100% of school districts were in compliance with the bullying prevention policy amendment to the Safe Schools Act.

In 2011, the Colorado General Assembly passed House Bill 11-1254, Concerning Measures to Reduce the Frequency of Bullying in Schools Act (C.R.S. 22-93-101). This law, in part, encouraged districts to include specific components in their bullying prevention and education policies. These components included the biennial administration of student surveys to determine the severity of bullying in their schools, character building, and the designation of a team of persons at each school who advise the administration on the severity and frequency of bullying. The School Bullying Prevention and Education Grant (BPEG) was also created through this law to, in part, support districts in meeting these components of a bullying prevention and education policy.

The Colorado General Assembly made changes to the state's anti-harassment laws (C.R.S. 18-9-111) in 2015 in response to the attempted suicide of 14-year-old Kiana Arellano. After experiencing months of cyberbullying, Kiana survived a suicide attempt in 2013 that resulted in a traumatic brain injury and paraplegia. Kiana Arellano's Law makes it a class 2 misdemeanor to cyberbully others in Colorado when the behavior rises to the level of criminal intent to harass, annoy, or alarm another person. Additionally, Kiana Arellano's Law states that cyberbullying occurs or is committed at the place where the electronic communication was either made or received.

Three years after passing Kiana Arellano's Law, the Colorado General Assembly passed Senate Bill 18-151. The short name for the bill is Ashawnty's Law, named for Ashawnty Davis. Ashawnty was a 10-year-old student in Colorado who died by suicide in 2017, in part, because of her experience being the target of bullying. Ashawnty's Law tasked CDE with researching the approaches, policies, and practices related to bullying prevention and education used in other states for the purpose of developing the Model Policy to serve as guidance for Colorado school districts. The full text of Ashawnty's Law can be found in Appendix A. The Model Policy and the results of the research that informed it was first published on the CDE website on July 1, 2019 and is to be updated every three years.

In 2021, the Colorado General Assembly passed House Bill 21-1221, Bullying Prevention and Education in Schools, also known as Jack and Cait's Law. This law is named after Jack Padilla and Caitlyn Haynes both of whom died by suicide, in part, because of their experiences being the target of bullying. Jack and Cait's Law expands upon Ashawnty's Law in several ways including, (1) tasking CDE with utilizing a stakeholder process, which must include participation by the parents of students who have been bullied, when updating the Model Policy, (2) requiring the model policy to differentiate between conflict, harassment, and bullying, (3) clarifying the role of cyberbullying during online instruction, and (4) requiring school districts to ensure that their bullying prevention and education policies, at a minimum, incorporate the approaches, policies, and practices outlined in the Model Policy. The full text of Jack and Cait's Law can be found in Appendix B.

Definition of Bullying

In Colorado, bullying is defined in C.R.S. 22-32-109.1(1)(b) as:

> Any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance; or against whom federal and state laws prohibit discrimination upon any of the bases described in section 22-32-109 (1) (II) (I). This definition is not intended to infringe upon any right guaranteed to any person by the first amendment to the United States Constitution or to prevent the expression of any religious, political, or philosophical views.

To provide clarity on Colorado's legal definition of bullying, it is helpful to consider the academic definition of bullying. School bullying researchers typically define bullying by highlighting three components that differentiate it from other forms of aggression: the behavior is intentional, repeated or likely to be repeated, and marked by an imbalance of power2. The imbalance of power can be realized in several ways including an imbalance of physical, social, or socio-economic power. School bullying can occur in-person or online through the use of electronics.

Types of Bullying

There are three types of bullying: physical, verbal, and relational. Physical bullying occurs when a student is bodily harmed and includes behaviors such as hitting, kicking, spitting, or pushing. In contrast, verbal bullying can be harmful written or verbal communication such as name-calling or threatening another student. The third type of bullying is relational bullying. Sometimes referred to as social bullying, the purpose of relational bullying is to harm a student's relationships or social status. This can include behaviors such as spreading rumors or posting embarrassing information online. Damaging a student's property has been suggested by some researchers as a fourth type of bullying.[1] This would include acts such as theft or deleting the student's personal electronic information.

[1] Gladden, Vivolo-Kantor, Hamburger, & Lumpkin, 2014

According to the Centers for Disease Control and Prevention, cyberbullying, or electronic bullying, is a location where bulling occurs and not a type of bullying itself.[2] Cyberbullying occurs when students use technology to verbally or relationally bully others. This can occur during online instruction on or off school property. For example, students may create private electronic document in which they verbally engage in bullying, then delete the file shortly after; all while appearing to be completing assignments. The lines between in-person bullying and cyberbullying can often blur. For example, physical bullying that results in a fight being recorded and posted online or the spreading of rumors using electronic means can be both in-person and cyberbullying. Other examples and resources can be found in Appendix C. Often, cyberbullying occurs outside of school hours, off school property, and on personal devices. These behaviors are still within the scope of the school to respond to when it affects a student's welfare, their ability to access their education, and/or the behavior has a nexus, or connection, to the school.

Roles in Bullying

Researchers in the field of bullying prevention identify several roles that students may hold when bullying occurs: students who bully; students who are targeted; students who are both bullied and targeted; and students who witness bullying (also known as "bystanders") as shown in Figure 1. Although these roles are commonly used in research studies, when working with students in schools, the use of labels ought to be avoided. Referring to students as a "bully" or a "victim" may lead to the incorrect belief that these labels define the individual rather than their behavior and that student behaviors cannot change. When possible, it is preferable to use language that highlights the behavior and avoids labeling the student. For example, instead of referring to a student as "the bully" one could say, "the student who bullied."

Bullying Roles

1. Students who bully
2. Students who are targeted
3. Students who bully and are targeted
4. Students who witness bullying

Figure 1. The four roles students can have in bullying.

Emerging research in the area of policy and the definition of bullying suggests that enumerating specific groups of students that are protected by state and federal law against discrimination may be beneficial. For students who identify as lesbian, gay, bisexual, transgender, questioning, and all other gender identities and sexual orientations (LGBTQ+), studies suggest that district bullying prevention policies that specifically prohibit bullying based on a student's sexual orientation and/or gender identity/expression can have a positive impact on feelings of safety[3]. Moreover, students identifying as LGBTQ+ report fewer incidents of harassment or assault because of their sexual orientation and gender expression when their district's policy enumerates LGBTQ+ students as a protected group. The importance of enumeration is realized to an even greater extent given the fact that prominent bullying prevention researchers suggest that to effectively address bullying in adolescents, bullying prevention policies should address homophobic epithets and name-calling.[4]

What Bullying is Not

In addition to knowing the three components that comprise bullying, it is just as important to know what bullying is *not*. Bullying is not teasing, fights between students of equal power, or conflict. When students tease one another, it is meant to be affectionate and not cause harm. Often, students who bully do not want to be caught and will claim that they are only teasing another student. Signs that indicate teasing is actually bullying include, (a) the teasing is hostile instead of affectionate, (b) the student teasing intends to hurt the student being teased, and (c) the student being teased is harmed by the behavior. Furthermore, when students of equal

[2] Gladden et al., 2014
[3] Kull, Greytak, Kosciw, & Villenas, 2016
[4] Espelage, 2013, 2016

power have an argument or fight, it is not considered bullying due to the fact that there is not an imbalance of power inherent in their relationship. School staff should approach intervention measures in accordance with all appropriate policies based on the type of transgression that occurs.

Bullying vs. Conflict What's the Difference?

Conflict	Bullying
Disagreement or argument in which both sides express their views	Goal is to hurt, harm, or humiliate
Equal power between those involved	Person bullying has more power
Generally stop and change behavior when they realize it is hurting someone	Continue behavior when they realize it is hurting someone

Figure 2. The difference between conflict and bullying. Adapted from Pacer's National Bullying Prevention Center.

Bullying vs. Conflict

Bullying is different than conflict. Conflict is a disagreement or argument between two or more people in which all sides express their views. Conflict is a natural part of human relationships as people grow and change. Conflict happens between people who hold equal power in a relationship but have different points of view. Moreover, when conflict occurs between students, both are able to express their perspectives and opinions. Those involved in a conflict usually want the issue to be resolved, to maintain a healthy relationship, and to avoid hurting the other party or parties. Figure 2 illustrates the difference between normal conflict and bullying. More detail on the differences between bullying and conflict can be found at PACER's National Bullying Prevention Center[5].

Bullying vs. Harassment

Although bullying and harassment are often used interchangeably when talking about hurtful or harmful behavior—and the behavior may look the same—there are important distinctions in the definition, laws, and protections for students experiencing harassment.

Harassment based on a protected class—a person's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services, is a form of discrimination prohibited by state and federal law. Harassing conduct may take many forms that are similar to bullying, including verbal abuse, graphic or written statements, threats, physical assault, or other conduct that is threatening or humiliating, but harassment occurs when the negative behavior is based on a student's status or membership in a protected class. Bullying behavior becomes harassment when the negative behavior is based on a target's status or membership in a protected class and is so severe and pervasive that it impacts a student's ability to participate in the educational environment.

Bullying vs. Harassment

Bullying and harassment are both about:

- Actions that hurt or harm another person physically or emotionally
- The target having difficulty stopping the behavior

The difference?

When the bullying behavior directed at the target is also based on a protected class, that behavior may be defined as harassment and subject to process and procedures in the Board's harassment policies. Protected classes include disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or the need for special education services, whether such characteristic(s) is actual or perceived.

Figure 3. The difference between bullying and harassment. Adapted from Pacer's National Bullying Prevention Center.

Students experiencing harassment have additional protections at the federal level and federally-funded schools are required to follow specific procedures for reporting, investigating, and resolving complaints of harassment—including a separate process for sexual harassment complaints under Title IX.

[5] https://www.pacer.org/bullying/resources/questions-answered/conflict-vs-bullying.asp

More detail on the differences between bullying and harassment can be found at PACER's National Bullying Prevention Center.[6]

Prevention and Intervention

The stopbullying.gov website[7] hosted by the U.S. Department of Health and Human Services recommends that bullying prevention policies include a description of the prevention and intervention efforts taking place in the school and district. Research on prevention and intervention approaches highlights several key components that give schools the best opportunity to effectively reduce bullying.[8] Schools should consider aligning these components under a multi-tiered framework such as a Multi-Tiered System of Supports (MTSS) that provides a layered continuum of supports, including those for all students (universal supports), some students (targeted supports), and few students (intensive supports). More information on Colorado MTSS can be found on CDE's MTSS website.[9]

It should be noted that every school has its own unique circumstances that may increase or decrease the likelihood of certain strategies being effective. In general, the following areas have been found to be related to reductions in bullying.

