

CHAPTER 333

HUMAN SERVICES - BEHAVIORAL HEALTH

SENATE BILL 18-272

BY SENATOR(S) Martinez Humenik and Todd, Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Jones, Kefalas, Kerr, Merrifield, Moreno, Priola, Tate, Williams A., Zenzinger;
also REPRESENTATIVE(S) Carver and McLachlan, Arndt, Becker K., Beckman, Bridges, Buckner, Coleman, Danielson, Esgar, Exum, Garnett, Ginal, Hamner, Hansen, Hooton, Kennedy, Kraft-Tharp, Lee, Lontine, Melton, Michaelson Jenet, Pettersen, Reyher, Roberts, Rosenthal, Salazar, Sandridge, Singer, Valdez, Weissman, Winter, Wist, Young, Duran.

AN ACT**CONCERNING SUICIDE PREVENTION TRAINING IN SCHOOLS, AND, IN CONNECTION THEREWITH,
MAKING AN APPROPRIATION.**

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) A recent report from the National Center for Health Statistics found that the suicide rate among youth between the ages of fifteen and nineteen who live in rural counties is nearly double the suicide rate among the same age group who live in larger, more urban counties;

(b) Suicide is the leading cause of death for young people in Colorado;

(c) A 2012 report of the U.S. surgeon general and the National Action Alliance for Suicide Prevention included the following goals and objectives as part of effective suicide prevention and crisis response training:

(I) To the extent possible, integrate suicide and crisis prevention programs into the culture, leadership, and work of a broad range of existing organizations and programs, when available, with a role to support suicide and crisis prevention activities;

(II) Provide crisis prevention and response training so all school personnel can look for warning signs and work collaboratively and successfully through a crisis

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

situation in the school;

(III) Educate all school personnel, including administrative, front office, cafeteria and lunch room personnel, counselors, nurses, custodians, teachers, coaches, and others to increase knowledge of the warning signs of suicidal thoughts and behaviors and how to connect individuals in crisis with assistance, as well as work through and diffuse crisis situations safely for all involved; and

(IV) Schools should implement programs and policies that discourage abuse, bullying, violence, and social exclusion and build social connectedness and promote positive mental and emotional health. Schools should have a plan to ensure that students have access to mental health and counseling service resources and to train, on an annual basis, all relevant school staff to recognize warning signs of suicidal behavior or of a crisis situation.

(d) The recommendations of the Colorado suicide prevention commission for youth and public safety include supporting schools in implementing comprehensive protocols, including training all staff, and providing evidence-based programming focused on enhancing protective factors for youth; and

(e) According to the 2015 Healthy Kids Colorado Survey, nearly eighteen percent of Colorado high school students reported considering suicide, with nearly eight percent making one or more suicide attempts in the previous twelve months.

(2) The general assembly therefore declares that crisis and youth suicide prevention training is a matter of statewide concern, and it is in the best interests of the children and youth of the state of Colorado to ensure that all teachers and staff at every Colorado school, school district, and charter school are provided comprehensive suicide prevention and crisis response training.

SECTION 2. In Colorado Revised Statutes, **add 25-1.5-113** as follows:

25-1.5-113. Crisis and suicide prevention training grant program - definitions - creation - process - reporting requirements - fund. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED AND EXISTING PURSUANT TO SECTION 25-1-102.

(b) "FUND" MEANS THE CRISIS AND SUICIDE PREVENTION TRAINING GRANT PROGRAM FUND ESTABLISHED IN SUBSECTION (5) OF THIS SECTION.

(c) "GRANT PROGRAM" MEANS THE CRISIS AND SUICIDE PREVENTION TRAINING GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(d) "OFFICE OF SUICIDE PREVENTION" MEANS THE OFFICE OF SUICIDE PREVENTION IN THE DEPARTMENT, ESTABLISHED PURSUANT TO SECTION 25-1.5-101 (1)(w).

(e) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL.

(f) "SCHOOL DISTRICT" MEANS ANY PUBLIC SCHOOL DISTRICT EXISTING PURSUANT TO LAW.

(g) "SCHOOL SAFETY RESOURCE CENTER" MEANS THE SCHOOL SAFETY RESOURCE CENTER IN THE DEPARTMENT OF PUBLIC SAFETY, ESTABLISHED PURSUANT TO SECTION 24-33.5-1803.

(2) (a) THERE IS CREATED IN THE DEPARTMENT THE CRISIS AND SUICIDE PREVENTION TRAINING GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FINANCIAL ASSISTANCE FOR THE PROVISION OF COMPREHENSIVE CRISIS AND SUICIDE PREVENTION TRAINING ANNUALLY, PROVIDED GRANT FUNDING IS AVAILABLE, FOR ALL TEACHERS AND STAFF AT PUBLIC SCHOOLS AND SCHOOL DISTRICTS IN COLORADO WHO WORK DIRECTLY OR INDIRECTLY WITH STUDENTS. PRIORITY FOR GRANT AWARDS IS FOR PUBLIC SCHOOLS AND SCHOOL DISTRICTS WITH EDUCATORS AND STAFF WHO HAVE NOT YET RECEIVED SUCH TRAINING. THE GRANT PROGRAM MAY AUTHORIZE UP TO FOUR HUNDRED THOUSAND DOLLARS IN GRANTS PER YEAR IN VARYING AMOUNTS BASED ON THE SIZE AND NEED OF THE PUBLIC SCHOOL OR SCHOOL DISTRICT.

(b) ON AND AFTER JANUARY 1, 2019, A PUBLIC SCHOOL OR A SCHOOL DISTRICT MAY APPLY TO THE DEPARTMENT FOR A GRANT PURSUANT TO THE GUIDELINES ADOPTED IN SUBSECTION (3) OF THIS SECTION TO PROVIDE CRISIS AND SUICIDE PREVENTION TRAINING IN THE PUBLIC SCHOOL OR SCHOOL DISTRICT.

(c) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN CONSULTATION WITH THE OFFICE OF SUICIDE PREVENTION AND THE SCHOOL SAFETY RESOURCE CENTER.

(d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE DEPARTMENT IS NOT REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS SECTION UNTIL SUFFICIENT MONEY HAS BEEN TRANSFERRED OR APPROPRIATED TO THE FUND.

(3) (a) ON OR BEFORE NOVEMBER 1, 2018, THE OFFICE OF SUICIDE PREVENTION AND THE SCHOOL SAFETY RESOURCE CENTER SHALL MAKE RECOMMENDATIONS TO THE DEPARTMENT FOR THE ADMINISTRATION OF THE GRANT PROGRAM, AND THE DEPARTMENT SHALL ADOPT FORMAL TRAINING GUIDELINES FOR THE GRANT PROGRAM. THE GUIDELINES MUST INCLUDE:

(I) APPLICATION PROCEDURES BY WHICH PUBLIC SCHOOLS AND SCHOOL DISTRICTS MAY APPLY FOR A GRANT PURSUANT TO THIS SECTION;

(II) CRITERIA TO UTILIZE IN SELECTING PUBLIC SCHOOLS AND SCHOOL DISTRICTS TO RECEIVE GRANTS AND IN DETERMINING THE AMOUNT OF GRANT MONEY TO BE AWARDED TO EACH GRANT RECIPIENT. THE CRITERIA, AT A MINIMUM, MUST INCLUDE:

(A) THAT FIRST PRIORITY FOR GRANT AWARDS IS TO PROVIDE CRISIS AND SUICIDE PREVENTION TRAINING TO PUBLIC SCHOOLS AND SCHOOL DISTRICTS THAT HAVE NOT PREVIOUSLY RECEIVED SUCH TRAINING;

(B) AN EMPHASIS ON PROVIDING SUCH TRAINING TO ALL STAFF AT THE PUBLIC

SCHOOL OR SCHOOL DISTRICT, NOT JUST EDUCATORS; AND

(C) A REQUIREMENT THAT EACH APPLICATION, AT A MINIMUM, MUST DESCRIBE HOW THE APPLICANT PUBLIC SCHOOL OR SCHOOL DISTRICT WILL USE A GRANT AWARD TO PROVIDE COMPREHENSIVE CRISIS AND SUICIDE PREVENTION TRAINING TO ALL EDUCATORS AND STAFF WHO HAVE NOT YET RECEIVED SUCH TRAINING.

(b) IF THERE IS MONEY REMAINING IN THE FUND AFTER GRANTS ARE MADE TO ALL PUBLIC SCHOOLS OR SCHOOL DISTRICTS THAT APPLIED FOR A GRANT AND THAT HAD NOT PREVIOUSLY RECEIVED CRISIS AND SUICIDE PREVENTION TRAINING, THE DEPARTMENT MAY AWARD GRANTS TO A PUBLIC SCHOOL OR SCHOOL DISTRICT THAT HAD PREVIOUSLY RECEIVED SUCH TRAINING.

