



Virginia Department of Criminal Justice Services

Select Virginia Legislation with Safety Implications for K-12 Schools *January 2025*

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 that 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 can be found online 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, 2024.)

Number	Code Section(s)	Description
1	Code of Virginia § 9.1-184	Virginia Center for School and Campus Safety <ul style="list-style-type: none"> • Created in 2000 • Duties <ol style="list-style-type: none"> 1. Provide antibullying and aberrant behavior training 2. Serve as a resource and referral center for Virginia school divisions 3. Maintain and disseminate information on effective school safety initiatives 4. Develop a case management tool for the collection and reporting of data by threat assessment teams 5. Collect, analyze, and disseminate various Virginia school safety data 6. Encourage the development of partnerships 7. Provide technical assistance to Virginia school divisions in the development and implementation of initiatives promoting school safety 8. Develop an MOU between the Director of the Department of Criminal Justice Services and the Superintendent of Public Instruction 9. Provide training for and certification of school security officers 10. Develop, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the

		<p>Department of Education, a model critical incident response training program</p> <ol style="list-style-type: none"> 11. Provide schools with a model policy for the establishment of threat assessment teams 12. Develop a model MOU for local school boards and local law-enforcement agencies regarding the use of school resource officers 13. Designate an employee of VCSCS as the school personnel safety official for the Commonwealth
2	<p><i>Code of Virginia</i> § 22.1-208.01 § 22.1-276.01 § 22.1-291.4 § 22.1-279.6</p>	<p>Bullying Prevention</p> <ul style="list-style-type: none"> • Character education required • Definition, Bullying • Bullying and abusive work environments prohibited • Parent notification required when student involved in an alleged incident of bullying
3	<p><i>Code of Virginia</i> § 22.1-138.2</p>	<p>Carbon Monoxide Detectors</p> <ul style="list-style-type: none"> • Required, certain public school buildings
4	<p><i>Code of Virginia</i> § 22.1-279.8</p>	<p>Crisis Management and Emergency Plans</p> <ul style="list-style-type: none"> • Requirement of plans • <i>“School crisis, emergency management, and medical emergency response plan” means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications, or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities.”</i> • Requirement for certain first responders, agencies, and groups to be included in development and annual review

	<p>§ 2.2-3705.2</p> <p>§ 22.1-137.4</p>	<ul style="list-style-type: none"> • Crisis plan certification by August 31 required each year • Requirement that <i>“the plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01”</i> • Allowance that the <i>“local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, floor plans, and specific vulnerability assessment components”</i> • School building evacuation plans- updates for students with mobility impairments (HB 501)
5	<p><i>Code of Virginia</i> § 9.1-184</p> <p>§ 22.1-279.8</p>	<p>Critical Incident Response</p> <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	<p><i>Code of Virginia</i> § 16.1-247.1</p>	<p>Custodial Interrogation of a Child</p> <ul style="list-style-type: none"> • Prior parental notification and contact required
7	<p><i>Code of Virginia</i> § 16.1-301</p>	<p>Disclosure of Juvenile Records to School Principals</p> <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	<p><i>Code of Virginia</i> § 18.2-415</p>	<p>Disorderly Conduct</p> <ul style="list-style-type: none"> • <i>“The provisions of this section shall not apply to any elementary or secondary school student if the disorderly conduct occurred on the property of any elementary or secondary school, on a school bus as defined in § 46.2-100, or at any activity conducted or sponsored by any elementary or secondary school.”</i>

<p>9</p>	<p><i>Code of Virginia</i> § 22.1-184</p> <p>§ 22.1-137.2</p> <p><i>Virginia Administrative Code</i> 8VAC20-132-240</p> <p><i>Code of Virginia</i> § 22.1-137</p> <p><i>Statewide Fire Prevention Code (SFPC)</i> Chapter 403</p> <p><i>Virginia Administrative Code</i> 8VAC20-132-240</p> <p>§ 22.1-137.1</p>	<p>Drills, Required</p> <ul style="list-style-type: none"> • Bus evacuation drills • Lock-down drills, required • Lock-down drills, parent notification • Lock-down drills, exemptions • Virginia Administrative Code lockdown drill requirements • Fire drills, required. Per HB66, § 22.1-137 of the Code of Virginia is amended and reenacted as follows: <ul style="list-style-type: none"> • § 22.1-137. Fire drills. • In every public school there shall be a fire drill at least twice during the first 20 school days of each school session, in order that pupils may be thoroughly practiced in such drills. Every public school shall hold at least two additional fire drills during the remainder of the school session in accordance with the requirements of the Statewide Fire Prevention Code. • Statewide Fire Prevention Code • Virginia Administrative Code Fire Drill Requirements • Tornado drills, required
<p>10</p>	<p>Code of Virginia 22.1-206.01</p> <p><i>Code of Virginia</i> § 4.1-1105.1</p> <p>§ 4.1-1109</p> <p>§ 4.1-1110</p>	<p>Drugs and Tobacco</p> <ul style="list-style-type: none"> • Fentanyl Education and Awareness Information (HB 1473) • Marijuana, possession and consumption: Possession of marijuana or marijuana products unlawful in certain cases; venue; exceptions; penalties; treatment and education programs and services • Consuming or possessing marijuana or marijuana products in or on public school grounds; penalty