Positive School Climate

Multiple studies indicate that the foundation of effective bullying prevention is a positive school climate.[10] According to the National School Climate Center[11], school climate is defined as, "the quality and character of school life…it also reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures." One of the most common approaches to improving school climate is through the implementation of Positive Behavioral Interventions and Supports (PBIS). The PBIS framework includes several defining practices: (a) the majority school staff agree to engage in an approach to discipline that is positive and comprehensive; (b) all students and staff adhere to a set of 3-5 school wide expectations; (c) the school wide expectations are directly and continuously taught in much the same way academics are taught; (d) students are acknowledged for displaying the school wide expectations through the use of a continuum of procedures; (e) a continuum of consequences is developed for responding to problem behaviors; and (f) data are used for decision making. Moreover, research suggests that implementing PBIS with fidelity is connected with teacher-reported reductions in bullying behavior.[12] For more information on PBIS and positive school climate in Colorado, please visit CDE's PBIS website.[13]

Bullying Prevention Best Practices

1. Intervene immediately when bullying occurs
2. Train teachers
3. Include families
4. Include student voice
5. Use data to problem solve
6. Use evidence-based strategies
7. Have a team lead the work

Figure 4. Bullying prevention best practices. Adapted from stopbullying.gov

Evidence-Based Bullying Prevention Curricula

[6] https://www.pacer.org/bullying/info/questions-answered/bullying-harassment.asp
[7] https://www.stopbullying.gov/
[8] Ttofi & Farrington, 2011
[9] https://www.cde.state.co.us/mtss
[10] Espelage, Polanin, & Low, 2014
[11] https://www.schoolclimate.org/about/our-approach/what-is-school-climate
[12] Bradshaw, Waasdorp, & Leaf, 2012
[13] https://www.cde.state.co.us/mtss/pbis

There are numerous programs and approaches that can supplement effective school climate strategies to specifically address bullying. To have the best chance to reduce bullying in schools, it is imperative that curricula and approaches be used that have evidence supporting their effectiveness. Evidence-based bullying prevention curricula are evaluated by several peer-reviewed studies demonstrating that they reduce bullying in schools. Research on bullying prevention curricula have been produced for decades, and there are several programs that have been identified as being effective when implemented with fidelity (i.e., implemented the way the program was designed to be implemented). Many of these programs are also the most commonly used by grantees in the state of Colorado's Bullying Prevention and Education Grant (BPEG) program. A review of evidence-based bullying prevention programs was completed by the University of Nebraska-Lincoln for the BPEG program and can be found on the BPEG website.[14] These evidence-based programs include:

- Bullying Prevention in PBIS
- Positive Action
- Second Step and the Bullying Prevention Unit
- Olweus Bullying Prevention Program
- Facing History and Ourselves

Family, School, and Community Partnerships

Although bullying prevention commonly includes teachers and students, research suggests that including families and the community in these efforts is an effective method for reducing bullying.[15] In their 2011 study, Ttofi and Farrington completed a comprehensive review of bullying prevention studies in an attempt to determine the effectiveness of school-based bullying prevention programs. Results from the study found that one of the most significant factors associated with reducing bullying in schools was the inclusion of parent specific supports. For example, schools can train parents on the warning signs of bullying and how they can engage their child in a conversation about bullying so that parents are more confident in how to respond to concerns. When bullying prevention programs included parent supports as part of their approach, it significantly decreases the percentage of students reporting engaging in bullying behavior and being the target of bullying behavior.

When schools are able to forge partnerships with their surrounding community, additional resources for prevention and intervention can also be found. There are multiple non-profits around the state focused on bullying prevention or youth resiliency which can serve as a resource for schools. Additionally, schools can partner with licensed counselors or therapists to provide intensive supports for students who have experienced bullying. Recently, the state of Colorado implemented the *I Matter* program which provides three, free counseling sessions for youth across the state. Counseling is also shown through research to be an effective intervention for both students who have been targeted for bullying[16] and students who have engaged in bullying.[17] Moreover, these community members can be included in the bullying prevention teams that Colorado law encourages schools to develop to lead the bullying prevention work. For more information on family, school, and community partnerships, please visit CDE's Family School Community Partnerships website.[18]

Student Voice

Often, bullying is a covert act that may escape the immediate notice of teachers or other adults in the school. Students themselves are the ones who experience bullying and thus may have the best understanding of its nuances within the unique context of each school. When students are able to become part of the solution by influencing peer norms, they can have a strong impact. Indeed, researchers show that, especially at the

[14] https://www.cde.state.co.us/mtss/bullying
[15] Ttofi & Farrington, 2011
[16] McElearney, Adamson, Shevlin, & Bunting, 2013
[17] Webster-Stratton, Reid, & Stoolmiller, 2008
[18] https://www.cde.state.co.us/uip/familyengagement

secondary level, bullying rates may decrease when students are given greater autonomy[19] related to bullying prevention efforts and it is suggested that fewer reductions in bullying for students at the secondary level may be due to the adult-facilitated approach of many bullying prevention programs.[20] Much research is devoted to the importance of students who witness bullying because they can either reinforce bullying behaviors or counter them. Studies also show that bystanders are more likely to provide help in situations where the norm among students is to support those targeted by bullying.[21] Including students in decision making can also be a beneficial way to empower them to stop bullying. For example, districts can develop a district-wide youth advisory board with the mission of providing the student perspective to district leaders. A similar approach may be applied at the school level as well.

Policy

Since 2001, all school districts in Colorado have been required to have a bullying prevention and education policy as part of their safe school plan. Research on bullying prevention policies suggest that certain inclusions have a greater impact on reducing bullying. One of these inclusions relates to enumerating federally protected groups of students (e.g., students with disabilities, LGBTQ+ students, racial/ethnic minorities) within the bullying prevention policy itself. At the state level, several components are suggested as important inclusions in bullying prevention laws and policies from the federal government. In 2011, the U.S. Department of Education published their Analysis of State Bullying Laws and Policies,[22,23] which outlined 11 key components in bullying laws and policies that may encourage greater school district implementation fidelity to state laws and policies. The Colorado Bullying Prevention Best Practices document is designed to meet all 11 key components.

The federal website stopbullying.gov[24] highlights two additional areas related to policy: communication and review. In their review, the U.S. Department of Education found that 17 of the 20 school districts they reviewed included language on how their bullying prevention policy should be communicated. Some districts required all schools to post the policy on their website while others require schools to communicate the policy in writing each year to students and their families. Other ways to communicate the school and district's bullying prevention policy to families is to provide brief handouts for parent-teacher conferences or at other highly attended, school-sanctioned events (e.g., sporting events, school plays). To ensure staff know the policy and are provided the sample forms, school administration can include training on the policy at the beginning of each academic year. Researchers in the field of bullying agree that both students and their families should be given several opportunities to access resources for educating themselves on bullying.[25] The second additional key component identified in the 2011 U.S. Department of Education review on state bullying laws was a review of local policies. Specifically, 20 of the 50 states reviewed had accountability measures requiring school districts to submit bullying policies to the state for review. Currently, Colorado does not require school districts to submit and/or review their bullying prevention policies but does require school districts to ensure that their local district policies incorporate the approaches, policies, and practices outlined in the Model Policy.

Data-Based Decision Making

Collecting and using data on bullying is one of the most effective ways a school can be precise in its prevention and intervention efforts. Additionally, surveying students on their experiences with bullying is encouraged in Colorado law. In 2011, the Centers for Disease Control and Prevention developed a free compendium of bullying surveys[26] that can be utilized by any school and measures a myriad of different factors.[27] In addition to the

[19] Roth, Kanat-Maymon, & Bibi, 2011
[20] Yeager, Fong, Lee, & Espelage, 2015
[21] Pozzoli, Gini, & Vieno, 2012
[22] U.S. Department of Education, 2011
[23] https://www2.ed.gov/rschstat/eval/bullying/state-bullying-laws/state-bullying-laws.pdf
[24] https://www.stopbullying.gov/
[25] Cornell & Limber, 2015
[26] https://www.cdc.gov/violenceprevention/pdf/bullycompendium-a.pdf
[27] Hamburger, Basile, & Vivolo, 2011

standard questions regarding the frequency of bullying, other items allow schools to analyze their data to pinpoint problems and determine ideal solutions. By including questions about the location (e.g., hallways, classroom), type (e.g., physical, verbal, spreading rumors), and time (e.g., before school, second period) of incidents, schools are able to attain the information necessary to be both effective and efficient in their prevention of bullying. For example, a school could administer a student survey and find that eighth-grade students report the most bullying in the hallways during passing times after 2nd period. The school could use this specific information to respond by having teachers stand outside of their classrooms during this time, increasing staff presence, thereby reducing the likelihood of bullying. Collecting these data over the course of several years will also allow schools to show families, the community, and other stakeholders how their efforts have reduced bullying over time. For more information and resources on data-based problem solving and decision making, please visit the CDE website.[28]

Implementation of Bullying Prevention Efforts

Even if schools and districts implement evidence-based bullying prevention and intervention strategies, their strategies may not be effective if they are not implemented with fidelity or as intended. For a new bullying prevention initiative to reach full implementation, research suggests it may take four years or more.[29] While this is a significant amount of time to invest in an initiative, bullying prevention efforts that are marked by greater intensity and duration are significantly more likely to reduce bullying.[30] One of the keys to effective implementation of a new initiative is the use of teams. Research suggests that using an implementation team to lead the work of a new initiative can speed up the effectiveness of programs and increase the likelihood that programs are implemented well.[31] Moreover, the use of teams to lead work in bullying prevention at the school level is encouraged in Colorado law.

To ensure that bullying prevention efforts become part integrated into the school system, supports for bullying prevention can be aligned with a school's Response to Intervention (RtI) system. At the universal level (i.e., Tier I), schools can utilize an evidence-based program, a strong policy, and positive school climate to prevent bullying. Providing brief, universal, behavioral screening measures can also guide schools in understanding potential locations, types, and individual students who may need targeted (i.e., Tier II) or intensive (i.e., Tier III) supports. In these cases, school can develop clear targeted (e.g., check-in check-out) and intensive (e.g., counseling) supports for students involved in bullying. The ultimate goal of incorporating bullying into a school's RtI system is to quickly address bullying through data-based decision making so that students no longer need targeted or intensive supports to be successful.

Given the complexity of implementing an effective bullying prevention program, an adapted version of the BPEG program's implementation guide is provided in Appendix D. This implementation guide chronologically walks through the first three years of implementation for a comprehensive approach to preventing bullying. Moreover, it utilizes many of the best practices discussed in the Model Policy. Schools and districts are able to use this implementation guide as a roadmap for installing their own bullying prevention program.

[28] https://www.cde.state.co.us/mtss/data-basedproblemsolvinganddecision-making
[29] Fixsen, Blase, Naoom, & Wallace, 2009
[30] Ttofi & Farrington, 2011
[31] Fixsen, Blase, Timbers, & Wolf, 2001

Bullying Prevention Approaches to Avoid

1. Don't use zero tolerance policies
2. Don't use peer mediation
3. Don't provide group treatment for students who bully
4. Don't use simple, short-term solutions

Figure 5. Approaches to avoid when preventing bullying. Adapted from stopbullying.gov

Common Bullying Prevention Missteps

There are several approaches to bullying prevention, as listed in Figure 5, that are either ineffective or even increase the prevalence of bullying. An approach that became common in the late 1990s and early 2000s when schools was attempting to respond to bullying were "zero tolerance" policies. These policies provided a range of severe consequences for students (e.g., suspension, expulsion) if they were found to have engaged in bullying. Although designed for the purpose of protecting students and creating a positive school climate, research suggests that zero tolerance policies are not effective.[32]

Another approach that has become more common in schools, in part due to the rise in popularity of restorative practices, is the use of peer mediation. While peer mediation may be appropriate for less severe behaviors, it is not recommended as a solution for resolving incidents of bullying.[33] In fact, some research indicates that using peer mediation may even *increase* rates of bullying.[34] Potential reasons for these results may be related to the imbalance of power that is inherent with bullying compared to other forms of aggression. This imbalance of power can play out during peer mediation sessions as well, even when adults are present. To be clear, restorative practices can be beneficial in proactively developing relationships, encouraging a positive school climate, and dealing with conflict; however, mediation in bullying situations should be avoided.

A third problematic bullying prevention strategy commonly used in schools involves the placement of students exhibiting problem behavior into groups to receive counseling or social skills support. While providing small group support to students needing additional help in reading, writing, or mathematics can be both effective and efficient, this approach is not recommended for students who engage in bullying. When students who bully are brought together in a single group, it may in fact reinforce their aggressive behavior and result in increased rates of bullying.[35]

Finally, bullying prevention efforts should avoid uncomprehensive, short-term solutions. This is commonly seen in the form of one-time assemblies for students on bullying. Research suggests that these awareness raising events are not effective at reducing the rates of bullying when done in isolation.[36] However, assemblies can be used to create excitement and momentum for the more comprehensive bullying prevention efforts as described earlier in this document. In general, bullying prevention efforts that are comprehensive and include long-term systemic approaches are more successful.

Reporting and Investigating Incidents

Consistent with the Colorado Bullying Prevention and Education Model Policy, the superintendent's comprehensive program to address bullying should include procedures for investigating reports of students engaged in bullying and/or other behaviors prohibited by the policy. This section provides guidance on the

[32] American Psychological Association Zero Tolerance Task Force, 2008
[33] Bradshaw, 2013
[34] Ttofi & Farrington, 2011
[35] Dodge, Dishion, & Lansford, 2006
[36] Farrington & Ttofi, 2009

procedures for investigating reports of bullying and other prohibited behaviors. A flowchart of this process can be found in Appendix E.

Reporting Incidents

Bullying may be reported orally or in writing to an administrator, teacher, or other staff member. An example of a bullying report form can be found in Appendix F. Reports also may be received from Safe2Tell.[37] A report may be anonymous. A staff member who receives a report of bullying should immediately notify the designated administrator.

