



RESOLUTION

OPPOSING LEGISLATION, INCLUDING HB-1310 and SB-131, THAT WOULD DECREASE A LOCAL SCHOOL BOARD'S ABILITY TO CONTROL SCHOOL SECURITY ON CAMPUS AND AT SCHOOL-SPONSORED EVENTS

WHEREAS, The Education reEnvisioned BOCES (“ERBOCES”), located in Monument, Colorado, El Paso County, is committed to providing a safe environment for students and staff members;

WHEREAS, ensuring the safety of students, family members, employees, and guests of ERBOCES schools and programs, when on any ERBOCES school campus and at school-sponsored events, remains a top priority for the ERBOCES Board and Administration;

WHEREAS, schools are soft targets as a result of being Gun-Free Zones, and over 300 schools have been ravaged by school shootings across the US since 2009;

WHEREAS, an active shooter situation requires an immediate response, as a majority of active shooter incidents end in five minutes or less;

WHEREAS, the Claire Davis School Safety Act (“School Safety Act”) was passed in 2015 and placed an affirmative duty on public schools to “exercise reasonable care” to prevent reasonably foreseeable harm to students and employees; the Act specifically states, “all school districts and charter schools and their employees in this state have a duty to exercise reasonable care to protect all students, faculty, and staff from harm from acts committed by another person when the harm is reasonably foreseeable, while such students, faculty, and staff are within the school facilities or are participating in school-sponsored activities,” see C.R.S. § 24-10-106.3(3);

WHEREAS, Colorado law requires all public schools to adopt and implement several types of plans designed to provide an environment that is safe and conducive to learning, including a Safe School Plan, a School Response Framework, and a Safety and Security Policy, see C.R.S. § 22-32-109.1(2), § 22-32-109.1(4), and § 22-32-109.1(5);

WHEREAS, active shooter incidents, have been on an upward trend since 2018;

WHEREAS, ERBOCES’s relatively remote locations and distributed campuses means it cannot solely rely on response times of local law enforcement agencies;

WHEREAS, non-urban communities characteristically experience slower emergency response;

WHEREAS, the federal Gun-Free School Zone Act permits firearms to be authorized on school premises in accordance with State law;

WHEREAS, C.R.S. § 18-12-214(3)(b) provides that a person with a permit to carry a concealed handgun (“Permittee”) “who is employed or retained by contract by a school district as a school security officer may carry a concealed handgun onto the real property, or into any improvement erected thereon, of a public elementary, middle, junior high, or high school while the permittee is on duty”;

WHEREAS, any ERBOCES school, in accordance with its Safe Schools Plan, may authorize employees who have volunteered to accept employment as school security officers (“SSO”), are Permittees, and have completed



training approved and required by the Board to carry concealed handguns,

WHEREAS, Senate Bill 24-131 (“SB 131”) has been introduced and prohibits carrying a firearm in sensitive spaces, some of which include locations where student sporting events are held, such as gymnasiums, public libraries, daycare centers, and preschools, all of which are frequented by public school students;

WHEREAS, a draft version of SB 131 has also included schools to be classified as sensitive spaces and clearly indicates the sponsors' intent to craft legislation that will negatively impact charter schools' security plans or operations;

WHEREAS, as written, SB 131 will interfere with a local school board's ability to protect its students, staff, and visitors and comply with its obligations under the Safe Schools Act; and

WHEREAS, House Bill 24-1310 (“HB 1310”) has been introduced and prohibits the ability for “Licensed or Authorized Person,” i.e., school staff, from carrying and further interferes with the local school board's ability to protect its students, staff, and visitors;

WHEREAS, the Board of ERBOCES declares its opposition to SB 131 and HB 1310 or any amendments that will interfere with the ERBOCES Board's and ERBOCES Schools’ ability to meet their safety obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ERBOCES:

1. ERBOCES authorizes and directs the Executive Director to monitor SB 131 and HB 1310 and take steps, as permitted by law, to oppose any aspect of SB 131 and HB 1310 that will interfere with ERBOCES schools’ ability to use armed SSOs to protect its students on campus or at school-sponsored events.
2. The Executive Director shall keep the Board updated on SB 131 and HB 1310, which are opposed by the ERBOCES Board.
3. This resolution shall be in full force and effect upon its passage and approval.

This RESOLUTION is duly adopted by the Education reEnvisioned Board of Directors on March 12, 2024.

By: Elisabeth A. Richard
President, Education reEnvisioned BOCES Board of Education

Attest: KA 2 Witt
Executive Director , Education reEnvisioned BOCES Board of Education