	<p><i>Code of Virginia</i> Chapter 434</p> <p><i>Code of Virginia</i> 22.1-272.1:1</p> <p><i>Code of Virginia</i> §§ 18.2-246.8, 18.2-371.2, 22.1-79.5, 22.1-206, 22.1-279.6, 58.1-1021.01, 58.1-1021.02, 58.1-1021.04:1, 58.1-1021.04:5, 58.1-1021.06 through 58.1-1021.09, 59.1-293.10, 59.1-293.11, 59.1-293.12, 59.1-293.13, and 59.1-293.14</p>	<ul style="list-style-type: none"> • Possessing or consuming marijuana or marijuana products while operating a school bus; penalty • Opioids; Virginia Department of Education to develop education materials concerning risks (HB134) • Overdoses, parental notification of school-connected overdose (SB 498) • Virginia Department of Education; development of guidelines on school-connected overdose policies (SB 498) • Tobacco and Hemp Products, Under Aged Sale, Purchase, and Possession; prohibiting purchase or possession of retail tobacco products and hemp products intended for smoking by a person under 21 years of age or sale of retail tobacco products and hemp products intended for smoking to persons under 21 years of age; civil penalties. (SB582/HB 790, § 18.2-371.2.)
11	<p><i>Code of Virginia</i> § 22.1-279.8</p>	<p>Emergency Manager</p> <ul style="list-style-type: none"> • Requirement of Designee in each public-school division (D)
12	<p><i>Code of Virginia</i> §§ 22.1-207, 22.1-253.13:1, and 22.1-279.9</p>	<p>Hazing</p> <ul style="list-style-type: none"> • Requires the Department of Education to develop and add hazing instruction and resources to the Standards of Learning and be offered for physical and health education for grades nine or ten (HB719)

13	<p><i>Code of Virginia</i></p> <p>§ 2.2-3705.2</p> <p>§ 16.1-301</p> <p>§ 19.2-389.1</p> <p>§ 22.1-272.1</p>	<p>Information Sharing Exclusions and Allowances</p> <ul style="list-style-type: none"> Exclusions from mandatory disclosure provisions: <ul style="list-style-type: none"> “4. Information concerning security plans and specific assessment components of school safety audits, as provided in § 22.1-279.8.” “13. Records received by the Department of Criminal Justice Services pursuant to §§ 9.1-184, 22.1-79.4, and 22.1-279.8 or for purposes of evaluating threat assessment teams established by a public institution of higher education pursuant to § 23.1-805 or by a private nonprofit institution of higher education, to the extent such records reveal security plans, walk-through checklists, or vulnerability and threat assessment components.” Confidentiality of juvenile law-enforcement records; disclosures to school principal and others Dissemination of juvenile record information Responsibility to contact parent of student at imminent risk of suicide; notice to be given to social services if parental abuse or neglect
14	<p><i>Code of Virginia</i></p> <p>§ 22.1-280.2:3</p>	<p>Memorandum of Understanding (MOU) Required</p> <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
15	<p><i>Code of Virginia</i></p> <p>§ 22.1-279.3:2</p>	<p>Protective Orders</p> <ul style="list-style-type: none"> Public elementary and secondary school students; protective orders; notification
16	<p><i>Code of Virginia</i></p> <p>§ 8.01-47</p> <p>§ 19.2-83.1</p> <p>§ 22.1-279.3:1</p> <p>§ 22.1-279.3:3</p>	<p>Reporting Requirements and Exemptions, Incident</p> <ul style="list-style-type: none"> Immunity of persons investigating or reporting certain incidents at schools Report of arrest of school employees and adult students for certain offenses Report of conviction of school employees for certain offenses Reports of certain acts to school authorities; reports of certain acts by school authorities to parents; reports of certain acts by school authorities to law enforcement. Alternative school discipline process for certain incidents