(c) THE OFFICE OF SUICIDE PREVENTION AND SCHOOL SAFETY RESOURCE CENTER SHALL ASSIST THE DEPARTMENT WITH REVIEWING GRANT APPLICATIONS, MAKING RECOMMENDATIONS TO THE DEPARTMENT ON WHICH PUBLIC SCHOOLS AND SCHOOL DISTRICTS THAT APPLIED MUST RECEIVE A GRANT FROM THE GRANT PROGRAM AND THE AMOUNT OF EACH GRANT, AND ACTING AS A RESOURCE FOR GRANTEEES.

(4) (a) EACH GRANT RECIPIENT SHALL SUBMIT A WRITTEN REPORT TO THE DEPARTMENT NOT LATER THAN SIX MONTHS AFTER THE EXPIRATION OF THE TERM OF ITS GRANT. THE REPORT MUST INCLUDE A SUMMARY OF ACTIVITIES MADE POSSIBLE BY THE GRANT MONEY.

(b) THE DEPARTMENT SHALL INCLUDE IN THE REPORT REQUIRED PURSUANT TO SECTION 25-1.5-101 (1)(w)(III)(A) THE FOLLOWING INFORMATION REGARDING THE ADMINISTRATION OF THE GRANT PROGRAM DURING THE PRECEDING YEAR:

(I) THE NUMBER OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS THAT RECEIVED A GRANT FROM THE GRANT PROGRAM;

(II) THE AMOUNT OF EACH GRANT AWARD BY RECIPIENT;

(III) THE NUMBER OF PUPILS WHO ARE ENROLLED AT EACH PUBLIC SCHOOL OR SCHOOL DISTRICT OF EACH GRANT RECIPIENT;

(IV) THE NUMBER OF SCHOOL STAFF AND EDUCATORS WHO WERE PROVIDED TRAINING AS A RESULT OF A GRANT; AND

(V) A COPY OF THE GRANT RECIPIENTS' CRISIS AND SUICIDE PREVENTION PLANS.

(5) (a) THERE IS ESTABLISHED IN THE STATE TREASURY THE CRISIS AND SUICIDE PREVENTION TRAINING GRANT PROGRAM FUND. THE FUND CONSISTS OF MONEY TRANSFERRED OR APPROPRIATED TO IT AND ANY OTHER MONEY THAT MAY BE MADE AVAILABLE BY THE GENERAL ASSEMBLY. THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THE GRANT PROGRAM. ANY MONEY NOT PROVIDED AS GRANTS MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED IN SECTION 24-36-113. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEY IN THE FUND MUST BE CREDITED TO THE FUND. ANY AMOUNT REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR MUST REMAIN

IN THE FUND AND NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR TO ANY OTHER FUND.

(b) NO MORE THAN THREE PERCENT OF THE MONEY ANNUALLY EXPENDED FROM THE FUND MAY BE USED FOR THE EXPENSES INCURRED BY THE DEPARTMENT IN ADMINISTERING THE GRANT PROGRAM.

(c) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE SOURCES TO IMPLEMENT THIS SECTION; EXCEPT THAT THE DEPARTMENT SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS SECTION OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL TRANSFER ALL PRIVATE AND PUBLIC MONEY RECEIVED THROUGH GIFTS, GRANTS, AND DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

(d) NOTHING IN THIS SECTION REQUIRES THE DEPARTMENT TO SOLICIT MONEY FOR THE PURPOSES OF IMPLEMENTING THE GRANT PROGRAM.

SECTION 3. In Colorado Revised Statutes, 24-33.5-1803, **amend** (3)(l) and (3)(m); and **add** (3)(n) as follows:

24-33.5-1803. School safety resource center - created - duties - repeal.
(3) The center has the following duties:

(l) To provide materials and training as described in section 24-33.5-1809 to personnel in school districts and charter schools, parents, and students regarding the awareness and prevention of child sexual abuse and assault; ~~and~~

(m) By June 1, 2018, to make available a model program that conforms with section 22-1-128, regarding the risks and consequences of sexting for school districts to use, which curriculum must include information informing students of the provisions of section 18-7-109, including that, if a student receives a sexually explicit image in violation of section 18-7-109, the student can avoid adjudication as a juvenile delinquent by taking reasonable steps to either destroy or delete or report the initial viewing of the image within seventy-two hours after receiving the image; AND

(n) (I) TO ACT AS A RESOURCE FOR SCHOOL DISTRICTS, PUBLIC SCHOOLS, CHARTER SCHOOLS, AND INSTITUTE CHARTER SCHOOLS CONCERNING CRISIS AND SUICIDE PREVENTION TRAINING; AND

(II) TO WORK COLLABORATIVELY WITH THE OFFICE OF SUICIDE PREVENTION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CONCERNING THE CRISIS AND SUICIDE PREVENTION TRAINING GRANT PROGRAM CREATED IN SECTION 25-1.5-113.

