

**NOTE: This bill has been prepared for the signature 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.**

# An Act

HOUSE BILL 10-1064

BY REPRESENTATIVE(S) Schafer S., Todd, Hullinghorst, Labuda, Massey, Merrifield, Pommer, Summers, Vigil;  
also SENATOR(S) Spence, Hodge, King K.

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

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

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

**22-32-116.5. Extracurricular and interscholastic activities.**

(9.5) (b) ~~Any A student may bypass~~ WHO HAS COMPLETED the appeal process ~~at any time by filing~~ DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (9.5) MAY FILE a petition or complaint with a group of sitting or retired judges or other group of neutral arbitrators approved by the school, school district, or any organization or association to which the school or school district belongs. In rendering his or her decision, the judge or arbitrator shall consider whether any rule was properly applied to the student and whether a waiver of any rule should be granted. A final

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

decision shall be rendered by the judge or arbitrator no later than thirty days after the filing of the petition or complaint and shall be binding on the student, the school, the school district, and any association or organization to which the school or school district belongs. Any cost associated with a judge or arbitrator shall be charged equally to the student and any association or organization to which the school or school district belong.

**SECTION 2. Act subject to petition - effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act,

item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO