

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

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BILL 6

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Committee\16-0322.wpd*

LLS NO. 16-0322.01 Richard Sweetman x 4333

INTERIM COMMITTEE BILL

School Safety and Youth in Crisis Committee

BILL TOPIC: "School District Communication Policies"

A BILL FOR AN ACT

101 **CONCERNING COMMUNICATION POLICIES IN SCHOOLS.**

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>.)

School Safety and Youth in Crisis Committee. Current law requires each school district board of education to establish a school response framework that includes written procedures for taking action and communicating with local law enforcement agencies, community emergency services, parents, students, and the media in the event of certain incidents as identified by the school or school district. The bill

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

states that the written procedures must include consideration of students' special needs, including but not limited to special needs relating to disabilities.

Each local board of education shall take measures to encourage parents and legal guardians of every student in the school district to communicate to the student's school administration information relating to the student's mental health and mental health care, if any, for the purposes of helping the school district facilitate the health and safety of all students.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-32-109.1, **amend**
3 (4) (j) and (6) as follows:

4 **22-32-109.1. Board of education - specific powers and duties**
5 **- safe school plan - conduct and discipline code - safe school reporting**
6 **requirements - school response framework - school resource officers**
7 **- definitions - repeal.** (4) **School response framework - school safety,**
8 **readiness, and incident management plan.** Each board of education
9 shall establish a school response framework that shall consist of policies
10 described in this subsection (4). By satisfying the requirements of this
11 subsection (4), a school or school district shall be in compliance with the
12 national incident management system, referred to in this subsection (4) as
13 "NIMS", developed by the federal emergency management agency. At a
14 minimum, the policies shall require:

15 (j) Each school district to adopt written procedures for taking
16 action and communicating with local law enforcement agencies,
17 community emergency services, parents, students, and the media in the
18 event of certain incidents as identified by the school or school district.
19 THE WRITTEN PROCEDURES MUST INCLUDE CONSIDERATION OF STUDENTS'
20 SPECIAL NEEDS, INCLUDING BUT NOT LIMITED TO SPECIAL NEEDS RELATING

1 TO DISABILITIES.

2 (6) **Sharing information.** (a) Notwithstanding any provision to
3 the contrary in title 24, C.R.S., each LOCAL board of education shall
4 establish policies consistent with section 24-72-204 (3), C.R.S., and with
5 applicable provisions of the federal "Family Education Rights and Privacy
6 Act of 1974" (FERPA), 20 U.S.C. sec. 1232g, and all federal regulations
7 and applicable guidelines adopted thereto, to share and release
8 information directly related to a student and maintained by a public
9 school or by a person acting for the public school in the interest of
10 making schools safer. Sharing of information concerning an out-of-home
11 placement student who is being transferred to a public school shall
12 comply with the rules established by the state board pursuant to section
13 22-2-139 (9).

14 (b) EACH LOCAL BOARD OF EDUCATION SHALL TAKE MEASURES TO
15 ENCOURAGE PARENTS AND LEGAL GUARDIANS OF EVERY STUDENT IN THE
16 SCHOOL DISTRICT TO COMMUNICATE TO THE STUDENT'S SCHOOL
17 ADMINISTRATION INFORMATION RELATING TO THE STUDENT'S MENTAL
18 HEALTH AND MENTAL HEALTH CARE, IF ANY, FOR THE PURPOSES OF
19 HELPING THE SCHOOL DISTRICT FACILITATE THE HEALTH AND SAFETY OF
20 ALL STUDENTS.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2016 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.