

The background of the slide is a dark, black sky filled with numerous small, glowing paper lanterns. These lanterns are scattered across the frame, some appearing closer and larger, while others are further away and smaller. They emit a warm, orange-yellow light, creating a soft, ethereal glow against the dark background. In the top-left corner, there is a small, solid yellow rectangular bar.

LEGAL IMPLICATIONS FOR SUICIDE & THREAT ASSESSMENT



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Poll

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NEW Resource!

<https://resources.csi.state.co.us/school-safety/>

<https://resources.csi.state.co.us/mental-health-resources/>

Threat and Suicide Assessments Legal Implications and Best Practices



January 2022

Colorado law requires that schools prioritize school safety, going as far, even, as to require that every school board adopt a mission statement that specifically includes making student and staff safety a priority (22-32-109.1(1.5), C.R.S.). It is true that effective learning and teaching take place in safe, secure, and welcoming environments, and that safe schools contribute to improved attendance, increased student engagement, and community support. Further, schools in Colorado have a legally imposed "duty of care" over the faculty, staff, and students in their buildings. The [Claire Davis School Safety Act](#) (24-10-106.3, C.R.S.) imposes a limited waiver of sovereign immunity for a school that fails to exercise "reasonable care" to protect all students, faculty, and staff from "reasonably foreseeable" acts of violence that occur at school or at a school-sponsored activity. Although "reasonable care" is not defined in state law or by the courts, experts suggest this includes: compliance with the [Colorado Safe Schools Act](#) and procedures for threat and suicide assessments.

CSI schools should have threat and suicide assessment procedures in place to: identify students of concern, accurately assess for risk of a carried-out threat, mitigate harm, and build a plan to support the student. The following Q&A provides brief answers to common questions regarding school threat and suicide assessments. Although additional resources were consulted, the information provided relies heavily on the following two resources for "best practice" recommendations: [Enhancing School Safety Using a Threat Assessment Model](#) (United States Secret Services National Threat Assessment Center, 2018) and [Essentials of School Threat Assessment: Preventing Targeted School Violence](#) (Colorado School Safety Resource Center, 2020). The guidance is not to be construed as legal advice, though legal citations are included where applicable. Legal advice regarding any issue should be obtained from your own attorney.

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Last Updated: 1/19/2022

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A group of people are shown from the chest up, with their hands raised in a gesture of participation or agreement. The background is blurred, focusing attention on the hands and the text. The text is white and bold, set against a dark, semi-transparent background.

