

Final
STAFF SUMMARY OF MEETING
SCHOOL SAFETY AND YOUTH IN CRISIS

Date: 09/22/2015

Time: **09:15 AM to 04:07 PM**

Place: RM 271

This Meeting was called to order by
Senator Scheffel

This Report was prepared by
Lisa Gezelter

ATTENDANCE

Cadman	X
Crews	X
Ganahl	X
Harms	E
Kerr	X
Lawson	X
McDonald	X
Moreno	X
Newell	X
O'Donnell	X
Salazar	X
Silvia	E
Weinerman	X
Willett	X
Wilson	E
(None), (None)	
Scheffel	X

X = Present, E = Excused, A = Absent, * = Present after roll call

Bills Addressed:	Action Taken:
John-Michael Keyes, I Love U Guys Foundation	Witness Testimony and/or Committee Discussion Only
Youth Panel: COYAC and Colie's Closet	Witness Testimony and/or Committee Discussion Only
Youth Panel: Bridging the Gap and CASA	Witness Testimony and/or Committee Discussion Only
Public Comment	Witness Testimony and/or Committee Discussion Only
Committee Discussion Regarding Bill Drafting and Fiscal Analysis	Witness Testimony and/or Committee Discussion Only
Youth Panel: Padres y Jovenes Unidos	Witness Testimony and/or Committee Discussion Only
Committee Discussion Regarding Bill Drafting and Fiscal Analysis	Witness Testimony and/or Committee Discussion Only

09:16 AM -- John-Michael Keyes, I Love U Guys Foundation

Senator Scheffel, Chair, welcomed the committee and audience members. John-Michael Keyes introduced himself and spoke about the committee's charge under Senate Bill 15-214. He discussed his experiences and expectations as a parent. He told the committee about events at Platte Canyon High School on September 27, 2006, during which his daughter Emily was held hostage and killed by a gunman, who was later killed by Jefferson County law enforcement authorities. He explained that his foundation is named after the last text message his daughter sent before her death. He spoke about standard response protocol (SRP), a program of the I Love U Guys Foundation which is based on programs in Tennessee and Broomfield, Colorado. The protocol starts with lockout (secure the perimeter), moves to lockdown (which places an emphasis on the ability of teachers and substitute teachers to lock classroom doors from the inside), then evacuate, and finally shelter. He spoke about the need to create time barriers for active shooters, to give law enforcement time to gain control of a situation. Mr. Keyes spoke about the foundation's method for distributing the program: Download It Yourself (DIY) and told the committee that the

foundation's programs are available at no cost to districts, departments, and agencies. He spoke about version two, with audience-appropriate versioning for a variety of age levels. He showed separate materials for prekindergarten through second grade. He explained the posters that are available, and handouts for parents, and that training is offered to K-12 institutions, and higher education, as well as law enforcement agencies. He discussed the growth of his foundation, from its first presentation in April 2009 to a national safety conference in July of that year and the use of his program in 163 schools in Jefferson County by September. He said that by the end of the 2009-2010 school year, dozens more schools and districts across the country had adopted the SRP. He discussed schools in Colorado using the SRP, explaining that 1,400 schools in Colorado are currently using it, and that 76 percent of all schools in the state have adopted the program. Mr. Keyes said that across the country, 10,000 schools use the SRP.

He spoke about his presentations, and mentioned that he has delivered presentations on the SRP over 300 times. He said that SRP is only a thin slice of the school safety pie, but explained that he thinks of it as a catalyst to ignite the conversation and present the topic in non-threatening ways. He spoke about what he has learned about partnerships between schools, law enforcement, and other first responders. He reviewed who had spoken to the committee and suggested that some voices are missing from the conversation.

Mr. Keyes discussed partnerships in Texas, such as the Advanced Law Enforcement Rapid Response Training, and an organizational partnership between the Texas Association of School Boards and its risk management fund. He said this is different in Colorado, where the Colorado Association of School Boards (CASB) is separate from the Colorado School Districts Self Insurance Pool (CSDSIP). He mentioned Oregon, where the Oregon School Boards Association and the Property and Casualty Coverage for Education are joined together, to insure all but three districts in the state.

Mr. Keyes reviewed legislation in other states. He mentioned Oregon House Bill 2661; Indiana IC 5-2-10.1-9, which creates model academies and training for school safety specialists; and Wyoming Section 336: 2, which requires full-time safety specialists to assist schools and is funded by the Department of Homeland Security. He stated that in Colorado, the state has created several mandates, but has not provided sufficient funding to see them through. He discussed threat assessment practices in Jefferson County Public Schools and Denver Public Schools, and explained his thoughts on the concept of a checklist. He talked about the Boards of Cooperative Educational Services (BOCES) system and how the San Juan BOCES can serve as an example. He encouraged the committee to invite Kathy Morris from that BOCES to come speak and discussed the geographical challenges of BOCES.

He encouraged the committee to undertake a statewide survey of school safety and threat assessment and fund a data analysis of the survey results. He discussed the school to prison pipeline and the mandated reporting system and how data analysis was not funded originally. He spoke about the Center for the Study and Prevention of Violence at the University of Colorado and encouraged the committee to hire that Center to conduct a statewide study.

09:38 AM

Mr. Keyes responded to questions from the committee. Senator Newell thanked him for coming and asked him to advise the committee on what action they should take first. Mr. Keyes suggested that the committee focus on collecting and analyzing data. Representative Moreno spoke about the difficulty of determining best practices when schools and districts are not homogeneous. Mr. Keyes responded that there is a need to accommodate local differences and celebrate them, because there is no single answer. He spoke about efforts in Indiana and New Jersey, and how both states have legislatures willing to fund school safety programs. Representative Salazar thanked Mr. Keyes and asked whether Mr. Keyes recommended having an individual in each school or school district responsible for implementation. Mr. Keyes spoke about Indiana's policies requiring a specialist at every school, and said that training there is available through the Academy system. He said he thinks Colorado does have people at every school responsible for safety, but explained that he is not sure if it is legislatively required. He stressed the importance of looking at practice as well as policy. Heidi Ganahl asked about programs that measure results. Mr. Keyes spoke about the Center for the Study and Prevention of Violence at the University of Colorado. Senator Scheffel discussed the Center's study of the Davis family's arbitration process. Ms. Ganahl spoke about the challenges of adding to the burden of schools. Mr. Keyes spoke about the time and money required to do the research necessary. Senator Newell asked why schools are not using SRP. Mr. Keyes spoke about the challenges of change and the necessity of maintaining local control, and distributed a handout to committee members (Attachment A).

Attachment A can be viewed at Legislative Council.**09:53 AM -- Youth Panel: COYAC and Colie's Closet**

The committee recessed.

10:00 AM

The committee came back to order. Senator Scheffel welcomed the members of the panel and asked them to introduce themselves. Kathy Valentine, Executive Director of Colie's Closet, spoke about the organization, which is a youth-run peer education organization in Boulder Valley School District. She spoke about how the students are trained to speak to their peers about depression and suicide awareness. She introduced Evan Thornberry, and said that Colie's Closet has been in existence for 10 years and that last year, members of the group spoke to 2,600 students in 100 classrooms. Mr. Thornberry introduced himself and spoke about Colie's Closet and his experiences as a peer educator.

The members of the Colorado Youth Advisory Council (COYAC) distributed a handout to committee members (Attachment B). Cole Hancock spoke about COYAC and discussed the policy recommendations his group has made on the issues of behavioral health and school safety. Ryan Schiller spoke about his experiences on COYAC. Rahul Ramesh introduced himself and Sofia Barnett introduced herself.

Attachment B can be viewed at Legislative Council.

Mr. Ramesh spoke about the mental health needs of students in high school. He spoke about programs in place currently, such as anonymous tip lines, and how ineffective his school's care line is. He said that Cherry Creek High School had five suicides last year and discussed the benefits of mental health screenings.

Senator Newell asked about the Cherry Creek care line's relationship to Safe2Tell. Mr. Ramesh responded that Safe2Tell has given way to the local care line at his school. Linda Weinerman asked about what happens when a tip is made to the care line. Mr. Ramesh spoke about his friend's suicide and how his tip to the care line resulted in a contact with his friend, but that his friend committed suicide over the summer despite the intervention provided. Mr. Thornberry spoke about the nature of suicides at high schools and how his organization wants to start a conversation. He said that many teenagers do not open up because they find it scary to talk about these issues and speaking about depression is often frowned upon. He told the committee that his group makes presentations to groups in middle schools because many children at that age have feelings of depression.

Ms. Barnett spoke about teams at schools formed to focus on issues of mental health. She told the committee the focus should be more on training teachers and those that have direct contact with students. Mr. Thornberry told the committee that his group urges students to speak to trusted adults when they have feelings of depression or thoughts of suicide. Mr. Ramesh said that what's in place now are safety-net measures, but that when students have convinced themselves that things will not be okay, these measures do not work. He spoke about Mental Health First Aid and Emotional CPR as possible solutions for training people to help students after the care line call. Mr. Schiller discussed his friends that suffer from depression and said that students do not trust adults, but rather trust their friends. He spoke about the need to educate students themselves on how to respond when their friends disclose feelings of depression or thoughts of suicide. He spoke about the benefits of instituting a standard confidentiality agreement between students and counselors. He said that students need to be comfortable talking about these issues so they can help one another.