Depending on the size and organizational structure of the school district, the designated administrator may be the superintendent, assistant superintendent, building principal, compliance officer, or other administrator as designated in the local school board's bullying prevention policy or accompanying regulation. On a case-by-case basis, the role of the designated administrator also may be delegated to another staff member. The designated administrator, in consultation with other administrators, staff, and, if appropriate, the school district's legal counsel, investigates the bullying report, makes findings, and determines the school district's responsive actions.

Determination of Scope

Upon receipt of a bullying report, the investigator (i.e., the designated administrator or designee) first should determine whether the report of bullying falls within the scope of the school district's authority to investigate. It is within the scope of a school to address bullying behavior that occurs on or off school property when it affects a student's ability to fully participate in the educational process and is detrimental to the welfare or safety of students. The investigator may wish to consult with the school district's legal counsel when determining whether a report falls within the scope the school district's authority to investigate. If the school district does not have authority to investigate the report, the investigator should promptly notify the individual who made the report of this determination. The school should maintain a record of the report in the case that an incident of bullying within the scope of the school district occurs. Moreover, schools can provide families and students with resources on how to prevent and respond to future incidents of bullying. This may include administering lessons for the student related to social-emotional wellness and developing a safety plan.

If the report of bullying is within the school district's authority to investigate, the investigator should determine if the reported conduct falls within the scope of the bullying prevention policy. That is, is the alleged conduct potentially bullying (as defined in the policy), or is the alleged conduct potentially discrimination or harassment, including sexual harassment, on the basis of a protected category (as defined by federal and state law and the respective school board policies), or is the allegation concerning another type of conduct?

It is important for the investigator to determine the nature of the alleged conduct because it informs which policy and procedures to follow for conducting the investigation. However, at times, it may be difficult to determine what type of conduct is being alleged based on the report. In such circumstances, the investigator may need to start investigating in order to identify the applicable policy and procedures under which to carry out the investigation and make findings as to the alleged conduct. The investigator also may wish to consult with the school district's legal counsel when determining the appropriate policy and procedures for investigating the report.

If the reported conduct is within the scope of the bullying prevention policy, the investigator should promptly investigate the matter pursuant to the policy and any accompanying regulation. If it is not, the report should be promptly investigated pursuant to the applicable school board policy (e.g., nondiscrimination/harassment policy, sexual harassment policy, student complaint and grievance policy, student conduct and discipline policy). If possible criminal conduct is indicated in the bullying report, law enforcement should be notified.

[37] https://safe2tell.org/

Investigation

A school district may establish timelines within which to conduct a bullying investigation. At a minimum, all reasonable efforts should be made to timely complete the investigation. When investigating a report of bullying, the investigator should take into consideration information received in the initial bullying report as well as additional relevant information received during the course of the investigation about the reported bullying incident(s). The information to be collected and evaluated as part of the investigation may include, but is not limited to:

- A description of the alleged incident(s), including the nature of the conduct, context in which the conduct occurred, the date(s), time(s), and location(s), etc.;
- Identity of all individuals involved, including any witnesses;
- Relationships among the involved individuals and whether an imbalance of power was apparent;
- How often the conduct occurred and the likelihood that the conduct may occur again;
- Whether there were previous incidents or continuing patterns of behavior involving some or all of the involved individuals; and
- Whether the conduct adversely affected any of the involved student's education or educational environment.

The investigator should involve, if necessary, appropriate school support personnel and other staff with knowledge, experience, and training on bullying prevention and intervention. The investigator also should consider whether interim measures should be implemented during the investigation to protect against further bullying or other prohibited behavior.

See the Sample Bullying Investigation Checklist in Appendix G. A school district may wish to consult with its legal counsel regarding developing additional procedures and forms for conducting an investigation.

Notification

The investigator (if not the designated administrator) should keep the designated administrator apprised of the status of the investigation. To the extent appropriate as determined by the investigator and designated administrator, and in accordance with applicable law and local school board policy and procedures, the investigator should inform the student(s) and the parents/guardians of the student(s) involved in the alleged incident of the status of the investigation. This notification should include information for parents/guardians as to their right to appeal investigatory findings to the district.

Confidentiality

The bullying report, individuals involved in the alleged incident of bullying, and the findings and outcomes of the investigation should be kept confidential except as necessary to fully investigate the report, as authorized by the complainant, or as otherwise permitted or required to be disclosed by law or local school board policy and procedures (e.g., concerning the confidentiality of student education records or personnel records).

Reporting Findings

In accordance with applicable law and local school board policy and procedures, the investigator or designated administrator should notify the student(s) and the parents/guardians of the student(s) involved in the alleged incident of bullying of the findings and outcomes of the investigation and any other information deemed appropriate by the investigator and designated administrator. The way this information is communicated will depend on local school board policy, procedures, and practice, as well as taking into consideration the circumstances of the matter. For example, the information may be provided in the form of a written report or meetings with each student and the student's parents/guardians, and may include an overview of the investigation process, the findings of the investigation, and any responsive actions by the school district. Regardless of the outcome of the investigation, schools must ensure that students feel safe and have the ability

to access their education. If students and their families do not feel that the school has ensured a safe environment for their children to learn, they may contact the district to discuss potential next steps.

Recordkeeping

Bullying reports, investigation documentation and evidence, written findings reports (if any), and records of any responsive actions should be maintained in accordance with applicable law, local school board policy and procedures, and the school district's record retention manual. A school district should consult with its legal counsel regarding recordkeeping requirements and practices.

Consequences

According to Colorado law, all school district bullying prevention and education policies must include appropriate disciplinary actions for students found to have engaged in bullying behavior. Experts in the field of bullying prevention recommend that consequences for bullying follow a graduated range of sanctions and supports.[38] By taking this approach, school administrators are able to select discipline and supports that align with several considerations. This is in contrast to the use of zero-tolerance policies in responding to bullying as this approach has been widely dismissed as ineffective.[39] Although the term "zero-tolerance" is sometimes considered to mean that a school forbids bullying on their campus, in this context, zero-tolerance refers to specific disciplinary actions (e.g., long-term suspension, expulsion) for bullying that are administered regardless of the seriousness of the incident. Moreover, this discipline is automatic and often severe.[40]

The idea of graduated sanctions recommended by researchers aligns well with a multi-tiered approach to bullying prevention.[41] Many state model policies include a range of sanctions, both supportive and punitive. Decisions regarding these sanctions should take into consideration several factors as outlined in Figure 6 including the severity of incidents, the students' history of problematic behavior, the developmental age of the students involved, the motivation of the problem behavior, and the availability of supports. A range of graduated consequences for bullying behavior can include, but is not limited to:

Discipline Considerations

1. The severity of the incident
2. Previously reported and founded incidents
3. Developmental level of the students
4. Motivation of the behavior
5. The availability of family, school, and community supports

Figure 6. Considerations that may be used when determining appropriate consequences for students involved in bullying

- School personnel and parent communication
- Social skills instruction
- Increased check-in and feedback opportunities with adults
- Supports focused on increasing empathy, communication skills, and the impact of bullying
- Additional adult supervision
- Implementation of a safety plan that does not increase the likelihood of the targeted student receiving discipline and is jointly developed and agreed upon by the school, the student who was targeted, and their family
- Behavioral contracts: a written statement listing expected behavior of the student and how school staff and/or families will provide support

[38] Cornell & Limber, 2015
[39] American Psychological Association Zero Tolerance Task Force, 2008
[40] Cornell, 2006
[41] Leff & Waasdorp, 2013

- Reassignment of seat in class, lunch, or on the bus
- Daily behavior report cards: adherence to expected behaviors is scored for each school period
- Referral to school counselor, social worker, school psychologist, or other support staff
- School/community service
- Removal of desired activities
- Detention: detainment of a student for disciplinary reasons before, during, or after school
- Saturday/evening school: detention programs on Saturday or other non-school hours
- In-school suspension for one-half day or more with a family member contacted
- Prohibition from entering certain areas of school
- Reassignment of classes
- Out-of-school suspension including a conference with the family and re-entry plan
- Referral to law enforcement
- Reassignment to another school or mode of transportation
- Other alternatives to suspension and expulsion where the school, student, and family agree to a set of requirements that, while in good standing, prevent removal.

When bullying behavior crosses over into unlawful behavior, other district policies are often referenced. Some of the more common policies associated with bullying include those related to discrimination, harassment, and sexual harassment. Researchers recommended differentiating bullying from these other forms of aggression in policy.[42] Harassment is a legal term that has a history of being used to describe abusive behavior towards federally protected classes.[43] The concern with conflating the behaviors of bullying with harassment is that it may lead to confusion at the school level for administrators. When separate policies dictate what constitutes bullying compared to harassment or other forms of aggression, these concerns can be mitigated.

To determine a graduated range of consequences, please refer to the state of Indiana's model bullying prevention policy website[44] which provides six different levels of consequences and supports. Other states simply provide a single list of consequences that increase in severity.

District Policy Requirements

In 2001, Colorado first passed legislation requiring all school districts in the state to create and adopt a bullying prevention and education policy as part of their safe school plan. This law was amended in 2011 with the passing of House Bill 11-1254 to include several additional provisions and in 2021 House Bill 21-1221 required school districts to incorporate the approaches, policies, and practices outlined in the Colorado Bullying Prevention and Education Model Policy.

Policy Requirements

Each school district is required to "ensure that the school district's [bullying prevention and education] policy, at a minimum, incorporates the approaches, policies, and practices outlined in the [Colorado Bullying Prevention and Education Model Policy]." C.R.S. 22-32-109.1(2)(K).

Reporting Bullying to the Colorado Department of Education

Each school year, every school district is required to submit a report to CDE that includes the number of conduct and discipline code violations at each school. C.R.S. 22-32-109.1(2)(b). Included in this report is the number of incidents and the actions taken in response to those incidents for several types of violations. Reporting includes

[42] Cascardi, Brown, Iannarone, & Cardona, 2014
[43] Cornell & Limber, 2015
[44] https://www.in.gov/doe/students/school-safety-and-wellness/student-safetybullying-reporting/

behaviors that are detrimental to the safety of other students or school personnel, "including but not limited to behavior that creates a threat of physical or emotional harm to the student or to other students" and bullying C.R.S. 22-32-109.1(2)(b)(4)(G). Reports of bullying are a new category of detrimental behavior; thus, a frequency count of the number of specific bullying incidents, and how schools responded to these incidents, will be available in the state of Colorado beginning in the 2022-2023 school year.

Charter School Requirements

C.R.S. 22-30.5-116 (1) requires each charter school to adopt and implement a bullying prevention and education policy. The language used to describe the mandated policy is aligned with the policy requirements and encouragements for all other public school districts as described above. The Charter School Institute and each Institute charter school are also listed in the law as being required to adopt and implement a bullying prevention and education policy in the same manner.

Development of the Model Policy

2019 Model Policy

The development of the Model Policy began shortly after Ashawnty's Law was signed. As described in the law, CDE was required to "research approaches, policies, and practices related to bullying prevention and education used by education providers in other states." C.R.S. 22-2-144. To accomplish this, the Office of Learning Supports (OLS) at CDE first created a list of the states with model bullying prevention policies as identified on the federal Department of Health and Human Services' bullying prevention website.[45] OLS staff then reviewed other state model bullying prevention policies as well as their approaches and practices. A list of the results of the most recent review of other state approaches and practices can be found in Appendix H.

Through the review of approaches, policies, and practices used by other states several themes emerged. First, many of the state model policies used a framework identified on stopbullying.gov as being key components of bullying prevention policies. This framework included the following sections recommended for model bullying prevention policies: (a) statement of purpose; (b) prohibited behaviors; (c) definitions; (d) responding to bullying; (e) reporting bullying; (f) investigating bullying; (g) written records and documentation; (h) referrals; and (i) sanctions. The second theme that was found through this review was that many states included example forms in accompaniment with their model policy. This included example forms for taking a report of bullying, investigating reports of bullying, and responding to reports of bullying. A third theme that emerged from the review of other state model policies was that the policies were informed by the empirical literature on bullying prevention. Based on this common approach, CDE also included a review of bullying prevention research to inform the Model Policy.