**Let's talk about
misinformation first....**

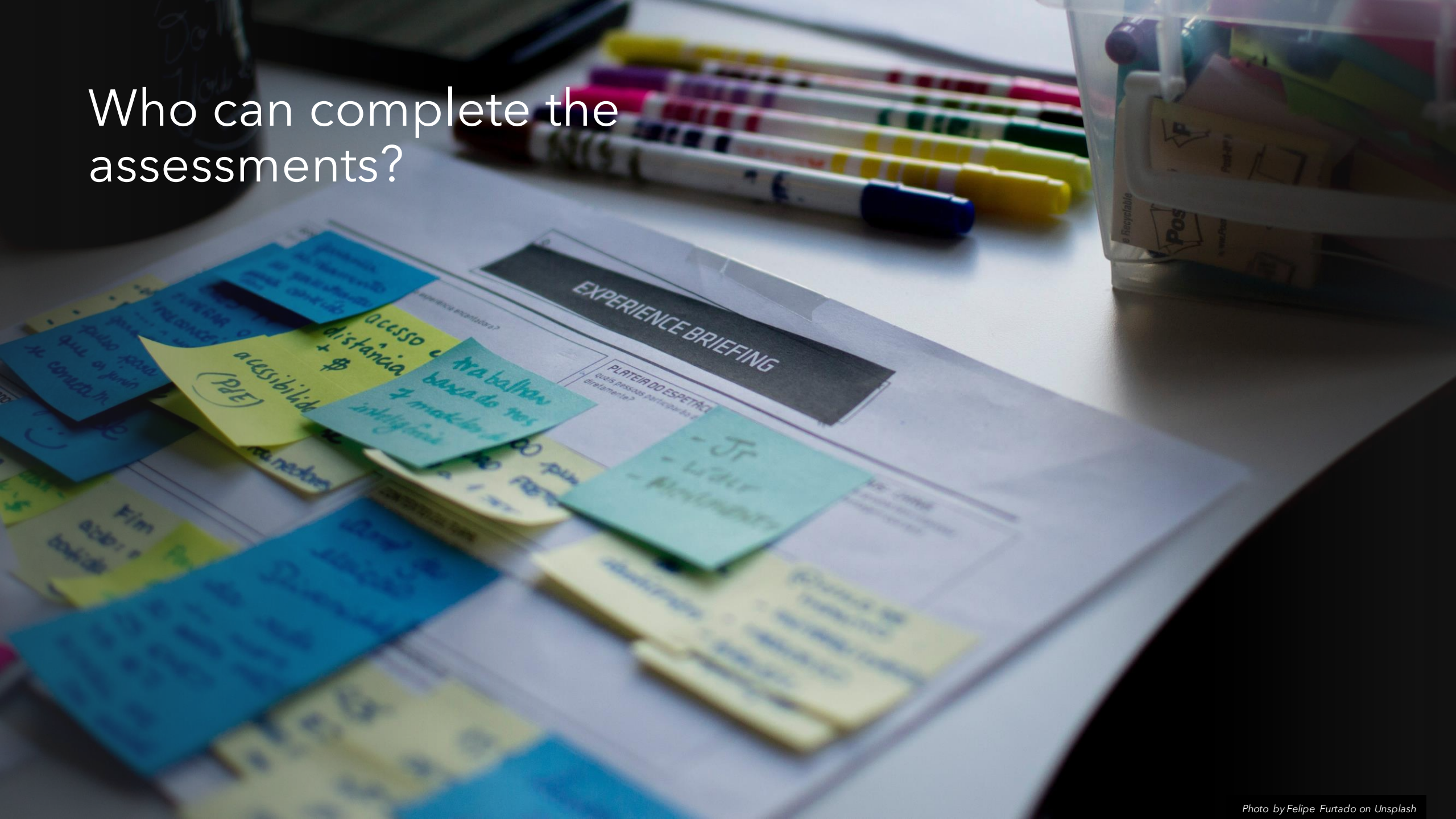


Why does it
matter?




A: Colorado law makes
schools liable for not
exercising reasonable care.

Who can complete the assessments?



A: Threat Assessment:
Threat Assessment Team

Suicide Assessment:
Trained School Mental Health Workers or 911



What training
is required, for
whom and
how often?