Senator Scheffel asked about the causes of teen depression and suicide. Mr. Hancock responded that stress results from both social life and academic pressure. He talked about lack of sleep and the perceived need to take advanced classes as combining factors. Mr. Schiller spoke about the importance placed on social status, as well as chemical imbalances in the teenage brain. Mr. Ramesh agreed with the previous two speakers, and added that family problems can add to the pressures on a teenager. Ms. Barnett spoke about the effects of bullying. Mr. Thornberry discussed cyberbullying, and how bullying can now follow students home. He spoke about traumatic events, such as floods or other natural disasters, or divorce, also genetics, the death of a loved-one, and stress resulting from tests and sleep deprivation.

Representative Willett asked about the COYAC recommendations on school safety and about school safety drills. Mr. Hancock spoke about the drills at his high school since students from Arapahoe High School transferred there. Ms. Barnett spoke about lockdown drills seen as a joke among students, as time to spend playing on cell phones, and discussed how teachers should approach these drills. Mr. Thornberry spoke about a bomb threat at his high school in 2012. He noted the lack of school policies and how no information was circulated to students. He explained the chaos of the situation, discussed drills at the school in the intervening years, and explained the difficulties of executing drills that require all students to leave the campus. He advocated for the creation of regulations surrounding these drills and urged adults not to withhold information from students, because in the absence of true information, students will circulate rumors. Mr. Schiller spoke about a situation his freshman year where a student set himself on fire in the cafeteria, and the resulting chaos. Ms. Barnett spoke about a suicide at her school, commenting on how quickly rumors can spread, and how prohibitions on what teachers can say encourage the spreading of false rumors.

Greg McDonald asked about the academic pressures on students. Mr. Ramesh responded that students stay up late to complete homework, and are required to wake up very early to get to school on time. He discussed the effect of lack of sleep on teenagers and advocated for later start times at high schools. Mr. Schiller said that academic pressures come primarily from parents, but also from peers. Mr. Ramesh and Ms. Barnett spoke about the workload on students and the burden that Advanced Placement (AP) classes can place on students.

Ms. Weinerman asked about school resource officers (SROs), particularly whether kids are comfortable reaching out to SROs. Mr. Thornberry responded that school counselors are more often responsible for helping kids with their schedules and college applications. He spoke about the position of a school interventionist, who has a confidentiality policy not to speak to parents unless a child is in danger. He said that friends can go with each other to get help from the interventionist, and he spoke about his experience taking a friend to see the school interventionist. He spoke about the SRO in his school.

Representative Salazar asked about relations within schools. Ms. Barnett spoke about the school interventionist, who rotates among a team of teachers. She said that students usually go to the interventionist for their friends and that a student with a problem rarely, if ever, approaches the interventionist. Representative Salazar asked if students get annual training on Safe2Tell. Ms. Barnett stated that the telephone number is on the back of their student IDs, but there is no specific training. Mr. Ramesh agreed that the telephone number is on the back of the student ID. He spoke about school assemblies for Suicide Prevention Awareness Day. He spoke about the effectiveness of guest speakers. Mr. Schiller also agreed that the Safe2Tell telephone number appears on the back of student IDs and stressed the importance of peer-to-peer relationships and how SROs are armed and intimidating. He said that counselors' location in the main office is off-putting to students.

10:46 AM

Mr. Hancock also confirmed that the Safe2Tell telephone number appears on the back of student IDs, and said that at his school there is no specific training offered to students. He said that students often do not know where to turn with information on a peer's depression or suicidal thoughts. Kate O'Donnell spoke about her experiences as a social worker, agreed that peer-to-peer relationships are important, and asked the students which adults they would trust. Mr. Thornberry responded that he would trust the interventionist at his school, and stated that before he knew her, he would not have known who to trust. He said that it would not be parents, since parents are often the cause of a student's stress. Mr. Schiller responded that he has one teacher he would go to, but that there is no single way to treat all cases. Mr. Ramesh stated that at different schools, the first line of defense is different. He spoke about his relationship with his debate coach.

