

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0082.01 Richard Sweetman

HOUSE BILL 10-1064

HOUSE SPONSORSHIP

Schafer S., Todd

SENATE SPONSORSHIP

Spence, Hodge, King K.

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT A STUDENT COMPLETE AN APPEAL
102 PROCESS BEFORE FILING A COMPLAINT WITH A GROUP OF
103 NEUTRAL ARBITRATORS CONCERNING THE STUDENT'S
104 PARTICIPATION IN EXTRACURRICULAR ACTIVITIES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires a student who is found by a school, school district, or any organization or association to be ineligible to participate

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

in an extracurricular or interscholastic activity or who is otherwise sanctioned to complete an appeal process before filing a petition or complaint with a group of sitting or retired judges or other group of neutral arbitrators.

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

2 **SECTION 1.** 22-32-116.5 (9.5) (b), Colorado Revised Statutes,
3 is amended to read:

4 **22-32-116.5. Extracurricular and interscholastic activities.**
5 (9.5) (b) ~~Any~~ A student ~~may bypass~~ WHO HAS COMPLETED the appeal
6 process ~~at any time by filing~~ DESCRIBED IN PARAGRAPH (a) OF THIS
7 SUBSECTION (9.5) MAY FILE a petition or complaint with a group of sitting
8 or retired judges or other group of neutral arbitrators approved by the
9 school, school district, or any organization or association to which the
10 school or school district belongs. In rendering his or her decision, the
11 judge or arbitrator shall consider whether any rule was properly applied
12 to the student and whether a waiver of any rule should be granted. A final
13 decision shall be rendered by the judge or arbitrator no later than thirty
14 days after the filing of the petition or complaint and shall be binding on
15 the student, the school, the school district, and any association or
16 organization to which the school or school district belongs. Any cost
17 associated with a judge or arbitrator shall be charged equally to the
18 student and any association or organization to which the school or school
19 district belong.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 shall take effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly that is
23 allowed for submitting a referendum petition pursuant to article V,

1 section 1 (3) of the state constitution, (August 5, 2010, if adjournment
2 sine die is on May 6, 2010); except that, if a referendum petition is filed
3 against this act or an item, section, or part of this act within such period,
4 then the act, item, section, or part, if approved by the people, shall take
5 effect on the date of the official declaration of the vote thereon by
6 proclamation of the governor.