A: Annual training for assessment team
members

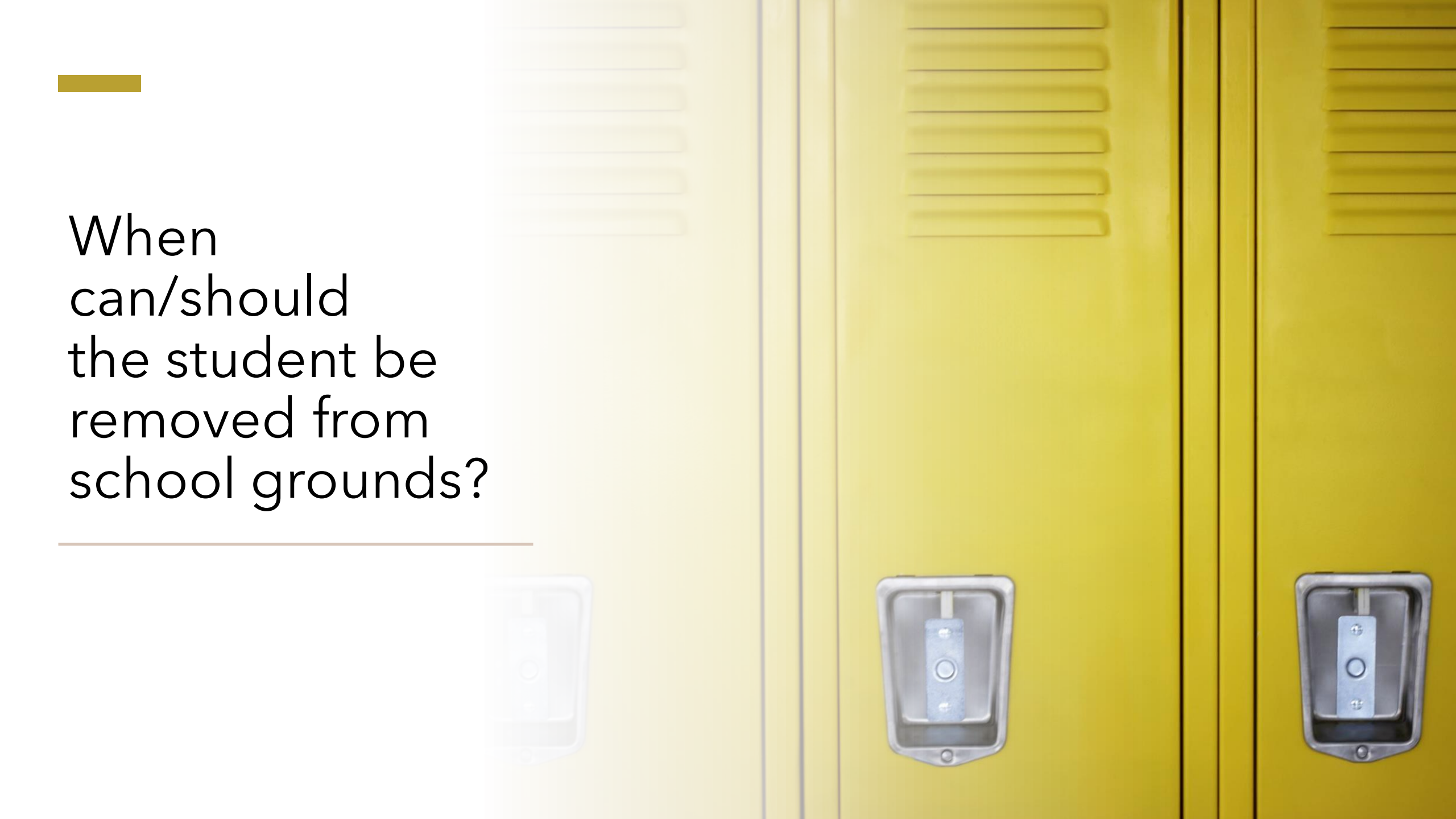
Regular training for school community

How soon after knowing that a student might be at risk must we complete an assessment?



A: Act with urgency if there is an immediate threat. Complete the screening and assessment without delay if there is not.




The background of the slide is a photograph of yellow school lockers. The lockers are arranged in rows, and the image is slightly blurred, giving it a soft, artistic feel. The lockers have silver-colored handles and combination locks.

When
can/should
the student be
removed from
school grounds?

A: A student can be removed from school grounds when there are safety concerns.



A photograph of three young women sitting at a table, likely in a library or study area. They are looking at a book or document. One woman is holding a pen. There are coffee cups and a smartphone on the table. The background is slightly blurred, showing shelves and a window.

Can schools
conduct a threat or
suicide
assessment without
parental/guardian
permission?


A: Yes, though a consultation should be held when determined to be appropriate and safe to do so.



