



Virginia Department of Criminal Justice Services

Select Virginia Legislation with Safety Implications for K-12 Schools *(June 2023)*

A vital role of the Virginia Department of Criminal Justice Services (DCJS) Division of Public Safety Training and the Virginia Center for School and Campus Safety is to stay abreast of past, current, and potential future legislation impacting school safety in the Commonwealth. It is important to note, this is not an exhaustive list of all legislation related to K-12 public schools in Virginia. It is a summary of key legal components referenced in DCJS/PST-VCSCS training and resources. All Virginia legislation is on the internet at: <https://law.lis.virginia.gov/vacode/>. Additional information related to Virginia Administrative Code may be found at: <https://law.lis.virginia.gov/admincode/>.

(Highlighted items indicate legislation effective July 1, 2023.)

Number	Code Section(s)	Description
1	<i>Code of Virginia</i> § 9.1-184	Virginia Center for School and Campus Safety <ul style="list-style-type: none"> • Created (in 2000) • Duties <ul style="list-style-type: none"> – Provide antibullying and aberrant behavior training – Serve as a resource and referral center for Virginia school divisions – Maintain and disseminate information on effective school safety initiatives – Develop a case management tool for the collection and reporting of data by threat assessment teams – Collect, analyze, and disseminate various Virginia school safety data – Encourage the development of partnerships – Provide technical assistance to Virginia school divisions in the development and implementation of initiatives promoting school safety – Develop an MOU between the Director of the Department of Criminal Justice Services and the Superintendent of Public Instruction – Provide training for and certification of school security officers – Develop, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education, a model critical incident response training program – Provide schools with a model policy for the establishment of threat assessment teams

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		<ul style="list-style-type: none"> - Develop a model MOU for local school boards and local law-enforcement agencies regarding the use of school resource officers - Designate an employee of the Center as the school personnel safety official for the Commonwealth(SB 821 and HB 1704)
2	<i>Code of Virginia</i> § 22.1-208.01 § 22.1-276.01 § 22.1-291.4	Bullying Prevention <ul style="list-style-type: none"> • Character Education Required • Definition, Bullying • Bullying and abusive work environments prohibited
3	<i>Code of Virginia</i> § 22.1-138.2	Carbon Monoxide Detectors <ul style="list-style-type: none"> • Required, certain public school buildings
4	<i>Code of Virginia</i> § 19.2-11.01 § 2.2-3705.2 § 22.1-279.8	Crisis Management and Emergency Plans <ul style="list-style-type: none"> • Requirement of Plans • Requirement for certain first responders to be included in development and annual review
5	<i>Code of Virginia</i> § 9.1-184 § 22.1-279.8	Critical Incident Response <ul style="list-style-type: none"> • Provision of Model Curriculum by The Virginia Center for School and Campus Safety in cooperation with others • Provision in the Event that Victims Arise from an Emergency
6	<i>Code of Virginia</i> § 16.1-247.1	Custodial Interrogation of a Child <ul style="list-style-type: none"> • Prior parental notification and contact required
7	<i>Code of Virginia</i> § 16.1-301	Disclosure of Juvenile Records to School Principals <ul style="list-style-type: none"> • Provides that a juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile may inspect a law-enforcement record
8	<i>Code of Virginia</i> § 18.2-415	Disorderly Conduct <ul style="list-style-type: none"> • Shall not apply if on school property/by school children (D)
9	<i>Code of Virginia</i> § 22.1-184 § 22.1-137 § 22.1-137.1 § 22.1-137.2 § 22.1-184 <i>Statewide Fire Prevention Code (SFPC)</i> §§ 404.2.3 405.1 <i>Virginia Administrative Code</i> 8VAC20-131-260	Drills, Required <ul style="list-style-type: none"> • Bus Evacuation Drills • Lock-down Drills, Required • Lock-down Drills, Parent Notification • Lock-down Drills, Exemption • Fire Drills, Required • Fire Code • Tornado Drills, Required