The review of empirical literature included a search on the American Psychological Association's electronic database of peer-reviewed articles, PsychArticles. Additionally, book chapters from bullying prevention researchers were included in the review. A reference list of all empirical literature that was reviewed for the development of the Model Policy can be found in Appendix I. Finally, in an effort to create a policy that meets the specific needs of Colorado districts, the CASB sample bullying prevention and education policy was reviewed.

Upon completing the review of approaches, policies, and practices used by other states, a preliminary draft of the Model Policy was developed. This initial draft included a revision process with senior leaders at CDE. During the development of the draft policy, staff consulted with the Colorado School Safety Resource Center (CSSRC) on multiple occasions. This included attending CSSRC board meetings to introduce Ashawnty's Law, propose the initial plan for reviewing other state model policies, and providing the initial findings from the review of other

[45] www.stopbullying.gov

state model policies. Additionally, the Director of the CSSRC and the CSSRC Board were given multiple opportunities to provide input and feedback on versions of the policy.

The draft Model Policy was available on CDE's website for public comment between March 4, 2019 and April 12, 2019. The opportunity to provide feedback on the draft policy was shared through CDE's social media platforms and weekly email newsletters to school districts. To provide feedback, the public was able to complete a brief online survey and/or send an email to CDE. All online survey questions were approved by the Educational Data Advisory Committee at CDE. The questions included in the online survey are available in Appendix J.

An analysis of the quantitative data from the online survey was conducted to determine the clarity, helpfulness, and desire for example forms to be included in addition to the model policy. Response options for all three survey questions ranged from "Strongly Disagree" to "Strongly Agree." For the item, "The Model Policy is clear and easy to understand," over 89% of respondents either agreed or strongly agreed. In response to the item, "The model policy would be helpful in supporting students, staff, and families in bullying prevention and intervention," nearly 65% indicated agreement or strong agreement. Finally, for the item, "Some states offer additional resources with their Model Polices, such as forms for reporting and investigating. These supplemental documents would help schools and districts implement effective bullying prevention procedures," almost 89% of respondents agreed or strongly agreed.

To analyze the open-ended feedback results (both survey and email feedback), a modified Critical Incident Technique was used.[46] This process involved multiple staff members individually reading the open-ended responses and categorizing them into themes. These themes were calibrated between the reviewers and defined. Once all of the open-ended questions were reviewed, a frequency count of the themes was calculated. The three most common feedback themes from the public were: (1) the definitions section needed to be improved; (2) specific examples of evidence-based or effective practices or strategies should be provided; and (3) more details were needed in the policy.

Based on the initial feedback provided by all of its stakeholders, a secondary draft of the model policy was created. The draft and results from the public comment period were then presented in a meeting to various stakeholder groups in education and school safety including the CSSRC, Colorado Association of School Boards, the Colorado Rural Schools Alliance, the Colorado School Districts Self Insurance Pool, the Colorado Association of School Executives, and One Colorado. Each of the stakeholder groups provided additional feedback and suggestions on the model policy such that it would be a document that they felt confident in providing to their constituents. Through that discussion it was determined that a more comprehensive document that included both bullying prevention best practices as well as a model district policy would be ideal for supporting districts and schools. Therefore, on July 1, 2019, the Model Policy was published on the CDE website. Every three years, CDE will revisit research on best practices across the country, collect additional feedback, and conduct additional revisions to the document and policy.

2022 Model Policy

In 2021, CDE requested applications from the public to participate as a member of the stakeholder committee tasked with supporting the revision process of the Model Policy. Four groups of stakeholders were requested: family members of students who have experienced bullying; public education students; members of community organizations involved in bullying prevention; and members of educational organizations. CDE received a total of 35 applications which were then independently reviewed and rank-ordered by a group of CDE employees with diverse subject-matter expertise. Each reviewer was informed that a goal for the stakeholder committee was to have a diverse range of stakeholders based on region of the state, ethnicity, experience with bullying, and

[46] Flanagan, 1954

stakeholder group. After the independent ranking of applications, reviewers met to come to consensus on the final rank order for each application.

In total, 18 of the 35 applications received were selected to participate on the stakeholder committee. The stakeholder committee consisted of four parents of students who had experienced bullying, three public education students, four community organization members, and five educational organization members. Members represented five of the seven educational regions across Colorado and four different races/ethnicities.

Members of the Model Policy stakeholder committee were able to provide feedback on the 2019 Model Policy in several ways. First, CDE asked each member to provide broad feedback through a SurveyMonkey survey describing: (1) strengths of the 2019 Model Policy that should be kept in the updated version; (2) clarifying questions about the content of the 2019 Model Policy; and (3) suggestions for improving the 2019 Model Policy. Members also had the opportunity to provide edits to the 2019 Model Policy.

CDE collected all feedback submitted by members of the stakeholder committee and organized the feedback into four broad themes based on the most frequently suggested improvements. These four themes were: (1) improving the definitions section; (2) providing more concrete guidance for schools; (3) providing more concrete guidance for students and families; and (4) improving the sample forms. In October 2021, the first stakeholder committee meeting was held virtually to gather more-detailed feedback on these four themes. CDE described the four themes of feedback that arose from the members' suggestions. Next, members were divided into small groups where they discussed how to incorporate the feedback themes more concretely into the 2022 Model Policy.

Reviewing feedback submitted independently from stakeholder committee members and feedback discussed during the first stakeholder committee meeting, CDE created the first draft of the 2022 Model Policy. This draft was sent to stakeholder committee members for their review. Members were once again able to provide broad feedback via a SurveyMonkey survey and more-detailed feedback using track changes. CDE then used this feedback to complete a third draft of the 2022 Model Policy.

Colorado Bullying Prevention and Education Model Policy

NOTE: Colorado school districts are required by law to adopt a specific policy concerning bullying prevention and education (C.R.S. 22-32-109.1(2)(a)(I)(K)). Each school district must ensure that its policy, at a minimum, incorporates approaches, policies, and practices outlined in the Colorado Bullying Prevention and Education Model Policy. Districts should consult with their own legal counsel to determine appropriate language that meets local circumstances and needs. Districts have discretion to determine the specifics of their bullying prevention policies and supports.

Statement of Purpose

The Board of Education supports a secure and positive school climate, conducive to teaching and learning that is free from threat, harassment, and any type of bullying behavior. The purpose of this policy is to promote consistency of approach and to help create a climate in which all types of bullying are regarded as unacceptable.

Bullying and other behaviors as defined below are prohibited on district property, at district or school-sanctioned activities and events, when students are being transported in any vehicle dispatched by the district or one of its schools, or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

Prohibited Behavior

- Bullying
- Retaliation against those reporting bullying and/or other behaviors prohibited by this policy
- Making knowingly false accusations of bullying behavior

Definitions

Bullying is the use of coercion or intimidation to obtain control over another person or to cause physical, mental, or emotional harm to another person. Bullying can occur through written, verbal, or electronically transmitted expressions (i.e., cyberbullying) or by means of a physical act or gesture. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or any basis protected by federal and state law, including, but not limited to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry or the need for special education services, whether such characteristic(s) is actual or perceived.

Retaliation is an act or communication intended as retribution against an individual who reports an act of bullying. Retaliation can also include knowingly making false accusations of bullying or acting to influence the investigation of, or the response to, a report of bullying.

False accusations of bullying are those made knowingly by an individual or group of individuals with the purpose of causing harm to another individual and which are false.

Prevention and Intervention

The Superintendent will develop a comprehensive program to address bullying at all school levels and that the program is consistently applied across all students and staff. This program will be designed to accomplish the following goals:

1. To send a clear message to students, staff families, and community members that bullying and retaliation against a student who reports bullying will not be tolerated.
2. To train school staff on an annual basis in taking proactive steps to prevent bullying from occurring, which includes but is not limited to, training on the bullying prevention and education policy, how to recognize and intervene in bullying situations, and positive school climate practices.
3. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior.
4. To initiate efforts to change the behavior of students engaged in bullying behaviors through reteaching on acceptable behavior, discussions, counseling, and appropriate negative consequences.
5. To foster a productive partnership with parents and community members in order to help maintain a bullying-free environment across settings.
6. To support targets of bullying through a layered continuum of supports that includes, but is not limited to, individual and peer counseling.
7. To help develop peer support networks, social skills, and confidence for all students.
8. To support positive school climate efforts that clearly define, teach, and reinforce prosocial behavior. This includes intentional efforts to promote positive relationships between staff and students as well as students with other students.
9. To designate a team of persons at each school who advise the school administration on the severity and frequency of bullying. The team of persons at the school may include, but need not be limited to, school resource officers, social workers, school psychologists, health professionals, mental health professionals, members of bullying prevention or youth resiliency community organizations, counselors, teachers, administrators, parents, and students.
10. To survey students' impressions of the severity and frequency of bullying behaviors in their school.

11. To include students in the development, creation, and delivery of bullying prevention efforts as developmentally appropriate.
12. To provide character building for students that includes, but is not limited to, age-appropriate, evidence-based social and emotional learning as well as information on the recognition and prevention of bullying behaviors.

Reporting

Any student who believes they have been a victim of bullying and/or other behaviors prohibited by this policy, or who has witnessed such bullying and/or other prohibited behaviors, is strongly encouraged to immediately report it to a school administrator, counselor or teacher.

Investigating and Responding

As part of the Superintendent's comprehensive program to address bullying, procedures will be developed with the goal of immediate intervention and investigation in response to reports of students engaged in bullying and/or other behaviors prohibited by this policy. Procedures will include, to the extent appropriate as determined by the investigator and designated administrator, and in accordance with applicable law and local school board policy and procedures, notification to parents/guardians of the results of bullying investigations and their right to appeal investigatory findings to the district.

Supports and Referrals

As part of the Superintendent's comprehensive program to address bullying, procedures should be developed with the aim toward accomplishing the following goals:

- Initiate efforts to change the behavior of students engaged in bullying behaviors.
- Support targets of bullying in ways that avoid increasing their likelihood of discipline.
- Support witnesses of bullying.

A student who engages in any act of bullying, retaliation and/or other behaviors prohibited by this policy is subject to appropriate disciplinary action including but not limited to suspension, expulsion, and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior will be taken into consideration when disciplinary decisions are made. Bullying behavior that constitutes unlawful discrimination or harassment will be subject to investigation and discipline under related Board policies and procedures. Students targeted by bullying when such bullying behavior may constitute unlawful discrimination or harassment also have additional rights and protections under Board policies and procedures regarding unlawful discrimination and harassment.

Appendix A. Ashawnty's Law

SENATE BILL 18-151

BY SENATOR(S) Fields and Priola, Aguilar, Court, Donovan, Fenberg, Garcia, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., Zenzinger;

also REPRESENTATIVE(S) Buckner and Wilson, Becker K., Bridges, Coleman, Danielson, Esgar, Exum, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Jackson, Kennedy, Kraft-Tharp, Lee, Lontine, McLachlan, Melton, Pettersen, Roberts, Rosenthal, Salazar, Singer, Valdez, Weissman, Winter, Young, Duran, Arndt, Hooton, Michaelson Jenet.

CONCERNING DEPARTMENT OF EDUCATION RESEARCH TO DEVELOP BULLYING PREVENTION POLICIES.

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

SECTION 1. In Colorado Revised Statutes, **add** 22-2-144 as follows:

22-2-144. Bullying prevention and education policies - short title - study. (1) THE SHORT TITLE OF THIS SECTION IS "ASHAWNTY'S LAW".

(2) (a) THE DEPARTMENT SHALL RESEARCH APPROACHES, POLICIES,

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

AND PRACTICES RELATED TO BULLYING PREVENTION AND EDUCATION USED BY EDUCATION PROVIDERS IN OTHER STATES. ON OR BEFORE JULY 1, 2019, AFTER CONSIDERATION OF THE RESEARCH CONDUCTED PURSUANT TO THIS SUBSECTION (2)(a), THE DEPARTMENT, IN CONSULTATION WITH THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION 24-33.5-1803, SHALL DEVELOP A MODEL BULLYING PREVENTION AND EDUCATION POLICY. THE RESEARCH AND MODEL POLICY DESCRIBED IN THIS SUBSECTION (2)(a) MUST BE UPDATED EVERY THREE YEARS.

