

Legislation Resulting from the Governor's School and Campus Safety Task Force and 2013 Virginia General Assembly with Implications for K-12 Schools and School Divisions (as of July 17, 2013)

LEGISLATION AND SUMMARY OF REQUIREMENTS/IMPLICATIONS FOR SCHOOLS

HB1871: Bully Prevention

Defines "bullying" in the *Code of Virginia* and requires each school board (by July 2014) to:

- include a prohibition against bullying in its code of student conduct policies and procedures.
- implement policies and procedures to educate school board employees about bullying, as defined in § 22.1-276.01, and the need to create a bully-free environment.

Model Policy to be provided by the Department of Education. A ***statewide survey*** of 7th and 8th grade students and their teachers was conducted to assess school climate and safety issues. Reports are due to be released in summer 2013.

HB2343: Funding for Facility and Security Upgrades

Requires the Virginia Public School Authority to issue bonds for the funding of matching grants to local public school divisions for the purchase and installation of security equipment in public schools. The security equipment must be designed to improve and help ensure the safety of students attending public schools in Virginia. The Authority cannot issue more than \$6 million in bonds in any fiscal year of the Commonwealth, and no more than an aggregate principal amount of \$30 million in bonds may be outstanding at any time under the program. A local school division would be eligible to receive up to \$100,000 in security equipment grants each fiscal year. Local school divisions would apply to the Department of Education for the grants, which would be awarded on a competitive basis. The local school division would be required to match 25 percent of the grant amount. The Superintendent of Public Instruction would be authorized to reduce the required match for local school divisions with a composite index of local ability-to-pay less than 0.2000. The provisions of the bill are made contingent upon funding in the general appropriation act.

HB2344: Threat Assessment Teams

- The Virginia Center for School Safety, in consultation with the Department of Education, 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.
- Each local school board shall adopt policies for the establishment of threat assessment teams, including the assessment of and intervention with students whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School Safety in accordance with § [9.1-184](#). Such policies shall include procedures for referrals to community services boards or health care providers for evaluation or treatment, when appropriate.
- The superintendent of each school division may establish a committee charged with oversight of the threat assessment teams operating within the division, which may be an existing committee established by the division. The committee shall include individuals with expertise in human resources, education, school administration, mental health, and law enforcement.
- Each division superintendent shall establish, for each school, a threat assessment team that shall include persons with expertise in counseling, instruction, school administration, and law enforcement. Threat assessment teams may be established to serve one or more schools as determined by the division superintendent. Each team shall (i) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self; (ii) identify members of the school community to whom threatening behavior should be reported; and (iii) implement policies adopted by the local school board pursuant to subsection A.
- Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the division superintendent or his designee. The division superintendent or his designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection shall preclude school division personnel from acting immediately to address an imminent threat.
- Each threat assessment team established pursuant to this section shall report quantitative data on its activities according to guidance developed by the Department of Criminal Justice Services.

HB2345: Critical Incident Response Model Curriculum

Directs the Virginia Center for School Safety to 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 for public school personnel and those providing services to schools that shall also be made available to private schools in the Commonwealth.

HB2346: Lockdown Drills, School Safety Inspection Checklist, Sharing Crisis Plans and Checklists, and Emergency Managers

Mandates that:

- every public school shall conduct at least two lock-down drills every school year, in order that students may be thoroughly practiced in such drills. One lock-down drill shall be completed in September of each school year and one lock-down drill shall be completed in January of each school year. Lock-down plans and drills shall be in compliance with the Statewide Fire Prevention Code (§ 27-94 et seq.).
- the Virginia Center for School Safety, in consultation with the Department of Education, shall develop a list of items to be reviewed and evaluated in the school safety audits required by this section. Such items shall include those incidents reported to school authorities pursuant to § 22.1-279.3:1 and shall include a school inspection walk-through using a standardized checklist provided by the Virginia Center for School Safety, which shall incorporate crime prevention through environmental design principles.
- the results of such school safety audits shall be made public within 90 days of completion. The local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, and specific vulnerability assessment components as provided in subdivision 7 of § 2.2-3705.2. The completed walk-through checklist shall be made available upon request to the chief law-enforcement officer of the locality or his designee.
- each school shall submit a copy of its school safety audit to the relevant school division superintendent. The division superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.
- the division superintendent shall establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee shall review the completed school safety audits and submit any plans, as needed, for improving school safety to the division superintendent for submission to the local school board.
- each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan, consistent with the definition provided in this section, and shall provide copies of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality.
- each school division shall designate an emergency manager.

HB2347: Juvenile Information Sharing

Facilitates the sharing of juvenile law-enforcement records by the principal of the school to threat assessment teams stating specifically that *in addition to any other disclosure that is permitted by this subsection, the principal in his discretion may provide such information to a threat assessment team established by the local school division. No member of a threat assessment team shall (a) disclose any juvenile record information obtained pursuant to this section or (b) use such information for any purpose other than evaluating threats to students and school personnel. For the purposes of this subsection, "principal" also refers to the chief administrator of any private primary or secondary school.*

SB1376: Immunity from Civil Liability

Expands current Virginia law § 8.01-47 by extending civil immunity to any person who, in good faith with reasonable cause and without malice, acts to report, investigate or cause any investigation to be made into the activities of any student or students or any other person or persons as they relate to conduct involving bomb threats, firebombs, explosive materials or other similar devices as described in clauses (vi) and (vii) of subsection A of § 22.1-279.3:1 A, or alcohol or drug use or abuse in or related to the school or institution or in connection with any school or institution activity, or information that an individual poses any credible danger of serious bodily injury or death to one or more students, school personnel, or others on school property shall be immune from all civil liability that might otherwise be incurred or imposed as the result of the making of such a report, investigation or disclosure.

FREE RESOURCES being provided, or under development, by the Virginia Center for School Safety:

- [2012 School Safety Audit Report](#) *(currently available through the VA Center for School Safety Web Site)*
- **2013 School Safety Audit** - The school safety audit survey that schools complete online annually in August through the Department of Criminal Justice Services will include questions related to threat assessment processes and teams, designated emergency manager, lockdown drills, walk throughs and sharing of plans. There will also be a division survey in this year's process that may contain related questions. *(Survey period: August 5 – September 27, 2013)*
- **Virginia School Administrator's Guide to Conducting Emergency Drills** *(release date October 2013)*
- [Juvenile Law Handbook](#) *(currently available through the VA Center for School Safety Web Site)*
- **Model Critical Incident Response Curriculum** - DCJS' Virginia Center for School Safety, in cooperation with the Virginia State Police, Virginia Department of Education, and the Virginia Department of Behavioral Health and Developmental Services will provide Model Critical Incident Response training for public school personnel. The Model Critical Incident Response training contains lockdown procedures along with the other major response actions: evacuation and shelter in place. *(Anticipated release date - August 5, 2013)*
- **Model Threat Assessment Protocols** - The Virginia Center for School Safety will provide model policies and protocols for threat assessment. *(Anticipated release date - August 2013)*
- **Model School Safety Inspection Checklist** - The Virginia Center for School Safety will provide a model checklist. *(Anticipated release date – August 2013)*
- **School and Campus Safety Best Practices** *(release date August 2014)*
- **Street Drug Identification Guide** *(Currently available upon request)*

Please contact

Donna Michaelis, Manager at (804) 371-6506, Donna.michaelis@dcjs.virginia.gov
or **Shellie MacKenzie, Training Coordinator** at (804) 225-1863, Shellie.mackenzie@dcjs.virginia.gov
for additional information.