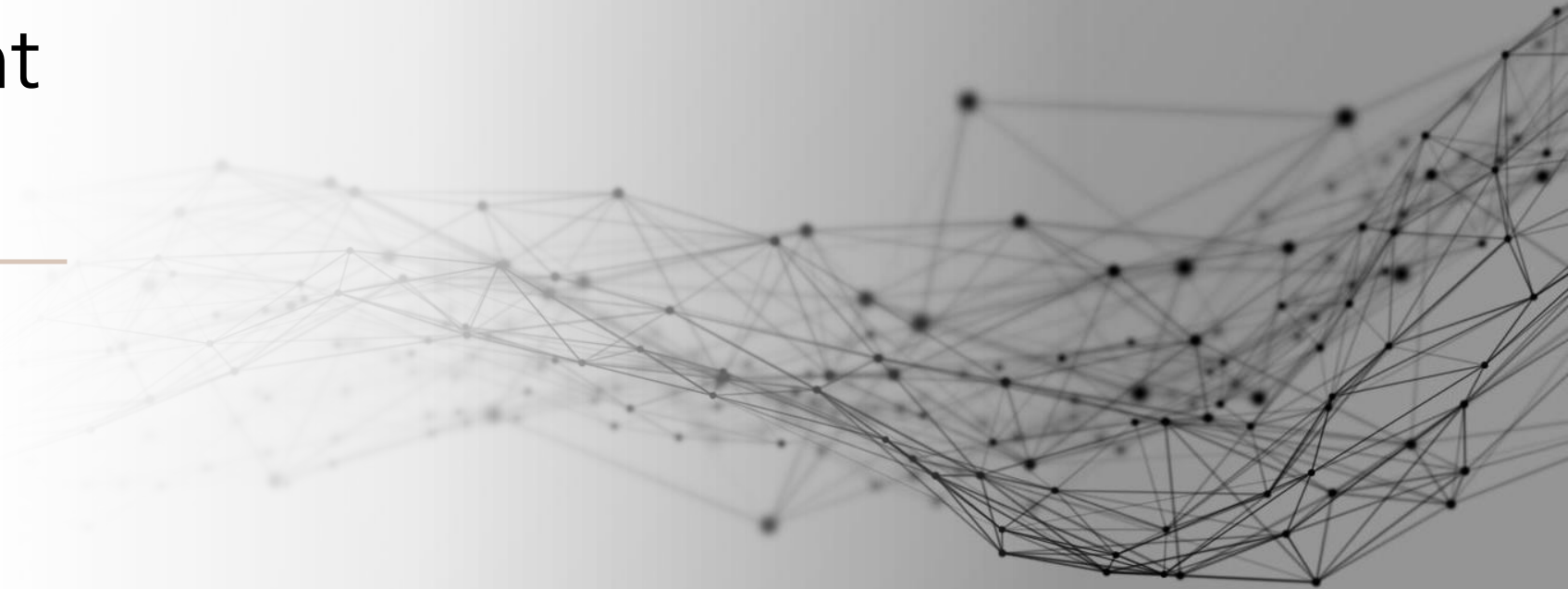
What kind of
information can
a school gather
during an
assessment?

A: Review records, conduct interviews, and, if needed, perform searches in accordance with school search policy.






How can a school
personnel
develop rapport
in the assessment
process?



A: Practice empathy
& relationship building.



What is the role
of responding
to self-harm in
an assessment?



A: Self-harm  suicide.



How might
assessment
procedures interact
with suspension/
expulsion decisions?




A: Focus on connection with,
and support for, student
BUT consider applicability of
school policy.