(b) ON OR BEFORE JULY 1, 2019, AND EVERY THREE YEARS THEREAFTER, THE DEPARTMENT SHALL PUBLISH THE RESULTS OF THE RESEARCH AND MODEL POLICY REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION ON ITS WEBSITE AS GUIDANCE FOR SCHOOL DISTRICTS, CHARTER SCHOOLS, AND THE CHARTER SCHOOL INSTITUTE TO CONSIDER WHEN DEVELOPING AND IMPLEMENTING BULLYING PREVENTION AND EDUCATION POLICIES.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Appendix B. Jack and Cait's Law

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

HOUSE BILL 21-1221

BY REPRESENTATIVE(S) Cutter and Young, Amabile, Bernett, Bird, Caraveo, Duran, Esgar, Exum, Froelich, Gray, Hooton, Jackson, Kipp, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Roberts, Snyder, Titone, Valdez A., Valdez D., Garnett;
also SENATOR(S) Coram, Bridges, Buckner, Cooke, Danielson, Fenberg, Fields, Gardner, Ginal, Gonzales, Hansen, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Moreno, Pettersen, Priola, Scott, Smallwood, Story, Winter, Woodward, Zenzinger, Garcia.

CONCERNING MEASURES TO PREVENT BULLYING IN PUBLIC SCHOOLS.

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

SECTION 1. Short title. The short title of this act is "Jack and Cait's Law".

SECTION 2. In Colorado Revised Statutes, 22-2-144, **amend** (2)(a); and **add** (3) as follows:

22-2-144. Bullying prevention and education policies - short title - study. (2) (a) The department shall research approaches, policies, and practices related to bullying prevention and education used by education

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

providers in other states. On or before July 1, 2019, after consideration of the research conducted pursuant to this subsection (2)(a), the department, in consultation with the school safety resource center created in section 24-33.5-1803, shall develop a model bullying prevention and education policy. The research and model policy described in this subsection (2)(a) must be updated every three years. THE DEPARTMENT SHALL UTILIZE A STAKEHOLDER PROCESS WHEN UPDATING THE MODEL BULLYING PREVENTION AND EDUCATION POLICY, WHICH PROCESS MUST INCLUDE PARTICIPATION BY THE PARENTS OF STUDENTS WHO HAVE BEEN BULLIED.

(3) AT A MINIMUM, THE MODEL POLICY DEVELOPED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION MUST:

(a) CLEARLY DIFFERENTIATE BETWEEN A CONFLICT AND BULLYING AND BETWEEN HARASSMENT AND BULLYING; AND

(b) CLARIFY THE ROLE OF CYBERBULLYING DURING ONLINE INSTRUCTION, WHICH MAY OCCUR ON OR OFF SCHOOL PROPERTY.

SECTION 3. In Colorado Revised Statutes, 22-32-109.1, **amend** (2)(a)(I)(K) and (2)(b)(IV)(G); and **add** (2)(b)(IV)(G.5) as follows:

22-32-109.1. Board of education - specific powers and duties - safe school plan - conduct and discipline code - safe school reporting requirements - school response framework - school resource officers - definitions. (2) **Safe school plan.** In order to provide a learning environment that is safe, conducive to the learning process, and free from unnecessary disruption, each school district board of education or institute charter school board for a charter school authorized by the charter school institute shall, following consultation with the school district accountability committee and school accountability committees, parents, teachers, administrators, students, student councils where available, and, where appropriate, the community at large, adopt and implement a safe school plan, or review and revise, as necessary in response to any relevant data collected by the school district, any existing plans or policies already in effect. In addition to the aforementioned parties, each school district board of education, in adopting and implementing its safe school plan, may consult with victims' advocacy organizations, school psychologists, local law enforcement, and community partners. The plan, at a minimum, must include the following:

(a) **Conduct and discipline code.** (I) A concisely written conduct and discipline code that shall be enforced uniformly, fairly, and consistently for all students. Copies of the code shall be provided to each student upon enrollment at the preschool, elementary, middle, and high school levels and shall be posted or kept on file at each public school in the school district. The school district shall take reasonable measures to ensure that each student of each public school in the school district is familiar with the code. The code shall include, but need not be limited to:

(K) On and after August 8, 2001, a specific policy concerning bullying prevention and education. Each school district ~~is encouraged to~~ SHALL ensure that ~~its~~ THE SCHOOL DISTRICT'S policy, at a minimum, incorporates the ~~biennial administration of surveys of students' impressions of the severity of bullying in their schools, as described in section 22-93-104 (1)(c); character building; and the designation of a team of persons at each school of the school district who advise the school administration concerning the severity and frequency of bullying incidents that occur in the school, which team may include, but need not be limited to, law enforcement officials, social workers, prosecutors, health professionals, mental health professionals, school psychologists, counselors, teachers, administrators, parents, and students. Each school district's policy shall set forth appropriate disciplinary consequences for students who bully other students and for any person who takes any retaliatory action against a student who reports in good faith an incident of bullying, which consequences shall comply with all applicable state and federal laws.~~ APPROACHES, POLICIES, AND PRACTICES OUTLINED IN THE MODEL BULLYING PREVENTION AND EDUCATION POLICY DEVELOPED PURSUANT TO SECTION 22-2-144.

(b) **Safe school reporting requirements.** A policy whereby the principal of each public school in a school district is required to submit annually, in a manner and by a date specified by rule of the state board, a written report to the board of education of the school district concerning the learning environment in the school during that school year. The board of education of the school district shall annually compile the reports from every school in the district and submit the compiled report to the department of education in a format specified by rule of the state board. The compiled report must be easily accessible by the general public through a link on the department of education's website home page. The report must include, but need not be limited to, the following specific information for the preceding

school year:

(IV) The number of conduct and discipline code violations. Each violation must be reported only in the most serious category that is applicable to that violation, including but not limited to specific information identifying the number of, and the action taken with respect to, each of the following types of violations:

(G) Behavior on school grounds, in a school vehicle, or at a school activity or sanctioned event that is detrimental to the welfare or safety of other students or of school personnel, including but not limited to ~~incidents of bullying and other~~ behavior that creates a threat of physical OR EMOTIONAL harm to the student or to other students;

(G.5) BULLYING;

SECTION 4. Safety clause. The general assembly hereby finds,

Appendix C. Other Tools and Resources

CDE Bullying Prevention Resources

- For schools: https://www.cde.state.co.us/mtss/schoolbullyingprevention
- For students: https://www.cde.state.co.us/mtss/studentbullyingprevention
- For families: https://www.cde.state.co.us/mtss/familybullyingprevention
- Research on bullying: https://www.cde.state.co.us/mtss/bullyingpreventionresearch
- Training videos: https://www.cde.state.co.us/mtss/bpegtrainingvideos
- Model Bullying Prevention and Education Policy: https://www.cde.state.co.us/mtss/model_bullying_prevention_policy

Other Bullying Prevention Resources

- Center for Disease Control and Prevention's Measuring Bullying Victimization perpetration, and Bystander Experiences: A Compendium of Assessment Tools: https://www.cdc.gov/violenceprevention/pdf/bullycompendium-a.pdf
- Colorado School Safety Resource Center's bullying prevention website: https://www.colorado.gov/pacific/cssrc/bullying-harassment
- National School Climate Center Bullying Prevention website: http://www.schoolclimate.org/prevention/
- One Colorado's Make It Safe: A Resource Guide for Students Combating Bullying, Homophobia, and Transphobia in Schools (PDF): https://one-colorado.org/wp-content/uploads/2017/06/OC_MakeItSafe_GSA.pdf
- PACER's National Bullying Prevention Center: http://www.pacer.org/bullying/
- PACER Center's Kids Against Bullying website: http://www.pacerkidsagainstbullying.org/kab/
- PACER Center's Teens Against Bullying website: http://www.pacerteensagainstbullying.org/tab/
- PACER Center's What Parents Should Know About Bullying website: https://www.pacer.org/bullying/resources/parents/
- U.S. Department of Health and Human Services Bullying Prevention website: http://www.stopbullying.gov/
    - Stop Bullying Now: How to Intervene to Stop Bullying: Tips for On-the-Spot Intervention at School (PDF): https://www.cde.state.co.us/mtss/tipsforonthestopintervention

Resources Related to Bullying Prevention

- CDE's Multi-Tiered System of Supports (MTSS) website: https://www.cde.state.co.us/mtss
- CDE's Positive Behavioral Interventions and Supports (PBIS) website: https://www.cde.state.co.us/mtss/pbis
- CDE's Implementation Science website: https://www.cde.state.co.us/mtss/implementationscience
- Colorado Department of Public Health and Environment's Positive School Climate Toolkit for Public Health Practitioners (PDF): https://www.ccasa.org/wp-content/uploads/2016/10/Positive-School-Climate-Toolkit.pdf
- Office of Special Education Programs (OSEP) Technical Assistance Center for PBIS: https://www.pbis.org/

Appendix D. Bullying Prevention Implementation Guide

Purpose: The Bullying Prevention and Education Grant (BPEG) Implementation Guide provides schools and districts with a structured set of activities that support effective implementation of the BPEG program. This guide is framed around the Stages of Implementation as defined by the National Implementation Research Network (NIRN).

Who Uses the BPEG Implementation Guide: The BPEG Implementation Team (BIT) should be the group completing the Implementation Guide. The BPEG Implementation Coach may serve as a facilitator to ensure that all perspectives are included when completing the Implementation Guide.

How to Use: BPEG program grantees may use this document to guide their implementation of the grant program. The BPEG Implementation Guide provides a scope and sequence for effectively putting into place the core components of the BPEG program. Within the "Evidence of Completion" column is an example of how the BIT may be able to determine the activity was completed but is not required as part of the BPEG program. Please note that even though the Implementation Guide includes specific months and years, every school is unique and thus may move more slowly or quickly through activities. Years follow a school-year calendar.

The BPEG Road Map provides a three-year overview of the program activities and goals on one page. These activities and goals are organized through the stages of implementation. As defined by the National Implementation Research Network (NIRN), implementation of a program or practice occurs in four stages:

Exploration Stage: The exploration stage is when a site is considering implementation of the BPEG. The purpose of the exploration stage is to determine the extent of the identified needs, how well the BPEG meets those needs, and whether implementation of the BPEG is feasible.

Installation Stage: The installation stage is when a site has decided to move forward with implementing the BPEG and begins developing the infrastructure to support its implementation.

Initial Implementation Stage: The initial implementation stage is when the BPEG Implementation Team (BIT) begins to deliver/use the BPEG at the school level.

Full Implementation Stage: The full implementation stage is when at least 50% or more of intended schools are implementing the BPEG with fidelity and outcomes are being achieved.

Acronyms/Abbreviations

BIT	BPEG Implementation Team	**BPEG**	Bullying Prevention and Education Grant	**IC**	Implementation Coach
EB	Evidence-based	**PD**	Professional Development	**RFA**	Request for Applications
SCAP	Short-Cycle Action Plan				

Bullying Prevention and Education Grant Program Roadmap

Exploration Stage

Year 0	• Schools determine extent of need for bullying prevention based on data. • School administration agrees that bullying prevention is a top 3 priority for the school. • At least 80% of school staff agree to participate in bullying prevention efforts. • BIT solicits members and designates a leader for the team.

Installation Stage

Year 1 Aug-Sep	• First BIT meeting occurs. • Evidence-based bullying prevention curriculum is purchased, as necessary.
Year 1 Oct-Dec	• BIT completes first BPEG Self-Assessment. • BIT members begin training on evidence-based curriculum and priority bullying prevention best practices. • BIT members develop short-cycle action plans to guide bullying prevention efforts.
Year 1 Jan-Jun	• BIT develops a professional development plan for staff on the evidence-based curriculum and bullying prevention best practices. • BIT develops student survey procedures and communicates to staff. • BIT members continue receiving training on priority bullying prevention best practices.

Initial Implementation Stage

Year 1 Spring	• Schoolwide student survey conducted. • Results of student survey are analyzed and used for problem solving.
Year 2 Aug-Dec	• School staff begin implementation of the evidence-based curriculum. • School staff begin implementation of priority bullying prevention best practices. • Results of student survey are communicated with stakeholders. • BIT completes second BPEG Self-Assessment
Year 2 Jan-Jun	• Continue implementation of evidence-based bullying prevention curriculum. • Conduct student survey. • Continue to use short-cycle action planning to improve implementation of bullying prevention best practices.
Year 3 Aug-Dec	• Implement PD plan to support training and coaching of staff in bullying prevention best practices. • Implement evidence-based bullying prevention curriculum and prioritized best practices.

Full Installation Stage

Year 3 Jan-Jun	• Implement evidence-based bullying prevention curriculum and bullying prevention best practices with fidelity. • Conduct student survey. • Continue to use short-cycle action planning to improve implementation of bullying prevention best practices.

YEAR 0			
Roles	**Goals**	**Grantee Activities**	**Evidence of Completion**
Spring			
School Admin	0.1 School determines extent of need for bullying prevention based on data.	• Review existing data to determine the extent to which bullying is prevalent in the school (e.g., Healthy Kids Colorado Survey, office discipline referrals, Safe2Tell reports).	Report summarizing findings is created.
School Admin	0.2 School administration agrees that bullying prevention is a top 3 priority for the school.	• School administration publicly supports bullying prevention as a top priority to staff, families, and students.	Copies of written communication or meeting notes.
School Admin and Staff	0.3 At least 80% of school staff agree to participate in bullying prevention efforts.	• School administration actively engages all staff to discuss the importance of bullying prevention using local data. • School staff complete a brief survey indicating their dedication to engaging in training and coaching around bullying prevention best practices.	Results of staff survey.
BPEG Grantee District and School Admin	0.4 BIT solicits members and designates a leader for the team.	• School leaders solicit interest from a representative collection of staff, families, and community members on being part of the BPEG Implementation Team (BIT) next school year. • Preliminary BIT includes at least one member who has decision-making authority for the school.	List of BIT members created.

YEAR 1 – BPEG Implementation

Roles	Goals	Grantee Activities	Evidence of Completion
August			
BPEG IC	1.1 BPEG IC is prepared to lead first BIT meeting.	• BPEG IC attends training with BPEG Grant Coordinator to receive training on teaming best practices and the goals of first BIT meeting.	Registered and attended training with BPEG Grant Coordinator.
September			
School Admin/ BPEG IC	1.2 A representative team is finalized to lead the BPEG.	• The BIT is finalized and includes representation of staff, families, and the community. • The BIT includes at least one member who has decision-making authority for the school/district.	BIT formed or the responsibilities of the BIT adopted by an existing school team.
School Admin	1.3 School admin publicly supports the BPEG program to all staff.	• School administrator(s) describe the BPEG program to all staff and provide opportunities for questions. • School administrator(s) publicly express support for the BPEG program.	Meeting agenda with time for school administrator to discuss the BPEG program.
BPEG IC	1.4 First BIT meeting occurs and the BIT begins engaging in teaming best practices.	• Broad overview of the BPEG program is provided so that all BIT members understand its purpose and goals. • The BIT assigns roles and responsibilities for BIT meetings including that of the facilitator, note taker, and active participant. • The BIT develops/adopts norms • The BIT designates specific team member to be responsible for coordinating data. • The BIT develops a standard meeting agenda format that includes space for action items. • The BIT sets schedule for calendar year (date, timeframe, location). Schedule at least one BIT meetings per month. • The BIT decides rules for making decisions as a team (e.g., Fist-to-Five).	BIT meeting notes.
BIT	1.5 All BIT members have an initial understanding of the BPEG, its goals, and processes.	• BIT members read the grant application. • BIT members review tools and resources for the BPEG: o BPEG Practice Profiles o BPEG Self-Assessment 2.0 o BPEG Implementation Guide o BPEG Year at a Glance	BIT meeting notes indicate tools and resources were provided to all BIT members.
School Admin	1.6 Evidence-based bullying prevention curriculum is purchased.	• The school purchases the evidence-based (EB) bullying prevention curriculum.	The school's EB curriculum is delivered to the building.

Roles	Goals	Grantee Activities	Evidence of Completion
October			
BIT/BPEG IC	1.7 The BIT understands areas of success and growth in implementing the BPEG program.	• The BIT completes the BPEG Self-Assessment v2.0 • BPEG IC summarizes data from the BPEG Self-Assessment and provides this summary to BIT members	BPEG Self-Assessment 2.0 is completed and submitted online to CDE. Summary of BPEG Self-Assessment data permanent product is complete.
BIT Members	1.8 BIT members begin completing training associated with the selected curriculum.	• BIT members get access to curriculum training • BIT members begin training on selected curriculum	BIT meeting notes indicate BIT members have begun EB curriculum training.
November			
BIT	1.9 BIT improves knowledge of data-based decision making.	• BIT receives training on data-based decision making. o Problem-solving model o Short-cycle action plan (SCAP)	BIT meeting notes show training is completed.
BIT	1.10 BIT begins creating a SCAP for the EB curriculum.	• BIT defines the problem statement for their EB curriculum in their SCAP.	Problem statement for the EB curriculum is completed in a SCAP.
BIT	1.11 BIT begins creating a SCAP to improve identified priority best practices.	• BIT uses a data-based decision making process to identify priority best practices to improve based on results of their BPEG Self-Assessment. • BIT defines their problem statement for their prioritized best practices.	Problem statement for the prioritized best practices is completed in a SCAP.
December			
BIT	1.12 BIT completes creation of a SCAP for the EB curriculum.	• The BIT completes creation of a SCAP for the EB curriculum. o Develop a problem statement. o Analyze the problem to determine a root cause. o Choose a solution. o Create a goal with associated data. o Create benchmarks to measure progress and fidelity. o Create action steps that lead to successfully implementing the solution.	SCAP for the EB curriculum is complete.

Roles	Goals	Grantee Activities	Evidence of Completion
BIT	1.13 BIT completes creation of a SCAP to improve identified priority best practices.	• The BIT completes creation of a SCAP to improve the identified priority best practices. o Develop a problem statement. o Analyze the problem to determine a root cause. o Choose a solution. o Create a goal with associated data. o Create benchmarks to measure progress and fidelity. o Create action steps that lead to successfully implementing the solution.	SCAP for the prioritized best practice is complete.
BIT/School Admin	1.14 Appropriate staff receive communication on the training and coaching schedule.	• BIT and/or school administration communicates with appropriate staff on the training and coaching schedule. • The BIT provides opportunities for staff to provide feedback on the training and coaching.	Documentation of the training and coaching schedule communication. Feedback from staff is included as an agenda item in a BIT meeting.
January			
BIT/School Admin	1.15 Training and coaching infrastructure for EB bullying prevention curriculum is outlined.	• BIT begins developing a professional development (PD) plan for all school staff to become trained on the EB curriculum. o PD plan allows appropriate staff the time to review curriculum materials, ask questions, and complete training. o PD plan includes procedures for training new staff who join the school. o PD plan includes process for providing coaching support to staff administering EB curriculum lessons.	PD plan permanent product showing initial progress.
BIT/School Admin	1.16 Training and coaching infrastructure for priority best practices is outlined.	• BIT begins developing a PD plan for appropriate school staff to become trained on the priority best practices. o PD plan allows appropriate staff the time to review materials, ask questions, and complete training. o PD plan includes procedures for training new staff who join the school. o PD plan includes process for providing coaching support to staff administering the selected priority.	PD plan permanent product showing initial progress.
BIT	1.17 Begin implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Training and coaching schedule permanent product.
BIT	1.18 Begin implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Training and coaching schedule permanent product.

Roles	Goals	Grantee Activities	Evidence of Completion
February			
BIT	1.19 BIT members have knowledge of and are able to utilize a data-based decision-making process. 1.20 BIT understands data systems for bullying prevention.	• BPEG IC trains BIT members on the school's behavioral data system. o BIT learns about what behavior data are collected at the school. o BIT learns about where behavior data are stored at the school. o BIT leans about how to access behavior data at the school. o BIT learns about what fidelity data are collected on the EB curriculum. • BIT schedules review of behavior and bullying data as a team at least quarterly.	Training materials permanent product. BIT meeting notes.
BIT	1.21 Develop student survey protocols.	• The BIT creates a process for administering, analyzing, and reporting the student survey in the spring. o Obtaining active parent permission to survey students o Ensuring confidentiality of student data o Organizing data for analysis • How and when results will be summarized and communicated to all stakeholders	BIT meeting notes; communication to staff regarding survey process.
BIT	1.22 All staff understand the process for surveying students.	• The student survey process is communicated to all staff with the opportunity for staff to ask questions and provide feedback.	Communication permanent product. Feedback from staff is included as an agenda item in a BIT meeting.
BIT	1.23 Continue implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Updated PD plan including fidelity data.
BIT	1.24 Continue implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Updated PD plan including fidelity data.
March			
BIT	1.25 Review of SCAPs completed. 1.26 Revised SCAPs created to improve the implementation of the EB curriculum and prioritized best practices.	• BIT reviews SCAPs to determine progress and areas of continued need. • The BIT revises their EB curriculum and prioritized best practices SCAPs based on the above review and up-to-date behavioral data.	Revised SCAPs; BIT meeting notes.

Roles	Goals	Grantee Activities	Evidence of Completion
BIT	1.27 Clear communication processes and messages are developed.	• The BIT begins developing a communication plan. o Topics include annual student survey outcomes and improvements to bullying prevention best practices implementation. o Multiple methods of communication are considered (e.g., newsletter, social media post). o Accessibility (e.g., language barriers) are considered and addressed. • Options for stakeholder feedback is included.	Communication plan shows initial progress.
April			
BIT	1.28 BIT members begin understanding the current state of bullying prevention efforts at the school.	• The BIT assesses and documents existing bullying prevention and intervention resources in place at the school. o Resources and supports provided by the BPEG program. o Existing initiatives at the school. • The BIT organizes and aligns Tier 1, 2, and 3 bullying prevention and intervention supports.	Initiative Inventory shows initial progress.
Spring			
BIT	1.29 Continue implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Updated PD plan including fidelity data.
BIT	1.30 Continue implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Updated PD plan including fidelity data.
BIT/School Staff	1.31 Student survey administered to 60% or more of students.	• The student survey is administered to students. o Confidentiality protocols are adhered to during administration.	Student survey results are entered online to CDE.
BIT/BPEG IC	1.32 Behavior and bullying data are used to action plan for next school year.	• Results from the survey are organized and analyzed. • BIT reviews student survey data. • BIT uses data-based decision making process to identify areas of success and need. • BIT revises their SCAP to address areas of need based on student survey data and other behavior data (e.g., office discipline referrals).	Revised SCAPs; BIT meeting notes.
BIT	1.33 Clear communication processes and messages are developed.	• The BIT completes a communication. o Topics include annual student survey outcomes and improvements to bullying prevention best practices implementation. o Multiple methods of communication are considered (e.g., newsletter, social media post). o Accessibility (e.g., language barriers) are considered and addressed. • Options for stakeholder feedback is included.	Completed communication plan.

Roles	Goals	Grantee Activities	Evidence of Completion
BIT	1.34 BIT members know the current state of bullying prevention efforts at the school.	• The BIT assesses and existing bullying prevention and intervention resources in place at the school. • The BIT organizes and aligns Tier 1, 2, and 3 bullying prevention and intervention supports.	Initiative Inventory is completed with bullying prevention and intervention supports aligned to tiers of support.

YEAR 2 – BPEG Implementation

Roles	Goals	Grantee Activities	Evidence of Completion
August			
BIT	2.1 Begin implementation of PD plan for the EB curriculum and priority best practices.	• The BIT trains new staff on the EB curriculum and bullying prevention best practices. • The BIT provides refresher training on the EB curriculum and bullying prevention best practices to returning staff. • The BIT begins initial implementation of coaching supports as outlined in the PD plan.	Training materials; Agenda with space for training of staff; Updated PD plan with fidelity data.
All School Staff	2.2 EB curriculum and bullying prevention best practices begin to be implemented.	• All school staff begin initial implementation of bullying prevention best practices. • Appropriate staff begin administering initial EB curriculum lessons.	EB curriculum fidelity data.
BIT/School Admin	2.3 Bullying data are communicated to all stakeholders.	• Results are summarized for communication to stakeholders. • Communication to stakeholders includes the prevention and intervention efforts taking place this school year.	Updated communication plan with fidelity data.
BPEG IC/BIT	2.4 First BIT meeting takes place.	• BIT welcomes any new members. • BIT reviews norms, roles, and processes. • BIT develops long-term goals for the current school year based on bullying outcome data, other behavior data, and an analysis of all SCAPs.	BIT meeting notes.
September			
BIT/BPEG IC	2.5 The BIT understands areas of success and growth in implementing the BPEG program.	• The BIT completes the BPEG Self-Assessment v2.0 for the 2023-2024 school year. • BPEG IC summarizes data from the BPEG Self-Assessment and provides this summary to BIT members.	BPEG Self-Assessment 2.0 is completed and submitted online to CDE. Summary of BPEG Self-Assessment data permanent product is complete.
October			
BIT	2.6 Review of SCAPs completed. 2.7 Revised SCAPs created to improve the implementation of bullying prevention best practices.	• BIT reviews SCAPs to determine progress and areas of continued need. • The BIT revises their SCAPs based on the review of SCAPs and data from most recent Self-Assessment.	Revised SCAPs; BIT meeting notes.

