

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-1188.01 Jane Ritter x4342

HOUSE BILL 17-1347

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HOUSE SPONSORSHIP

Garnett,

SENATE SPONSORSHIP

Priola,

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House Committees

Education

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE REQUIREMENT THAT STUDENT RECORDS THAT  
102 DOCUMENT SAFETY THREATS MADE BY A STUDENT ARE  
103 TRANSFERRED WITH THE STUDENT'S OTHER RECORDS WHEN THE  
104 STUDENT TRANSFERS TO A NEW PUBLIC SCHOOL.

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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://leg.colorado.gov>.)*

The bill creates definitions of a student "threat assessment" and a student "suicide assessment". The bill requires that when a student transfers to a new public school, including a charter or pilot school

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.*

(public school), if the student's file contains a threat or suicide assessment and if the new public school, or a person acting on behalf of the student, requests copies of the student's records, the previous public school, or out-of-home placement if applicable, is required to transfer the student's threat or suicide assessment to his or her new public school with the other records requested. If a request for records is not made, the previous public school is not required to independently transfer the threat or suicide assessment. Current law allows for the transfer of threat or suicide assessments, but it does not require it.

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

2           **SECTION 1.** In Colorado Revised Statutes, 22-1-123, **amend**  
3 (5)(g) as follows:

4           **22-1-123. Protection of student data - parental or legal**  
5 **guardian consent for surveys.** (5) (g) Nothing in this subsection (5)  
6 limits the ability of a school district to administer a suicide assessment or  
7 threat assessment. IF A SCHOOL DISTRICT OR PUBLIC SCHOOL, AS DEFINED  
8 IN SECTION 22-32-109.1 (6)(d), ADMINISTERS A THREAT ASSESSMENT, AS  
9 DEFINED IN SECTION 22-32-109.1 (1)(j), OR A SUICIDE ASSESSMENT, AS  
10 DEFINED IN SECTION 22-32-109.1 (1)(i), SUCH SCHOOL DISTRICT OR PUBLIC  
11 SCHOOL SHALL COMPLY WITH THE PROVISIONS OF SECTION 22-32-109.1 (6)  
12 FOR RELEASE OF ANY DOCUMENTS RELATED TO THE STUDENT THREAT OR  
13 SUICIDE ASSESSMENT.

14           **SECTION 2.** In Colorado Revised Statutes, 22-32-109.1, **amend**  
15 (6); and **add** (1)(i) and (1)(j) as follows:

16           **22-32-109.1. Board of education - specific powers and duties**  
17 **- safe school plan - conduct and discipline code - safe school reporting**  
18 **requirements - school response framework - school resource officers**  
19 **- definitions - repeal.** (1) **Definitions.** As used in this section, unless the  
20 context otherwise requires:

1 (i) "SUICIDE ASSESSMENT" MEANS ANY VIOLENCE PREVENTION  
2 STRATEGY INVOLVING WRITTEN DOCUMENTATION THAT INCLUDES ALL OF  
3 THE FOLLOWING:

4 (I) AN IDENTIFICATION OF THE STUDENT'S THREAT OF SELF-HARM,  
5 INCLUDING SUICIDE;

6 (II) AN EVALUATION OF THE STUDENT'S THREAT OF SELF-HARM,  
7 INCLUDING SUICIDE, AND A DETERMINATION THAT THE STUDENT PRESENTS  
8 A THREAT OF SELF-HARM, INCLUDING SUICIDE; AND

9 (III) A SUICIDE PREVENTION PLAN DEVELOPED TO MINIMIZE THE  
10 STUDENT'S THREAT OF SELF-HARM, INCLUDING SUICIDE.

11 (j) "THREAT ASSESSMENT" MEANS ANY VIOLENCE PREVENTION  
12 STRATEGY INVOLVING WRITTEN DOCUMENTATION THAT INCLUDES ALL OF  
13 THE FOLLOWING:

14 (I) AN IDENTIFICATION OF A STUDENT'S THREAT TO COMMIT A  
15 VIOLENT ACT;

16 (II) AN EVALUATION OF THE THREAT AND A DETERMINATION THAT  
17 THE STUDENT PRESENTS A THREAT TO THE SAFETY OF THE PUBLIC SCHOOL,  
18 THE SAFETY OF THE STAFF, OR THE SAFETY OF THE STUDENTS ENROLLED  
19 IN THE PUBLIC SCHOOL; AND

20 (III) AN INTERVENTION PLAN DEVELOPED TO MINIMIZE THE  
21 THREAT OF VIOLENCE BY THE STUDENT.