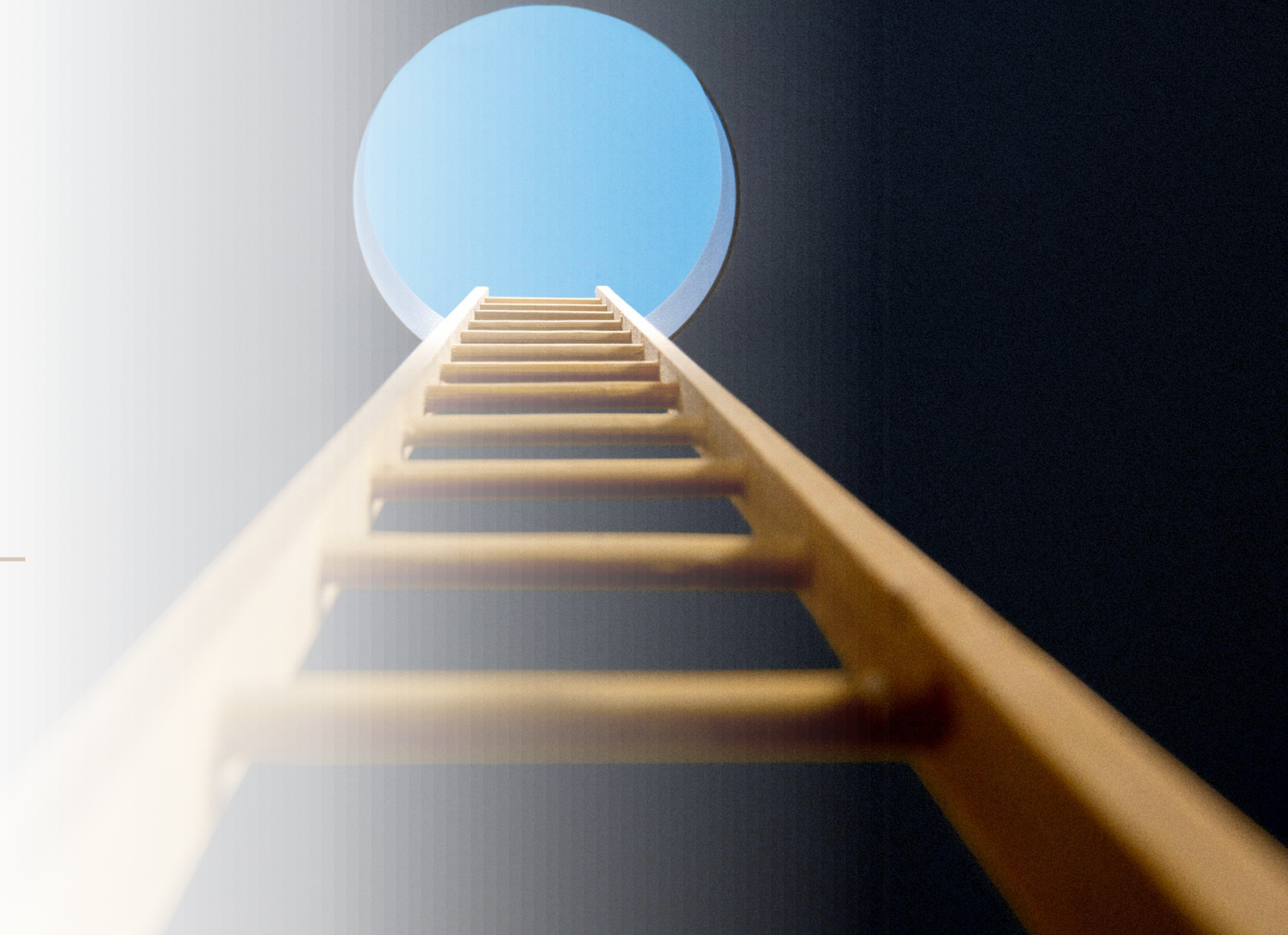
The background of the slide is a dark gray gradient, overlaid with a repeating pattern of speech bubbles. Each bubble contains a question mark. The bubbles vary in size and are rendered in different shades of gray, creating a textured, layered effect. Some bubbles are