Mr. McDonald thanked the panelists and spoke about his experiences as a school counselor. He expressed sadness at their perceptions of the role of school counselors. He stated that the front line is often peers, but asked how peers and adults can work together on these issues. Mr. Hancock spoke about the importance of creating connections among students and adults in schools, and maintaining confidentiality when students do approach adults. Mr. Schiller said that counselors should leave their offices and walk around the school to get to know students better, and that counselors should be more friendly to students. Mr. Ramesh urged students to approach adults, but pointed out that students have difficulty approaching unfamiliar adults and urged adults in schools to approach students. He also suggested that schools conduct more assemblies. Ms. Barnett spoke about school traditions, such as booing freshmen, that foster negative feelings among students. Mr. Thornberry said that student councils can be an effective tool, but that it becomes problematic when the student council is not representative of the larger student body. He said that his school is 20 percent Latino and that many students struggle economically, and those students have different stresses. He spoke about how the student council does not represent the entire school, and he mentioned racial segregation in classrooms. He explained that his school is not unified, and that socioeconomic and racial differences divide students. He said each school should get all types of students involved in governance.

Senator Newell expressed sadness at the fact that students no longer go to school counselors as trusted adults. She said that counselors should have better connections with students. She asked Mr. Thornberry about the possibility of replicating Colie's Closet in other locations. Mr. Thornberry spoke about how his group had imagined expanding to other schools and districts. Ms. Valentine spoke about her efforts with the group and how other districts could replicate Boulder Valley School District's efforts. Senator Newell asked about empathy on a student level, to groups other than overachievers. Mr. Hancock spoke about how tracked classes lead to homogeneous groups of friends. He said that electives can give students an opportunity to make friends in different demographic groups. Mr. Schiller said that it is easier to form relationships with classmates or teammates, but that schools can do better at helping students to build relationships. Mr. Ramesh spoke about fine arts electives and how friendships can be built from participation in clubs. Senator Newell invited the COYAC representatives to serve on the Suicide Prevention Commission.

11:10 AM -- Youth Panel: Bridging the Gap and CASA

Senator Scheffel asked the panelists to introduce themselves. Tori Black introduced herself as a representative of Bridging the Gap. Jazper Vanegas introduced himself as a former foster youth. Sabrina Waite introduced herself as a youth involved with a Court Appointed Special Advocate (CASA). Emily Gallagher, representing CASA, also introduced herself.

Ms. Black spoke about Bridging the Gap and how the organization helps youths leaving the foster care system. She spoke about the challenges those youths face. She discussed her experiences as a foster youth and how foster youths perform academically. She stated that only one-quarter of foster youths complete high school. She discussed the difficulties of entering the workforce and higher education without completing high school.

Ms. Waite spoke about her experiences with the court system and how CASA helped her. Ms. Gallagher spoke about the Legacy program with CASA and how teens can come to the Legacy program to learn life skills.

Senator Newell asked whether these youths feel safe in their schools. Mr. Vanegas said he prefers school to his foster home. He spoke about the challenges of establishing peer relationships, having no parents to rely on. He spoke about his experiences moving from Greeley to Colorado Springs and said that attending 13 different schools in 6 years took a toll, but stated that he still felt safer at school than at home. Ms. Waite spoke about her experiences in Colorado Springs and how students can be very negative. Ms. Black spoke about how she felt safe at the school she attended, but that foster children do not have the same support during a school safety crisis. For example, she said, during a school lockdown, there is no parent to pick these students up if they live at a group home. She spoke about how stigmatizing it is to be in foster care as a child or teenager and stated that foster youths cannot participate in normal childhood events like sleepovers, without the permission of a caseworker and judge. She said that many people find it difficult to discuss foster care.

Ms. Weirman asked how to get better services for foster kids, while maintaining confidentiality. Ms. Black spoke about the importance of social status in high school, and how foster care impacts a student's social status. She spoke about how teachers, coaches, administrators, and counselors should handle foster kids to better maintain confidentiality, sensitivity, and continuity of relationships. Ms. O'Donnell asked what made students feel safe at school. Ms. Black responded that staying in her community helped her feel safe, as did the protection order against her parent and the SRO's presence at the school. Mr. Vanegas said that his feeling of safety stemmed from the distraction of school and not being reminded that he was living in a stranger's house. He discussed the awkwardness among peers who would want to discuss their home life. He spoke about his strategy of playing on teams to stay at school and avoid going home to a stranger's house. He described the importance of being accepted among his peers. Ms. Ganahl asked about changing schools and whether or not foster youths get warning. Mr. Vanegas replied that he was told, not asked, about changing schools. He said certain foster parents care more about payment, while others care more about children. He told the committee that he had run away once, and that his caseworker told him to get a general equivalency diploma even though he had a 3.4 grade-point average in school. He explained that he started out at Greeley West High School for his freshman year, attended three different high schools in Colorado Springs, and then moved back to Greeley, where he wanted to finish his senior year at Greeley West. He said that foster youths cannot have cell phones or Facebook accounts to keep up with their friends and that caseworkers do not consult youth on placement locations. Ms. Ganahl commented on Mr. Vanegas' testimony. Ms. Black spoke about the importance of area permanence, and how adding foster homes would help students stay in their local communities. She said that Colorado needs 4,000 more foster homes to give foster youth area permanence and that studies show every time a child moves, he or she loses six months of education. She explained that foster youth in Colorado move on average four times per school year. Representative Salazar commented that the foster system is one of the biggest perpetrators of youth in crisis. He discussed the idea of area permanence.