22 (6) **Sharing information - threat assessments - suicide**  
23 **assessments - definition.** (a) Notwithstanding any provision to the  
24 contrary in title 24, ~~C.R.S.~~, each board of education shall establish  
25 policies consistent with section 24-72-204 (3) ~~C.R.S.~~, and with applicable  
26 provisions of the federal "Family Education Rights and Privacy Act of  
27 1974" (FERPA), 20 U.S.C. sec. 1232g, and all federal regulations and

1 applicable guidelines adopted thereto, to share and release information  
2 directly related to a student and maintained by a public school or by a  
3 person acting for the public school in the interest of making schools safer.  
4 Sharing of information concerning an out-of-home placement student  
5 who is being transferred to a public school ~~shall~~ MUST comply with the  
6 rules established by the state board pursuant to section 22-2-139 (9).

7 (b) WHEN A STUDENT TRANSFERS TO A NEW PUBLIC SCHOOL AND  
8 THE NEW SCHOOL, OR SOMEONE ACTING ON BEHALF OF THE STUDENT,  
9 REQUESTS A COPY OF THE STUDENT'S RECORDS, A THREAT ASSESSMENT, OR  
10 A SUICIDE ASSESSMENT FROM THE PREVIOUS PUBLIC SCHOOL, AND THE  
11 PREVIOUS SCHOOL HAS A THREAT OR SUICIDE ASSESSMENT ON FILE FOR  
12 THE STUDENT, THE PREVIOUS SCHOOL SHALL FORWARD SUCH THREAT OR  
13 SUICIDE ASSESSMENT ALONG WITH ANY REQUESTED RECORDS TO THE NEW  
14 SCHOOL IN RESPONSE TO THE REQUEST, REGARDLESS OF WHETHER A  
15 THREAT OR SUICIDE ASSESSMENT WAS SPECIFICALLY REQUESTED. IF A  
16 REQUEST FOR RECORDS IS NOT MADE, THE PREVIOUS SCHOOL IS NOT  
17 REQUIRED TO INDEPENDENTLY TRANSFER THE THREAT OR SUICIDE  
18 ASSESSMENT.

19 (c) FOR PURPOSES OF THIS SUBSECTION (6), "PUBLIC SCHOOL"  
20 MEANS A PUBLIC SCHOOL AS PROVIDED IN SECTION 22-1-101, INCLUDING  
21 A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO  
22 PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, AN INSTITUTE CHARTER SCHOOL  
23 AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO  
24 PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, OR A PILOT SCHOOL CREATED  
25 PURSUANT TO ARTICLE 38 OF THIS TITLE 22.

26 **SECTION 3.** In Colorado Revised Statutes, 22-32-138, **amend**  
27 (2)(a) introductory portion and (2)(a)(I) as follows:

1           **22-32-138. Out-of-home placement students - transfer**  
2 **procedures - absences - exemptions.** (2) (a) Each school district and the  
3 state charter school institute, created pursuant to section 22-30.5-503,  
4 shall designate an employee of the school district or the institute to act as  
5 the child welfare education liaison for the district or for state charter  
6 schools. In lieu of designating an employee, a school district or the state  
7 charter school institute may contract with an individual to act as the child  
8 welfare education liaison. Each school district and the state charter school  
9 institute shall report to the department of education by August 15, 2010,  
10 and by August 15 each year thereafter, the name and contact information  
11 of the child welfare education liaison. The department of education shall  
12 ~~be responsible for posting~~ POST that information on the department of  
13 education's website and ~~providing~~ PROVIDE the information to the  
14 department of human services. The child welfare education liaison ~~shall~~  
15 ~~be~~ IS responsible for working with child placement agencies, county  
16 departments, and the state department to facilitate the prompt and  
17 appropriate placement, transfer, and enrollment in school of students in  
18 out-of-home placement within the school district or who are enrolled or  
19 enrolling in institute charter schools. The specific duties of the child  
20 welfare education liaison ~~shall~~ MUST include, but need not be limited to:  
21           (I) Working with social workers from county departments,  
22 juvenile probation officers, and foster care parents to ensure the prompt  
23 school enrollment of students in out-of-home placement and the prompt  
24 transfer of their education information and records, INCLUDING ANY  
25 THREAT ASSESSMENTS, AS DEFINED IN SECTION 22-32-109.1 (1)(j), OR  
26 SUICIDE ASSESSMENTS, AS DEFINED IN SECTION 22-32-109.1 (1)(i), when  
27 students are required to change school enrollment due to changes in

1 placement;

2           **SECTION 4. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, and safety.