light gray, while others are darker, and they are scattered across the entire frame.

Poll

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When should we
create a Support
Plan for a student?
How do we taper a
student off the
plan?



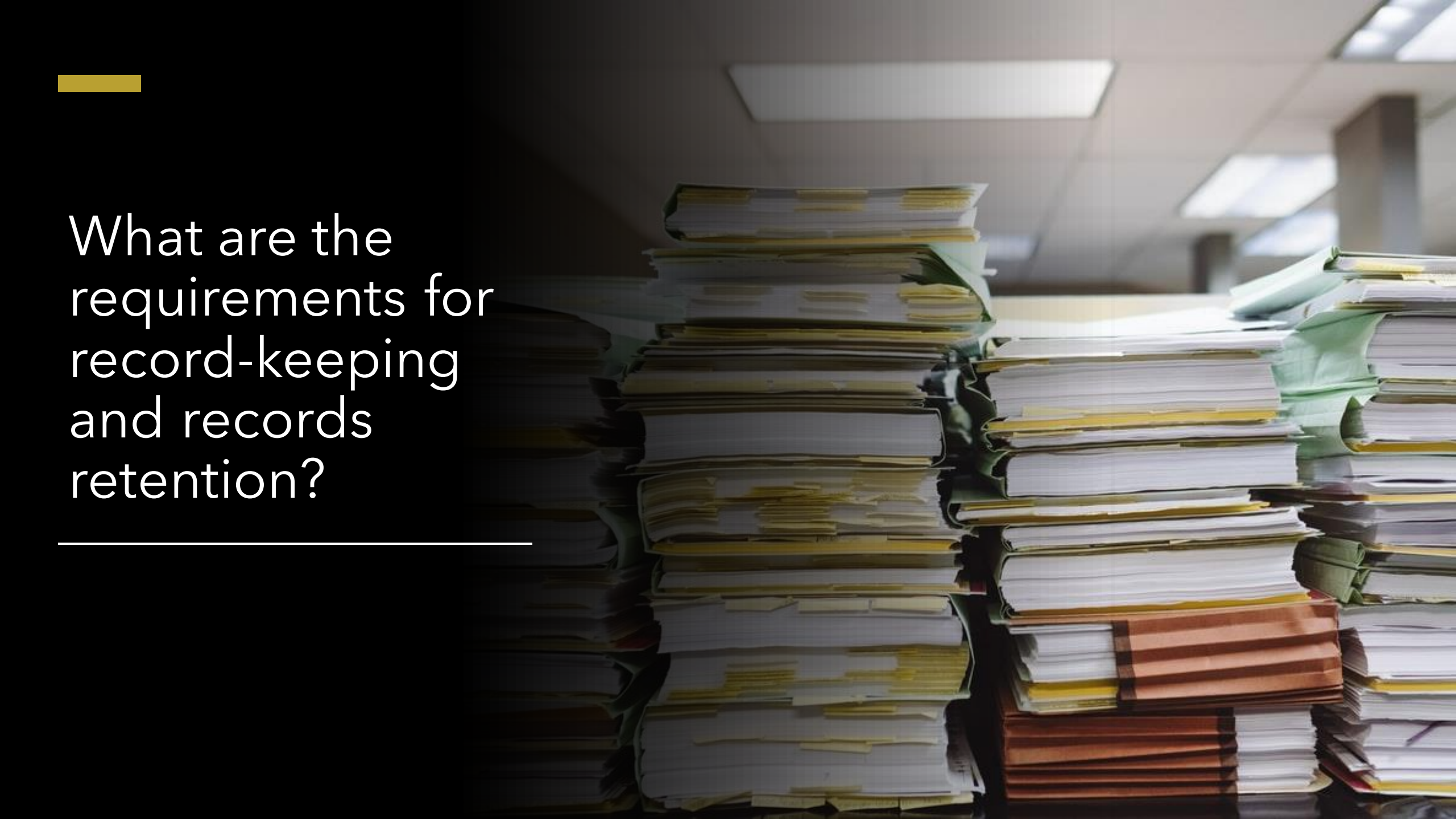
A: When it is safe to do so.