11:38 AM

Ms. Waite spoke about how group home staff and foster parents should have more training and education in how to support foster children. Mr. Vanegas said that not every child is perfect, and foster parents face challenges. He spoke about the desire of foster parents and caseworkers to put foster youth on medications when they act out and about the need to improve the foster care system. He said that multiple changes do lead kids to act out, especially because they are never consulted. He described his experiences getting in trouble for not taking medication after entering the foster system at age 7. He explained that he was put on medication when he got upset about losing his parents. Ms. Black spoke about the need for a societal shift and the need for more people to become foster parents. She explained that available beds are often in treatment centers when a child is kicked out of a foster home, and that treatment center beds are only available to kids that have a diagnosis. She said that these situations encourage caseworkers to get a diagnosis for each child, even if one is not needed, and spoke about foster youth being forced to take medications. She told the committee that she was prescribed seven medications as a foster youth, and that when she turned 18, Medicaid was cut off and all her medications, too. She spoke about the difficulties of navigating independence at age 18 as well as the mental health system. To make the foster system better, she suggested that the Department of Human Services needs to be held accountable, and that the civil liberties of foster youths need to be respected.

Senator Newell spoke about the presentation from the Office of Suicide Prevention, including protective factors such as feelings of connectedness. She said that did not seem possible for foster youths and asked if foster youths find each other. Mr. Vanegas said that during high school he did not seek out other foster youths, but after emancipation, he sought out his former foster siblings. He said that in high school, he just wanted to be a normal kid, but after emancipation, he wanted the support. He spoke about the challenges of being a regular kid when a foster youth cannot participate in many activities. Ms. Weinerman spoke about establishing peer mentors for youth currently in the foster system and asked if that would help. Ms. Black spoke about Los Angeles County, where former foster youths are placed on judicial staff to help guide youth who are over the age of 15 to create their own permanency plans. She spoke about her experiences with her guardian ad litem when she did not want to go back home to live with her father. She said that Colorado's system does not ask youth to determine what their permanency plans should look like. She spoke about the importance of mentors who have been through the journey before, and who can act as role models for foster youth.

11:52 AM

The committee recessed.

01:25 PM -- Public Comment

The committee came back to order. Dr. David Benke, representing himself, thanked the committee for its work and spoke about his experiences as a teacher at Deer Creek Middle School where a shooter killed two of his students. He told the committee that shootings can happen at even the best schools. He reviewed his studies of school security and said that schools should detect threats, defuse them, deter them, and defend themselves. He spoke about detecting at-risk students and explained that at Deer Creek, the perpetrator had attended the school 18 years before. He discussed the importance of deterrence through hardening the target and defending children. He framed his comments as 12 questions:

1. Should there be an office for school security equivalent to a fire marshal, with the power to fine an institution for noncompliance with regulations?
2. Should schools be required to keep construction details on file for law enforcement access?
3. Should schools etch room numbers into exterior windows?
4. Should steps be taken to create reciprocal agreements between news organizations and law enforcement agencies that would allow law enforcement to use private helicopters to deliver officers to emergency sites?
5. Should schools be required to mark room numbers on roofs?
6. Should school personnel rethink policy with regard to evacuation in the event of a bomb threat?
7. Should schools be required to have armed security personnel?
8. Should school personnel be required to close and lock exterior doors during the school day? Should portable classrooms be discouraged, or secured, and should there be only one entry point into every school?
9. Should off-duty officers and faculty with concealed carry permits be allowed to carry weapons on school grounds?
10. Should schools be required to do yearly lock-down drills? Dr. Benke said that 48 percent of Colorado schools do not currently do such drills.
11. Should the state commit to putting an armed SRO in every school?
12. Should schools be required to post the SRP and train staff and students in their implementation?