SECTION 4. In Colorado Revised Statutes, 25-1.5-101, **amend** (1)(w)(I), (1)(w)(II), (1)(w)(III)(A), and (1)(w)(IV) introductory portion as follows:

25-1.5-101. Powers and duties of department - laboratory cash fund - report.

(1) The department has, in addition to all other powers and duties imposed upon it by law, the powers and duties provided in this section as follows:

(w) (I) ~~To act~~ OPERATE THE OFFICE OF SUICIDE PREVENTION, WHICH IS HEREBY ESTABLISHED IN THE DIVISION OF PREVENTION SERVICES IN THE DEPARTMENT, THAT SERVES as the coordinator for CRISIS AND suicide prevention programs throughout the state, including the Colorado suicide prevention plan established in section 25-1.5-112, AND THE CRISIS AND SUICIDE PREVENTION TRAINING GRANT PROGRAM ESTABLISHED IN SECTION 25-1.5-113.

(II) The department is authorized to accept gifts, grants, and donations ~~to assist it in performing its duties as the coordinator for suicide prevention programs~~ ON BEHALF OF THE OFFICE OF SUICIDE PREVENTION. THE DEPARTMENT SHALL TRANSMIT all such gifts, grants, and donations ~~shall be transmitted~~ to the state treasurer who shall credit the same to the suicide prevention coordination cash fund, which fund is hereby created. The fund also consists of any money appropriated or transferred to the fund by the general assembly for the purposes of implementing section 25-1.5-112. Any ~~moneys~~ MONEY remaining in the suicide prevention coordination cash fund at the end of any fiscal year ~~shall~~ MUST remain in the fund and ~~shall~~ MUST not be transferred or credited to the general fund. The general assembly shall make appropriations from the suicide prevention coordination cash fund for expenditures incurred by the department OR THE OFFICE OF SUICIDE PREVENTION in the performance of its duties ~~under this paragraph (w)~~ PURSUANT TO THIS SUBSECTION (1)(w) and section 25-1.5-112.

(III) (A) Notwithstanding section 24-1-136 (11)(a)(I), as part of ~~its~~ THE duties as ~~coordinator for suicide prevention programs~~ OF THE OFFICE OF SUICIDE PREVENTION, on or before each November 1, the ~~department~~ OFFICE OF SUICIDE PREVENTION shall submit to the chairs of the senate health and human services committee and the house of representatives health, insurance, and environment committee, or their successor committees, and to the members of the joint budget committee, a report listing all CRISIS AND suicide prevention programs in the state and describing the effectiveness of the ~~department~~ OFFICE OF SUICIDE PREVENTION in acting as the coordinator for CRISIS AND suicide prevention programs. For the report submitted in 2013 and each year thereafter, the ~~department~~ OFFICE OF SUICIDE PREVENTION shall include any findings and recommendations it has to improve CRISIS AND suicide prevention in the state.

(IV) ~~In its role as coordinator for suicide prevention programs,~~ The department AND THE OFFICE OF SUICIDE PREVENTION may collaborate with THE SCHOOL SAFETY RESOURCE CENTER AND WITH each facility licensed or certified pursuant to section 25-1.5-103 in order to coordinate CRISIS AND suicide prevention services, including relevant training and other services as part of the Colorado suicide prevention plan established in section 25-1.5-112. When a facility treats a person who has attempted suicide or exhibits a suicidal gesture, the facility may provide oral and written information or educational materials to the person or, in the case of a minor, to parents, relatives, or other responsible persons to whom the minor will be released, prior to the person's release, regarding warning signs of depression, risk factors of suicide, methods of preventing suicide, available suicide prevention resources, and any other information concerning suicide awareness and prevention. The department AND THE OFFICE OF SUICIDE PREVENTION may work with facilities and the Colorado

suicide prevention plan to determine whether and where gaps exist in suicide prevention programs and services, including gaps that may be present in:

SECTION 5. Appropriation. For the 2018-19 state fiscal year, \$400,000 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.3 FTE. To implement this act, the division may use this appropriation for suicide prevention.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 30, 2018