What must take place for a student's re-entry?




A: A re-entry meeting to prepare the student for his/her return to the classroom.

A large, disorganized stack of papers and folders is shown in the foreground, filling the right half of the frame. The papers are mostly white with some yellowed edges, and the folders are in various colors including green, yellow, and orange. The background is a blurred office environment with fluorescent lights on the ceiling and a dark pillar on the right. The overall lighting is dim, with the primary light source being the overhead office lights.

What are the
requirements for
record-keeping
and records
retention?

A: Use standard forms/templates
& follow your records retention policy.



A close-up photograph of a person's hands holding several sheets of paper over a desk. The desk is cluttered with various items, including a spiral-bound notebook, a pair of glasses, and other papers. The background is blurred, showing a typical office or classroom setting. The text "What information should be shared when a student transfers schools?" is overlaid on the left side of the image.


What
information should be
shared when a
student transfers
schools?

A: Behavioral reports, threat assessments,
Support Plan & discipline records.

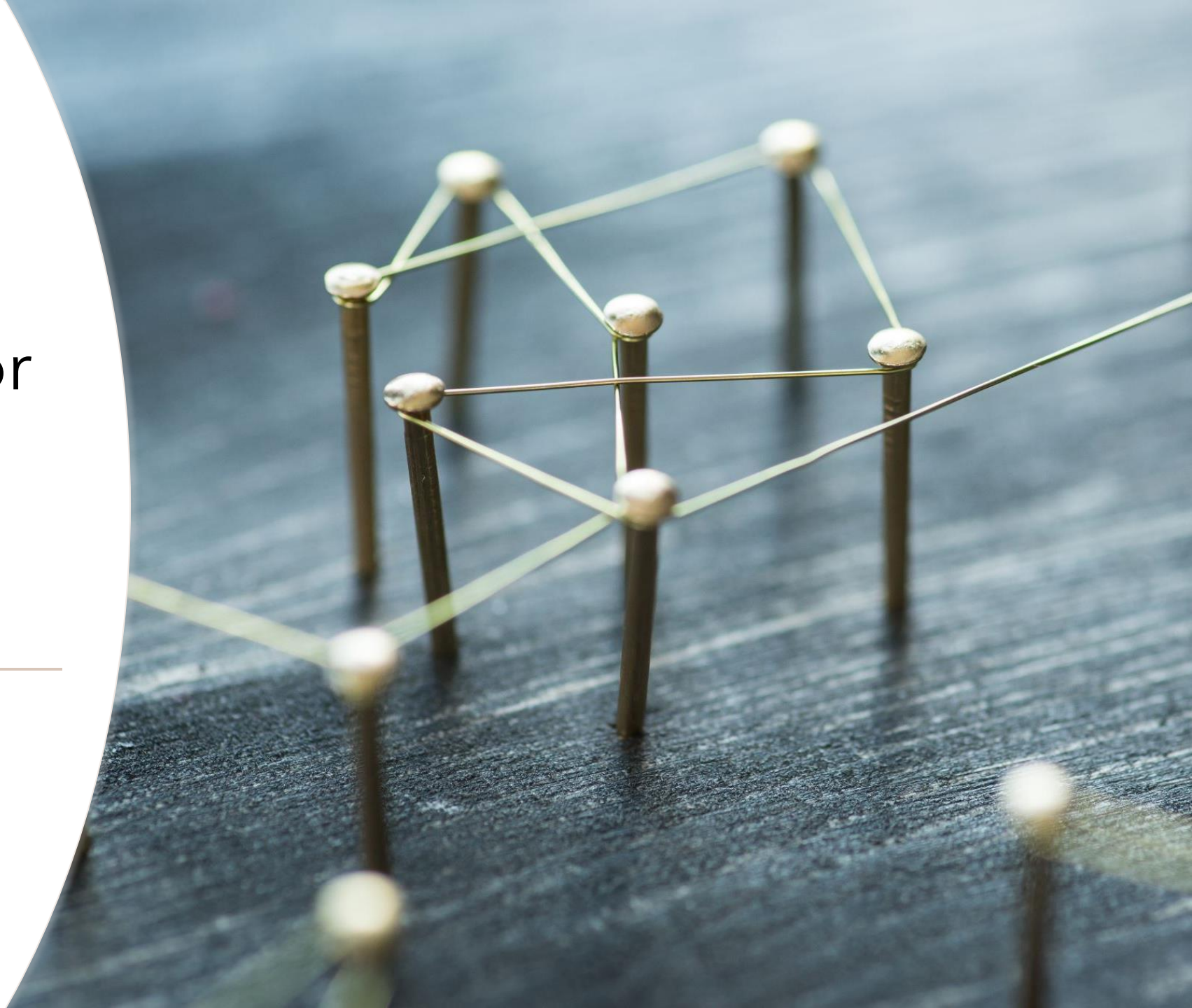
What can be
shared under
FERPA?



A: Information can be shared that is not an educational record or is under the emergency & school official exceptions.





What are the
limits of
confidentiality for
licensed
clinicians in
school settings?



A: Just like anyone else, licensed clinicians may disclose information under the emergency & school official exceptions.





Can a Threat Assessment Team obtain a student's educational, medical and/or law enforcement records to support an assessment?

A: Yes, the Assessment Team can obtain other records.




What can we do to ensure we have a plan and procedures in place to identify students of concern, accurately assess for risk, mitigate harm, and build a plan to support the student?



A: Put in place enforceable policies,
established protocols, & plan for training.