Dr. Benke gave four recommendations to the committee, which he said would cost nothing to implement:

1. Self defense, or school security, including detection and defusion of at-risk students, should be part of teacher training at every university;
2. Teachers should be able to use self defense, school security, and first aid courses for certification renewal;
3. Those same courses should be offered as teacher continuing education courses; and
4. Someone who is diagnosed with a mental illness that is treatable with medication and is prescribed that medication should not be eligible for the insanity defense if he or she decides to stop taking the medication without a doctor's consent.

Dr. Benke offered closing remarks and urged the committee to consider his recommendations.

01:41 PM -- Committee Discussion Regarding Bill Drafting and Fiscal Analysis

Senator Scheffel spoke to the committee members about the process for requesting bill drafts and urged non-voting committee members to consult a legislator about bill draft ideas. He told the committee that they would not be voting on draft requests, but that the drafts would have to be voted on at the next meeting.

Kerry White, representing Legislative Council Staff, told the committee that the October 27 meeting would begin at 10:00 AM rather than 1:00 PM. She spoke about fiscal notes for draft requests and introduced Richard Sweetman, Office of Legislative Legal Services, to discuss the drafting process. Ms. Weinerman asked about follow-up information from the last meeting. Ms. White responded that staff is still gathering some of the information that the committee requested.

Senator Scheffel asked committee members to discuss bill ideas. Representative Willett spoke about the Colorado Governmental Immunity Act (CGIA), and requested more information on that law and how it relates to the committee's task. He spoke about CGIA as it relates to Senate Bill 15-213 and explained that the act mentions negligence and reasonable care. He expressed concerns with the idea of a checklist, creating the only situation in state law where a negligence claim would be defined by statute rather than by jury instructions. He asked if a checklist would satisfy the legal requirements for reasonable care and be a safe harbor for districts, or if a district does not comply exactly, would that be proof of negligence? He explained how judges instruct juries on negligence and negligence per se.

Representative Willett continued speaking about governmental immunity. He explained that all governments are immune from suit, except in certain instances. He said that if immunity is waived, all governmental entities can be sued for that type of action, such as a motor vehicle accident. He said that he is worried about pulling schools out of governmental immunity, and explained that the law will not make sense if that stands. He described the governmental entities involved in school safety and said that all these entities should be exempt from immunity, not just the schools or districts. He said that by carving out an exception just for school districts, the General Assembly created at least five unanswerable legal problems and two more related problems. He expressed concern with implementing legislation the way it stands and about the difficulties of litigating cases under this law.

Representative Salazar spoke about his reasons for co-sponsoring Senate Bill 15-213 and about how the CGIA interacts with the new law. He spoke about existing waivers of governmental immunity, and posited that Senate Bill 15-213 just adds to that list.

02:00 PM -- Youth Panel: Padres y Jovenes Unidos

Ricardo Martinez, representing Padres y Jovenes Unidos, introduced himself. Margarita Atencio, Mayra Evangelista, and Cinthia Suosti, youth representatives of Padres y Jovenes Unidos, introduced themselves.

Ms. Atencio spoke about her experiences in high school as the target of bullies. She said that when she told an adult, the adult believed the other girls and she was suspended after being assaulted. She explained that after returning to school, she was assaulted again and then expelled. She told the committee how the expulsion led her to have to repeat seventh grade. She discussed how she lost trust in school personnel.

Ms. Evangelista spoke about being pushed out of school Westminster High School. She described her sophomore year, when her schedule on the first day of school only contained two classes. She spoke about how she tried to see her counselor, but could only get an appointment several weeks later, and left that appointment with no additional classes added to her schedule. She said that the school did not give her a full schedule until the security guard questioned her about the amount of time she was spending out of class, but said that the classes she was assigned were remedial or below her level. She described how she felt like school was a waste of time, so she stopped attending and got in trouble for truancy. She spoke about transferring to a different high school, and about how the administration at that school was hostile to her and her mother.

Ms. Suasti spoke about her experiences in school and the difficulties she encountered.

Mr. Martinez spoke about the need for more counselors, and about situations in which the police presence at schools is counterproductive for some students. He spoke about a lack of translators available when schools pursue disciplinary or legal action against a student, and how teenagers are forced to translate for their own parents. He discussed the impact on learning when the first person students see at school is an armed police officer, especially in neighborhoods with a high police presence. He described the need for better guidance for SROs and police and said they should not be checking for dress code violations. He explained the need for better, clearer data on police actions in schools and said that better data is needed on how school districts are disciplining students, and how compliant districts are with state law. Mr. Martinez said that his organization is checking compliance rates, but a small nonprofit should not have to do work that is the state's responsibility. He described his organization's research in early childhood expulsions in parts of Denver and urged the committee to ban suspensions and expulsions for children below a certain grade. He explained the need to invest in education and data collection. He discussed the need for supports inside schools to help keep children in school.