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10	<i>Code of Virginia</i> § 22.1-279.8	Emergency Manager <ul style="list-style-type: none"> Requirement of Designee in each Public School Division
11	<i>Code of Virginia</i> § 22.1-79.4 § 22.1-279.8 § 2.2-3705.2. § 19.2-389.1 § 16.1-301	Freedom of Information Act (FOIA)/Information Sharing <ul style="list-style-type: none"> Exclusions from mandatory disclosure provisions (#13) Information Sharing Guide Sharing Juvenile Law Enforcement Records Disclosure of Juvenile Records to School Principal
12	<i>Code of Virginia</i> § 22.1-280.2:3	Memorandum of Understanding (MOU) <ul style="list-style-type: none"> Required by the school board in each school division in which the local law-enforcement agency employs school resource officers
13	<i>Code of Virginia</i> § 22.1-279.3:1 § 8.01-47 § 22.1-279.3:1 § 22.1-279.3:3 § 22.1-279.8 § 19.2-11.01 § 19.2-83.1 § 19.2-291.1	Reporting Requirements <ul style="list-style-type: none"> Use of Force Against Students Incident Reports Provision for notification of DCJS and the Virginia Criminal Injuries Compensation Fund in the event of an emergency when there are victims. Report a Critical Incident or Emergency Report of arrest of school employees and adult students for certain offenses (SB 821 and HB 1704) Report of conviction of school employees for certain offenses (SB 821 and HB 1704)
14	<i>Code of Virginia</i> § 22.1-140	School Building Plan Review
15	<i>Code of Virginia</i> § 22.1-279.10 § 9.1-101 § 9.1-102 § 22.1-279.8 § 9.1-114.1 § 9.1-110	School Resource Officers (SROs) <ul style="list-style-type: none"> Data Collection Definition, School Resource Officer Training and Certification Requirements School Resource Officer Grants Program and Fund (HB 1691, identical to SB 1099)
16	<i>Code of Virginia</i> § 22.1-279.8 § 19.2-11.01	School Safety Audits, and School Crisis, Emergency Management, and Medical Emergency Response Plans Required <ul style="list-style-type: none"> Virginia Center for School and Campus Safety, in consultation with the Department of Education determines components of the Safety Audit Collaboration with Chief Law Enforcement Officer and Review Required

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		<ul style="list-style-type: none"> • Crisis Plan Certification by August 31 required each year • Provision for notification of DCJS and the Virginia Criminal Injuries Compensation Fund in the event of an emergency when there are victims. Report a Critical Emergency • Review of School Floor Plans required annually • Annual designation of an employee in the local school division as the division safety official required annually (SB 821 and HB 1704)
17	<p><i>Code of Virginia</i> § 5.1-155 § 9.1-101 § 9.1-102.42 § 22.1-280.2:1</p> <p><i>Virginia Administrative Code</i> 6VAC 20-240</p>	<p>School Security Officers (SSOs)</p> <ul style="list-style-type: none"> • Retired Law Enforcement Officers, Eligibility to serve as SSOs • Certification Program, School Security Officers • Definition, School Security Officer • Compulsory Minimum Standards for Employment (#42) • Employment of School Security Officers
18	<p><i>Code of Virginia</i> § 9.1-184 § 22.1-276.01 § 22.1-280.2:3 § 22.1-298.6 § 37.2-312.2 § 22.1-137 § 22.1-253.13:1 § 22.1-79.4</p>	<p>Training, Requirements and Provision of</p> <ul style="list-style-type: none"> • Aberrant Behavior training required • Anti-Bullying (Public School Personnel) training required • Designated law enforcement officer required to receive, in-person or online, the school safety training for public school personnel • Mental Health Awareness Training required • Students, Situational Safety Awareness training required • Threat Assessment training required for new and existing team members (SB 1359)
19	<p><i>Code of Virginia</i> § 9.1-184 § 22.1-79.4 § 22.1-280.2:3 § 22.1-79.4</p>	<p>Threat Assessment</p> <ul style="list-style-type: none"> • Virginia Center for School and Campus Safety, in consultation with the Virginia Department of Education, required to provide schools with a model policy for the establishment of threat assessment teams, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students • Threat Assessment Teams and Oversight Committees • Threat Assessment Team Membership, SRO required if Employed and serving in school division • Threat Assessment training required for new and existing team members (SB 1359)