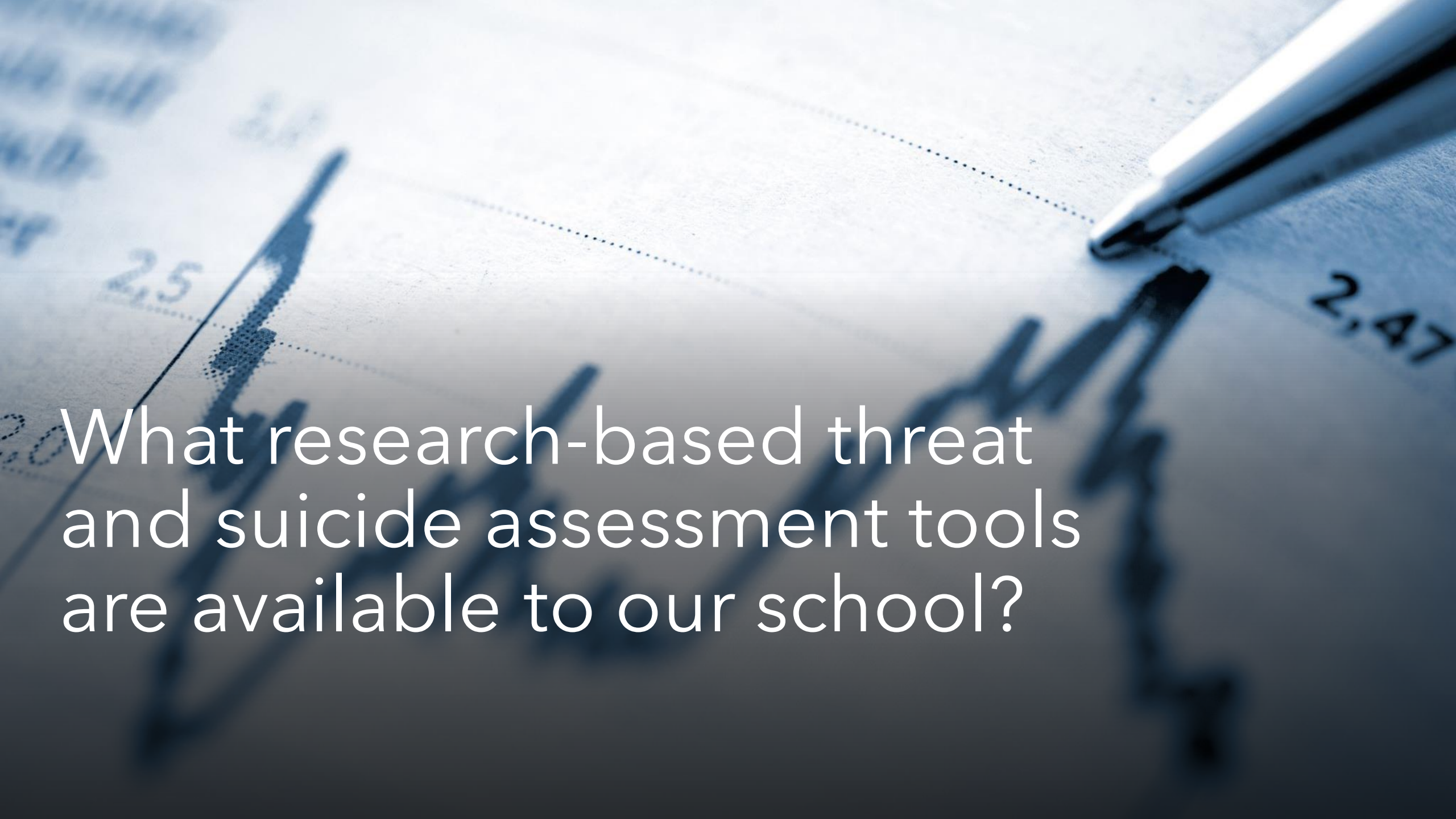




Are there other things
we should do to
mitigate our risk for
threatening/homicidal
students?



A: High quality Tier I supports & climate.



What research-based threat and suicide assessment tools are available to our school?

A: Consult with your legal counsel & [CSSRC](#).

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Contact



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www.csi.state.co.us/about/our-team/

Resources/References

This resource was developed from the following sources:

Legal & Policy

[Enhancing School Safety Using a Threat Assessment Model](#) (United States Secret Service National Threat Assessment Center)

[Essentials of School Threat Assessment: Preventing Targeted School Violence](#) (Colorado School Safety Resource Center)

[Formal Opinion on FERPA and School Safety](#) (Colorado Attorney General's Office)

Mental Health

[Best Practices in Threat Assessment](#) (Washington State Association of School Psychologists)

[Columbia-Suicide Severity Rating Scale](#) (Columbia University)

[CSTAG-2021](#) (Florida Department of Education)

[Psychological Services, Broward County; Threat Assessment Screening Tool \(TAST\)](#); (Broward County, FL)

[SAFE-T Protocol](#) (Department of Public Health)

[The American Psychiatric Association Practice Guidelines for the Assessment and Treatment of Patients with Suicidal Behaviors](#) (American Psychiatric Association)

(in press article, Value & Vulnerability: A Framework for Understanding the Use of Misinformation);

"Reliance on emotion promotes belief in fake news." (2020). Martel, et al. Cognitive Research: Principles & Implications.