Senator Newell asked about bullying and what kind of difference legislators can make. Ms. Atencio responded that she did not have a trusted adult in the school to go to when she was bullied and then suspended and expelled. She told the committee that children in school should have more adult support. Ms. Evangelista said that when Ms. Atencio was punished for something that was not her fault, she lost trust in adults at school. Senator Newell spoke about bullying plans, and mentioned that 35 percent of schools across the state still do not have bullying plans, even after passage of legislation in 2012. She asked the panelists to comment on possible solutions. Mr. Martinez recommended a structure for follow-up, and to pursue implementation of state laws in local districts. He spoke about laws that are passed without resources attached, and how those changes exist in name only. He said each district should report on what it has done.

David Crews asked Ms. Evangelista to finish her story. She explained the school did not look into her schedule until the required October pupil count, and that she was forced to eat lunch in an administrator's office as a result of truancy problems that resulted from her lack of classes. Ms. Weinerman asked if there had been any resources offered to her to understand her rights or the school's policies. Ms. Evangelista said that school officials had not explained her rights or the process to her.

Senator Newell asked about the panelists' experiences regarding safety of minority groups and what the barriers are to feeling safe at school. Ms. Suosti replied that she is in the majority at her school, not the minority, and that she felt that having the police in school was nerve-wracking. Ms. Evangelista said the barrier to her was that nobody was there to translate for her mother while they met with a police officer and the principal. She said that translators should be provided, as both she and her mother were very intimidated. Ms. Atencio said that the barrier was a lack of communication, and that undocumented parents are afraid to advocate for themselves or their children.

Representative Salazar thanked the panelists for speaking about their experiences. He pointed out that though some parties advocate for more armed personnel in schools, armed personnel do not always make for a warm and welcoming school environment. He asked if an armed presence in schools affected the panelists' experiences. Ms. Evangelista replied that she is happier in a school without a police officer because she does not feel like a criminal being watched. Ms. Suosti expressed her feelings that having a police officer in the school adds tension because students and parents do not understand why a police officer would be posted in a school. Mr. Martinez added that a study in 2011 in Georgia on police presence in the schools found no data to support a claim that schools are safer with armed police presence. He spoke about the proper role for police in schools, which he believes should not include being involved in disciplinary matters.

Senator Newell asked if Mr. Martinez had heard of any angst or nervousness about Senate Bill 15-213 in the schools or on the part of individual teachers in the area of over- or under-capturing data about students. Mr. Martinez discussed restorative justice and the challenges of implementing it. He spoke about his organization's outreach efforts.

Ms. Weirman asked Mr. Martinez about the idea of training students to advocate for each other, as suggested by an earlier panel. Mr. Martinez replied that any way to help students deal with issues in school is a positive development. He pointed out the challenges students face in knowing when to go to an adult, and said that schools should have adults trained in mental health counseling. He explained that law enforcement officers are not necessarily trained in teenage mental health issues. He spoke about peer-to-peer counseling in conjunction with designated, trained adults. Ms. Suosti added that having a trained adult present in each school would benefit students.

Mr. McDonald spoke about his experiences at a middle school where 70 percent of the students were Latino, and said that he tried to learn to work with the students. He asked if it would make a difference if adults in schools came from similar backgrounds as the students. Ms. Evangelista said that yes, it would have been helpful. Mr. McDonald followed up with a question to Mr. Martinez about how to recruit more students interested in becoming teachers or school counselors. Mr. Martinez urged higher pay for teachers and counselors, and spoke about exemplary programs that encourage Latino youth to pursue education as a career.

The committee recessed.