Roles	Goals	Grantee Activities	Evidence of Completion
Fall			
Appropriate school staff	2.8 Continue implementation of EB curriculum with fidelity.	• Appropriate school staff implement the EB curriculum with fidelity.	EB curriculum fidelity data.
All school staff	2.9 Continue implementation of priority best practices.	• All school staff engage in bullying prevention best practices as trained and coached by the BIT and in alignment with the BIT's SCAP.	SCAPs with fidelity data.
BIT	2.10 Continue implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Updated PD plan with fidelity data.
BIT	2.11 Continue implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Updated PD plan with fidelity data.
Families, students, community members, and staff	2.12 Clear two-way communication is in place and utilized by all stakeholders.	• The BIT implements their two-way communication plan to receive feedback on bullying prevention efforts by all stakeholders.	Updated communication plan with fidelity data.
Spring			
BIT	2.13 Continue implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Updated PD plan with fidelity data.
BIT	2.14 Continue implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Updated PD plan with fidelity data.
Appropriate school staff	2.15 Continue implementation of EB curriculum with fidelity.	• Appropriate school staff implement the EB curriculum with fidelity.	EB curriculum fidelity data.
All school staff	2.16 Continue implementation of priority best practices.	• All school staff engage in bullying prevention best practices as trained and coached by the BIT and in alignment with the BIT's SCAP.	SCAPs with fidelity data.
BIT	2.17 Review of SCAPs completed one or two times during the spring. 2.18 Revised SCAPs created to improve the implementation of the EB curriculum and prioritized best practices.	• BIT reviews SCAPs to determine progress and areas of continued need. • The BIT revises their EB curriculum and prioritized best practices SCAPs based on the above review and up-to-date behavioral data.	Revised SCAPs; BIT meeting notes.
BIT/School Staff	2.19 Student survey administered to 60% or more of students.	• The student survey is administered to students. o Confidentiality protocols are adhered to during administration.	Student survey results are entered online to CDE.

Roles	Goals	Grantee Activities	Evidence of Completion
BIT/BPEG IC	2.20 Behavior and bullying data are used to prioritize goals for next school year.	• Results from the annual student survey are organized and analyzed. • BIT reviews student survey data. • BIT uses data-based decision making process to identify areas of success and need. • BIT prioritize areas of need based on student survey data and other behavior data (e.g., office discipline referrals).	Revised SCAPs; BIT meeting notes.

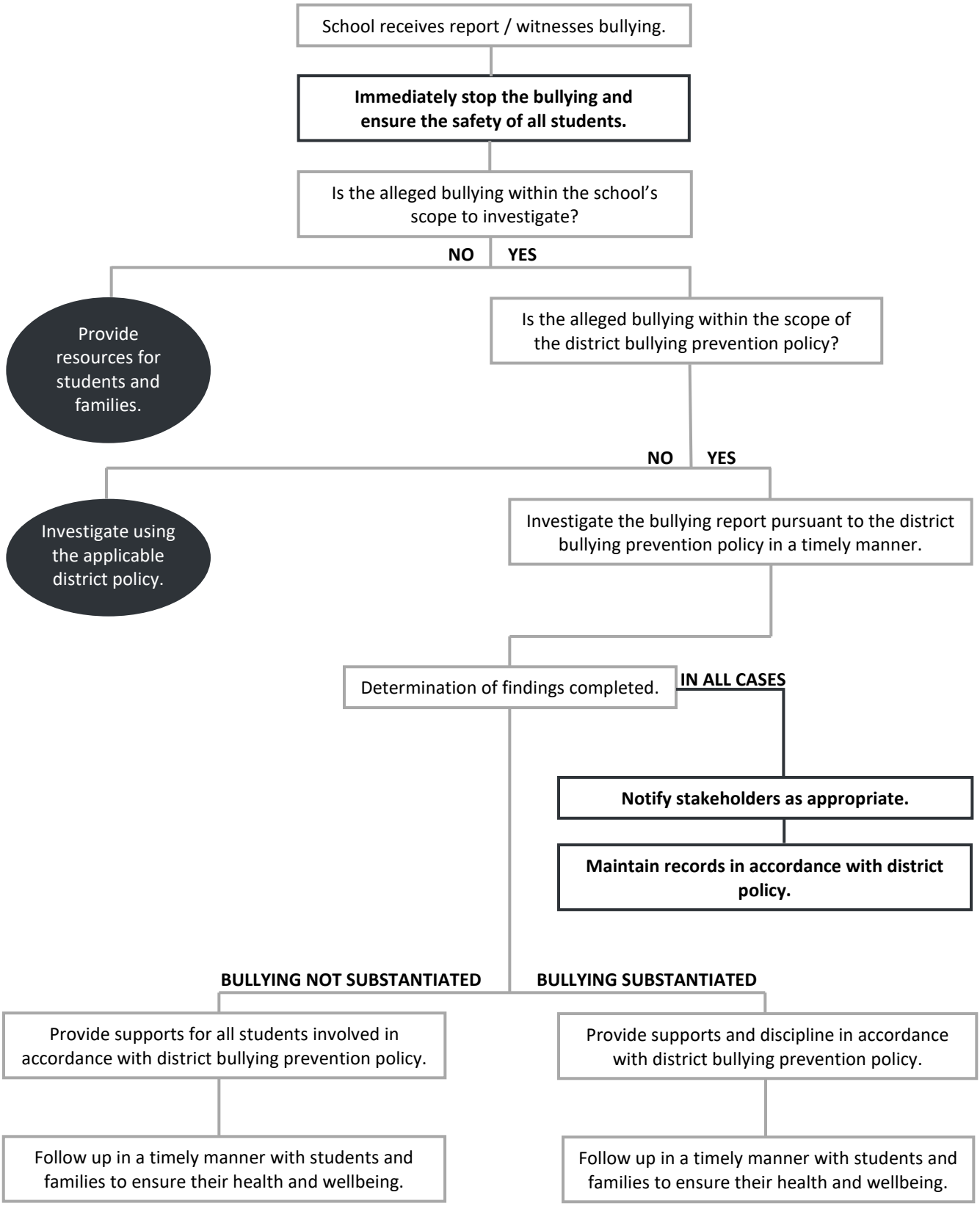
YEAR 3 – BPEG Implementation

Roles	Goals	Grantee Activities	Evidence of Completion
August			
BIT	3.1 Begin implementation of PD plan for the EB curriculum and priority best practices.	• The BIT trains new staff on the EB curriculum and bullying prevention best practices. • The BIT provides refresher training on the EB curriculum and bullying prevention best practices to returning staff. • The BIT begins initial implementation of coaching supports as outlined in the PD plan.	Updated PD plan with fidelity data.
All School Staff	3.2 EB curriculum and bullying prevention best practices begin to be implemented.	• Appropriate staff begin administering initial EB curriculum lessons. • All school staff begin initial implementation of bullying prevention best practices.	EB curriculum fidelity data. SCAPs with fidelity data.
BIT/School Admin	3.3 Bullying data are communicated to all stakeholders.	• Results are summarized for communication to stakeholders. • Communication to stakeholders includes the prevention and intervention efforts taking place this school year.	Updated communication plan with fidelity data.
BPEG IC/BIT	3.4 First BIT meeting takes place.	• BIT welcomes any new members. • BIT reviews norms, roles, and processes. • BIT develops goals for the current school year based on bullying outcome data and other behavior data.	BIT meeting notes.
September			
BIT/BPEG IC	3.5 The BIT understands areas of success and growth in implementing the BPEG program.	• The BIT completes the BPEG Self-Assessment v2.0 for the 2023-2024 school year. • BPEG IC summarizes data from the BPEG Self-Assessment and provides this summary to BIT members.	BPEG Self-Assessment 2.0 is completed and submitted online to CDE. Summary of BPEG Self-Assessment data permanent product is complete.
October			
BIT	3.6 Review of SCAPs completed. 3.7 Revised SCAPs created to improve the implementation of bullying prevention best practices.	• BIT reviews SCAPs to determine progress and areas of continued need. • The BIT revises their SCAPs based on the review of SCAPs and data from most recent Self-Assessment.	Revised SCAPs; BIT meeting notes.

Roles	Goals	Grantee Activities	Evidence of Completion
Fall			
Appropriate school staff	3.8 Continue implementation of EB curriculum with fidelity.	• Appropriate school staff implement the EB curriculum with fidelity.	EB curriculum fidelity data.
All school staff	3.9 Continue implementation of priority best practices.	• All school staff engage in bullying prevention best practices. as trained and coached by the BIT and in alignment with the BIT's SCAP.	SCAPs with fidelity data.
BIT	3.10 Continue implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Updated PD plan with fidelity data.
BIT	3.11 Continue implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Updated PD plan with fidelity data.
Families, students, community members, and staff	3.12 Clear two-way communication is in place and utilized by all stakeholders.	• The BIT implements their two-way communication plan to receive feedback on bullying prevention efforts by all stakeholders.	Updated communication plan with fidelity data.
Spring			
BIT	3.13 Continue implementation of PD plan for the EB curriculum.	• The BIT supports training and coaching for the EB curriculum as outlined in its PD plan.	Updated PD plan with fidelity data.
BIT	3.14 Continue implementation of PD plan for the priority best practices.	• The BIT supports training and coaching for the priority best practices as outlined in its PD plan.	Updated PD plan with fidelity data.
BIT	3.15 Begin planning for sustainability of bullying prevention efforts after the end of the BPEG program.	• The BIT uses a data-based decision making process to determine assets and needs to support sustainability of bullying prevention efforts after the end of the BPEG program.	BIT notes; SCAP supporting sustainability
Appropriate school staff	3.16 Continue implementation of EB curriculum with fidelity.	• Appropriate school staff implement the EB curriculum with fidelity.	EB curriculum fidelity data.
All school staff	3.17 Continue implementation of priority best practices.	• All school staff engage in bullying prevention best practices. as trained and coached by the BIT and in alignment with the BIT's SCAP.	SCAPs with fidelity data.
BIT	3.18 Review of SCAPs completed. 3.19 Revised SCAPs created to improve the implementation of bullying prevention best practices.	• BIT reviews SCAPs to determine progress and areas of continued need. • The BIT revises their SCAPs based on the review of SCAPs and data from most recent Self-Assessment.	Revised SCAPs; BIT meeting notes.
BIT/School Staff	3.20 Student survey administered to 60% or more of students.	• The student survey is administered to students. o Confidentiality protocols are adhered to during administration.	Student survey results are entered online to CDE.

Roles	Goals	Grantee Activities	Evidence of Completion
BIT/BPEG IC	3.21 Behavior and bullying data are used to prioritize goals for next school year.	• Results from the survey are organized and analyzed • BIT reviews student survey data • BIT uses data-based decision making process to identify areas of success and need • BIT prioritize areas of need based on student survey data and other behavior data (e.g., office discipline referrals).	Revised SCAPs; BIT meeting notes.

Appendix E. Flowchart of Bullying Investigation Process



Appendix F. Sample Bullying Report Form

Bullying is reportable in person or in writing to school staff.
All reports may be made anonymously.