	<p>§ 22.1-279.8</p>	<ul style="list-style-type: none"> • Provision for notification of DCJS and the Virginia Criminal Injuries Compensation Fund in the event of an emergency when there are victims • Click to Report a Critical Incident or Emergency
17	<p><i>Code of Virginia</i> § 22.1-140 § 22.1-279.8</p>	<p>School Building and Floor Plans</p> <ul style="list-style-type: none"> • Plans for buildings to be approved by division superintendent • From the Annual School Safety Audit (see also #18 below): <i>“Each local school board shall require all schools under its supervisory control to annually conduct school safety audits, as defined in this section, consistent with such list and in collaboration with the chief law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall create a detailed and accurate floor plan for each public school building in the local school division or shall certify that the existing floor plan for each such school is sufficiently detailed and accurate.”</i>
18	<p><i>Code of Virginia</i> § 9.1-101 § 9.1-102 § 9.1-110 § 9.1-114.1 § 22.1-279.10</p>	<p>School Resource Officers (SROs)</p> <ul style="list-style-type: none"> • Definition, School Resource Officer <ul style="list-style-type: none"> • DCJS <i>“under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to...54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers.”</i> • School Resource Officer Grants Program and Fund • Compliance with minimum training standards by school resource officers • School resource officers; data
19	<p><i>Code of Virginia</i> § 22.1-279.8</p>	<p>School Safety Audit</p> <ul style="list-style-type: none"> • Virginia Center for School and Campus Safety, in consultation with the Department of Education, determines components of the School Safety Audit <p><i>“Such items shall include (i) those incidents reported to school authorities pursuant to § 22.1-279.3:1 and shall include; (ii) a school inspection walk-through</i></p>

		<p>using a standardized checklist provided by the Virginia Center for School and Campus Safety, which shall incorporate crime prevention through environmental design principles; and (iii) specific technology systems, including physical security technologies, emergency telecommunication systems, and associated technology including equipment and software. (HB 561)</p> <ul style="list-style-type: none"> • “The Virginia Center for School and Campus Safety shall prescribe a standardized report format for school safety audits, additional reporting criteria, and procedures for report submission, which may include instructions for electronic submission.” • “Each local school board shall require all schools under its supervisory control to annually conduct school safety audits, as defined in this section, consistent with such list and in collaboration with the chief law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall create a detailed and accurate floor plan for each public school building in the local school division or shall certify that the existing floor plan for each such school is sufficiently detailed and accurate.” • “The results of such school safety audits shall be made public within 90 days of completion pursuant to this subsection. The local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, floor plans, and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The completed walk-through checklist shall be made available to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of the school safety audit, which may exclude such security plans, walk-through checklists, and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.”
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20	<p><i>Code of Virginia</i> § 9.1-101 § 9.1-102.42</p>	<p>School Security Officers (SSOs)</p> <ul style="list-style-type: none"> • Definition, School Security Officer <ul style="list-style-type: none"> • DCJS <i>“under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to...42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VSCS) pursuant to § 9.1-184. Employment of</i>

	<p>§ 22.1-280.2:1</p> <p><i>Virginia Administrative Code</i> 6VAC 20-240</p>	<p><i>School Security Officers”</i></p> <ul style="list-style-type: none"> • Employment of school security officers. • Regulations Relating to School Security Officers <ul style="list-style-type: none"> Section 10 Definitions Section 20 Initial certification and training requirements for school security officers Section 30 Department certification procedures Section 40 School security officer standards of conduct Section 50 Recertification of school security officers Section 60 Decertification and appeal procedure Section 70 Instructor application Section 80 Renewal instructor application Section 90 School security officer instructor standards of conduct Section 100 School security officer instructor administrative requirements Section 110 Approval authority Section 120 Hearing process
21	<p><i>Code of Virginia</i> § 16.1-246 § 16.1-247</p>	<p>Taking Child into Custody</p> <ul style="list-style-type: none"> • When and how child may be taken into immediate custody • Duties of person taking child into custody
22	<p><i>Code of Virginia</i> § 9.1-184</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

	<p>§ 22.1-79.4</p>	<p>and intervention with students whose behavior poses a threat to the safety of school staff or students</p> <ul style="list-style-type: none"> • Threat Assessment Teams and Oversight Committee Requirements <ul style="list-style-type: none"> • <i>“D. 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.”</i> • <i>“E. Each threat assessment team established pursuant to this section shall collect and report to the Center quantitative data on its activities using the case management tool developed by the Center.”</i> • <i>“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.”</i> • Threat Assessment Team Membership, SRO required if employed and serving in school division • Threat Assessment training required for new and existing team members
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