03:16 PM -- Committee Discussion Regarding Bill Drafting and Fiscal Analysis

The committee came back to order. Senator Scheffel reiterated his decision that draft requests would not be voted on. Senator Newell spoke about the testimony offered, and asked for ideas from the committee's non-voting members. Mr. Crews requested a safe harbor for schools, a protocol that could be put in place by all districts. He spoke about identifying elements of that. Ms. Ganahl spoke about checklists and manuals from the federal government and said it is hard to figure out what the baseline of care would be, as a school board member of a charter school. She spoke about how to enact legislation that would be equitable for small rural districts, and could not be used against school districts. She proposed a pilot project to put best practices to work along with military protocols and described the pilot project. She said that funding should not just come from education funds, but public safety as well. Ms. O'Donnell spoke about her experiences as a first responder at Columbine High School. She shared her concerns about the definitions of reasonable care and foreseeable harm. She spoke about the effect of Senate Bill 15-213 on schools, and said that all schools need more mental health support. She said that if mental health were more present in elementary schools to build trust, it would bridge the gap in middle and high schools. She said that mental health centers could be brought into the schools. Mr. McDonald seconded the previous speakers' ideas, and added his desire for more mental health training for school personnel. He urged the committee to be cognizant of the diversity of students in the state. Ms. Weinerman expressed her desire for a statewide survey and data analysis of what schools and districts are doing to keep students safe. She spoke about Representative Willett's ideas and expressed her expectations as a parent. She said that she is worried that because of Senate Bill 15-213, resources will be diverted away from students and toward liability exposure. Sharyl Kay Lawson spoke about her concerns for elementary schools, and how mental health resources are not generally available in elementary schools. She spoke about Safe2Tell and how students and teachers lack information, and the fear many students have of having the app on their phones.

Senator Scheffel requested three bills:

1. a bill to facilitate exposure or marketing of Safe2Tell;
2. a bill to sufficiently define behavior that is the goal behind Senate Bill 15-213, or a way to offer relief, such as a lessening of the burden, or a safe harbor for school districts; and
3. the creation of a subcommittee assigned to catalog and bring together all these different efforts, and to find best practices.

Richard Sweetman, Office of Legislative Legal Services, spoke about the School Safety Resource Center.

Representative Moreno spoke about concerns about exposure and liability for school districts. He said that the charge of this committee is not to reargue Senate Bill 15-213, but to move forward. He said that training on identifying threat assessments is important, and commended Ms. Ganahl's recommendations about best practices.

Senator Newell expressed support for the idea of assisting Safe2Tell in broadening its reach, but she reminded the committee that some youth find it ineffective, particularly the follow-up after a report is made. She said that at Cherry Creek High School, all five suicide threats during the last school year were reported to care line, which did not prevent them. She spoke about a possible collaboration between Safe2Tell and the local mental health crisis line, and about training for school personnel. She explained that only 46 to 48 percent of mental health providers have training in suicide prevention or management, that ages 10 to 34 carry a high risk in Colorado, and that the state saw five suicides during the first week of school alone. She spoke about a bill idea for requiring mental health providers in schools, as well as teachers, counselors, administrators, and psychologists to have suicide prevention training or Mental Health First Aid or some module of trauma-informed decision making. She explained that school psychologists in Colorado are not required to have PhDs and said that school social workers should be trained as well. She said the state can require training at induction or in teacher preparation programs in college, or when someone receives a school administrator's license. She spoke about the need training for students, but expressed doubts about funding.

Ms. Ganahl spoke about her pilot program idea and said it would encourage cooperation among school personnel, students, parents, and the local community.

Senator Newell spoke about a team approach to threat assessments, and how teachers want to change the name away from threat assessment, as that name is off-putting to special education parents and teachers.

Representative Willett spoke about how the St. Vrain School District was recently sued over wrongful expulsion and an incorrect threat assessment. He explained that he would propose a number of bills. He said that nothing in Senate Bills 15-213 or 15-214 should impact Colorado law on negligence or other commonly defined terms through civil jury instructions or case law. He said that if any sort of checklist were to be legislated, that checklist should not define negligence or be used as negligence per se, but could only be used as a presumption of non-negligence if a district truly satisfied its requirements. He said that an exception to governmental immunity should truly be added to the list in section 106 and not be limited to school districts, so that the General Assembly would waive immunity for all agencies concerned with school violence, not just school districts.

Senator Newell spoke about problems in information sharing. She asked to set up a subcommittee for information sharing. She spoke about how information is a complex matter, especially for youth in foster care, and said that having trusted adults is of great importance to students. She discussed requiring schools to have every child identify a trusted adult. She expressed her desire for the state to explore Homeland Security funding. She said that there is a need for schools to have a communication policy regarding youths in crisis, that these policies should be taught to teachers, administrators, students, and parents.

Senator Scheffel went over the plan for the next committee meeting on October 27. Mr. Sweetman went over the bill draft requests. He spoke about need for bill shepherds, and said that bill drafts need to be finalized by October 13 because of the need for fiscal notes to be completed by October 27.

Ms. O'Donnell requested John Niccolletti to come present to the committee. Senator Newell asked Mr. Sweetman about the pilot project bill, and offered to be its shepherd. Senator Newell asked Mr. Sweetman about the implementation date for monetary damages under Senate Bill 15-213, to which Mr. Sweetman replied 2018.

Senator Scheffel thanked the staff.

04:06 PM

The meeting adjourned.