Date of report: _____

Name of person making the report (optional): _____

Person making the report is (optional):

Student **Parent** **Grandparent** **Guardian** **School Staff** **Other**:

If a student, specify school and grade (optional):

Contact information of person reporting (optional):

Phone:_____ Email: _____

Check whether you prefer to remain anonymous: ☐ Yes ☐ No

Are you the target of the alleged bullying? ☐ Yes ☐ No

Details

Student(s) believed to be target(s) of alleged bullying:

Name: _____ School: _____ Grade: _____

Person(s) believe to be engaged in alleged bullying conduct:

Name: _____ ☐ Student ☐ Staff ☐ Other: _____

Date(s) of the incident(s): _____

Time(s)/time(s) of day: _____

Location(s) of incident(s): _____

Was there a real or perceive imbalance of power? ☐ Yes ☐ No

Details:_____

Were there any witnesses? ☐ Yes ☐ No

May the school staff investigating this report contact these witnesses? ☐ Yes ☐ No

If so, please provide the names and contact information. If students, specify grade:

_____

_____

_____

Please provide a description of the incident(s) and any supporting documentation:

_____

_____

_____

_____

_____

_____

_____

(Use additional pages, if needed)

By completing and signing this form, I attest that the information provided, including any attached incident-related evidence, is true and accurate to the best of my knowledge.

Signature: _____ Date: _____

FOR OFFICE USE ONLY

Received by: _____ Date: _____

Position/Title: _____

Date submitted to Designated Administrator for Investigation: _____

**Adapted from the Maine Department of Education*

Appendix G. Sample Bullying Investigation Checklist

Attach any reports, documents, evidence, and written accounts of the alleged bullying incident(s) to this checklist.

Date of Bullying Report: _____

Designated Administrator: _____

Date Designated Administrator Received Report: _____

Date Investigation Started: _____ Date Investigation Completed: _____

Investigator: _____ Position: _____

I. Initial Review

Is the alleged bullying incident(s) within the school district's authority to investigate? ☐ **Yes** ☐ **No**
If No, notify the Complainant and provide resources for support. If Yes, move to next question.

Is the alleged bullying incident within the scope of the bullying prevention policy?
If No, the report should be promptly investigated pursuant to the applicable school board policy.

If Yes, promptly investigate the complaint pursuant to the bullying prevention policy.

If possible criminal conduct is indicated in the report, was law enforcement notified? ☐ **Yes** ☐ **No** ☐ **N/A**

Date: _____ Contact Person: _____

Status, if known: _____

_____

II. Bullying Report

Does the Complainant wish to remain anonymous? ☐ **Yes** ☐ **No**

Name of Complainant: _____

☐Student ☐Parent/Guardian ☐Staff ☐Other (please specify): _____

If a student, specify school and grade: _____

If a parent/guardian or other, provide contact information: _____

Is the Complainant the target of the alleged bullying being reported? ☐ **Yes** ☐ **No**

III. Investigation Information

Information to be collected and evaluated as part of the investigation may include, but is not limited to:

- ☐ Description of the alleged bullying incident(s), including date(s), times(s), locations(s), methods(s) (e.g., physical, verbal, written, electronic/social media, psychological, social, images or items displayed or worn, etc.), how often the incident(s) occurred, whether an imbalance of power exists between the target and perpetrator, and whether the alleged bullying was based on any protected category under federal and state law and school board policy;

- ☐ Identify all individuals involved in the alleged bullying incident(s), including the student(s) reported as targets, the individuals reported as aggressors, and the individuals who witnessed or have knowledge about the alleged bullying; include relevant information regarding the individuals (e.g., student grade and school; contact information if not a student or school district staff member) and, if applicable, the relationships among the involved individuals;

- ☐ Identify whether the Complainant alleged that alleged bullying incident(s) was based on any of the following characteristics or traits: disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services; if yes, refer to the appropriate policy and procedure addressing nondiscrimination/equal opportunity or sexual harassment under Title IX;

- ☐ Identify whether any of the students involved in the alleged bullying incident(s) receive special education services under an IEP or a Section 504 Plan, or whether any of the students are in the process of being referred or evaluated for special education services; if yes, refer to the student's IEP or 504 Plan and contact the special education director or Section 504 coordinator;

- ☐ Review evidence of alleged bullying provided to the school and in the school's possession (e.g., school or bus surveillance video, cell phone video, photographs, digital images, emails, letters, written statements, notes, police reports, etc.);

- ☐ Identify whether there were any previous incidents of bullying or other behavior (alleged or substantiated) involving any or all of the involved individuals;

- ☐ Identify additional school staff, if any, involved in the investigation and their role;

- ☐ Determine whether any interim measures should be implemented for any of the involved students and, if so, describe and attach documentation as appropriate;

- ☐ Determine whether the alleged bullying adversely affected any of the involved students' education or educational environment. Provide examples as necessary so students are able to accurately respond;

- ☐ Any additional information relevant to the complaint and investigation.

IV. Findings

- ☐ Evaluate the information and evidence collected through the investigation and determine findings (i.e., did or did not find the alleged conduct constitutes bullying or other prohibited behavior under

the bullying prevention model policy; did the alleged conduct affect any of the involved students' education or educational environment; and why).

V. Interventions & Discipline

☐ Determine whether interventions, discipline, and/or any responsive action needs to be taken based on the findings of the investigation. Interventions to address bullying may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, development of a safety plan, community-based services, and discipline. ***The school district should refer to its code of conduct and discipline policies and procedures for next steps regarding any disciplinary actions that may result from a bullying incident.***

VI. Notification

☐ Document notification to the students involved in the alleged incident(s) of bullying and their parents/guardians of the outcome of the investigation and any other information deemed appropriate by the investigator and designated administrator. The information may be provided, based on local school board policy, procedures, and practice, as well as taking into consideration the circumstances of the matter, in the form of a written report or meetings with each student and the student's parents/guardians, and may include an overview of the investigation process, the findings of the investigation, and the responsive actions taken to address the reported incident of bullying. ***Information shared with students and parents/guardians must be in accordance with applicable law and local school board policy and procedures.***

VII. Recordkeeping

☐ Maintain bullying reports, investigation documentation and evidence, written findings reports (if any), and records of any responsive actions in accordance with applicable law, local school board policy and procedures, and the school district's record retention manual. A school district should consult with its legal counsel regarding recordkeeping requirements and practices.

Appendix H. Review of Other State Model Policies and Approaches

State	Law/Policy Overview	Model Policy Link	Other Relevant Documents	Updates since 2019
Alabama	Law/Policy Overview	Model Policy Link	N/A	None
Alaska	Law/Policy Overview	Model Policy Link	N/A	None
Arizona	Law/Policy Overview	N/A	N/A	None
Arkansas	Law/Policy Overview	N/A	Guidance on Bullying Prevention	Developed "Guidance on Bullying Prevention" resource.
California	Law/Policy Overview	Model Policy Link	Training Module	Developed training modules.
Connecticut	Law/Policy Overview	Model Policy Link	N/A	None
Delaware	Law/Policy Overview	Model Policy Link	Bullying Prevention Website	None
Florida	Law/Policy Overview	Model Policy Link	N/A	None
Georgia	Law/Policy Overview	Model Policy Link	Bullying Prevention Toolkit website	None
			Bullying Flow Chart	
Hawaii	Law/Policy Overview	N/A	N/A	None
Idaho	Law/Policy Overview	N/A	N/A	None
Illinois	Law/Policy Overview	Model Policy Link	N/A	None
Indiana	Law/Policy Overview	N/A	State Website	None
			Bullying Prevention Resources	
Iowa	Law/Policy Overview	Model Policy Link	N/A	None
Kansas	Law/Policy Overview	Model Policy Link	Bullying Prevention Toolkit	Developed Bullying Prevention Toolkit
Kentucky	Law/Policy Overview	N/A	Bullying Prevention Spotlight Webpage	None
Louisiana	Law/Policy Overview	Model Policy Link	District checklist for implementing BP Policy	None
			Louisiana BP Website	
Maine	Law/Policy Overview	Model Policy Link	Student Safety Plan	None
Maryland	Law/Policy Overview	Model Policy Link	State Website	None
Massachusetts	Law/Policy Overview	Model Policy (DOC)	State Website	None
Michigan	Law/Policy Overview	Model Policy Link	N/A	None
Minnesota	Law/Policy Overview	Model Policy Link (PDF)	State Website	None
Mississippi	Law/Policy Overview	Model Policy Link	N/A	None
Missouri	Law/Policy Overview	N/A	N/A	None
Montana	Law/Policy Overview	Model Policy Link (PDF)	State Website	None
Nebraska	Law/Policy Overview	Model Policy Link (PDF)	Bullying Flow Chart	None
Nevada	Law/Policy Overview	N/A	N/A	None
New Hampshire	Law/Policy Overview	N/A	N/A	None

New Jersey	Law/Policy Overview	N/A	N/A	None
New Mexico	Law/Policy Overview	Model Policy Link (PDF)	N/A	Model policy requirements
New York	Law/Policy Overview	Guidance Link	Dignity for All Students Act	None
North Carolina	Law/Policy Overview	N/A	N/A	None
North Dakota	Law/Policy Overview	N/A	N/A	Cyberbullying required to be part of all district policies
Ohio	Law/Policy Overview	Model Policy Link (PDF)	State Website	None
Oklahoma	Law/Policy Overview	Model Policy Link	ODE Bullying Prevention Link	Updated resources
Oregon	Law/Policy Overview	State Policy Guidance Link	N/A	None
Pennsylvania	N/A	N/A	N/A	None
Rhode Island	Law/Policy Overview	N/A	State Website	None
South Carolina	Law/Policy Overview	Model Policy Link	State Website	None
South Dakota	Law/Policy Overview	Model Policy Link	N/A	None
Tennessee	Law/Policy Overview	Educator's Guide Link	N/A	
Texas	Law/Policy Overview	N/A	State Website	None
Utah	Law/Policy Overview	N/A	N/A	None
Vermont	Law/Policy Overview	Model Policy Link	State Website	None
		Model Procedures Link	N/A	
Virginia	Law/Policy Overview	Model Policy Link	State Website	None
Washington	Law/Policy Overview	Model Policy Link (PDF)	Student Safety Plan (DOC)	None
			(HIB) Intervention Tip Sheet (PDF)	
West Virginia	Law/Policy Overview	Model Policy Link	N/A	None
Wisconsin	Law/Policy Overview	Model Policy Link (DOC)	State Website	Training webinars added to website
Wyoming	Law/ Policy Overview	Model Policy Link	Second Model Policy Example	None
District of Columbia	Law/ Policy Overview	Model Policy Link	N/A	None

Appendix I. Research References

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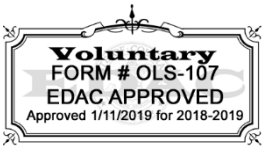
Appendix J. Draft Policy Public Feedback Survey



Bullying Prevention and Education Model Policy Survey

The Colorado Department of Education (CDE) is developing a State Model Bullying Prevention and Education Policy as authorized by C.R. 22-2-144. After reading the draft model policy, you may use the following form to provide feedback on the draft to CDE. This form is solely for providing feedback on the draft Model Policy. If you have an immediate bullying concern, you may report it to your school administration or through Safe2Tell.

Model policies provide state guidance, direction, and recommended standards to help local school systems create their own district and school policies or administrative regulations. The Colorado Model Policy will not be mandated for adoption by any school board.

If you would like to provide feedback through email, please send your feedback to: ModelPolicyFeedback@cde.state.co.us

1. Please identify what role best describes you.
    a. Parent/Family Member
    b. Teacher
    c. Student
    d. School Support Staff
    e. Community Member
    f. School Mental Health Provider
    g. Administrator/Principal
    h. Superintendent
    i. School Board Member
    j. Other:

2. The Model Policy is clear and easy to understand.
    a. Strongly agree
    b. Agree
    c. Neither agree nor disagree
    d. Disagree
    e. Strongly disagree

3. The model policy would be helpful in supporting students, staff, and families in bullying prevention and intervention.
    a. Strongly agree
    b. Agree
    c. Neither agree nor disagree
    d. Disagree
    e. Strongly disagree

4. Some states offer additional resources with their model policies, such as forms for reporting and investigating. These supplemental documents would help schools and districts implement effective bullying prevention procedures.
    a. Strongly agree
    b. Agree
    c. Neither agree nor disagree
    d. Disagree
    e. Strongly disagree

5. What language or part(s) of the model policy should absolutely be kept when making revisions?

6. What specific suggestions for improvement do you have?

7. What additional feedback would you like to provide?