

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 22.1-79.4 of the Code of Virginia, relating to school boards; threat assessment teams and procedures; parental notification of student determined to pose a threat of violence or physical harm to self or others; provision of certain recognition and response materials required.

[H 2679]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-79.4 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-79.4. Threat assessment teams and oversight committees.

A. Each local school board shall adopt policies for the establishment of threat assessment teams, including the assessment of and intervention with individuals 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 and Campus Safety (the Center) 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.

B. 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.

C. 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 and, in the case of any school in which a school resource officer is employed, at least one such school resource officer. New threat assessment team members shall complete an initial threat assessment training and all threat assessment team members shall be required to complete refresher threat assessment training every three years. 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.

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. *The division superintendent or his designee shall provide, either in such initial attempt to notify the student's parent or legal guardian or through a separate communication to the student's parent or legal guardian made as soon as practicable thereafter, materials on recognition of and strategies for responding to behavior indicating that a student poses a threat of violence or physical harm to self or others that shall include information on the legal requirements set forth in § 18.2-56.2 relating to the safe storage of firearms in the presence of minors and that may include guidance on best practices and strategies for limiting a student's access to lethal means, including firearms and medications. Such materials shall be selected in accordance with the provisions of the criteria set forth in the guidelines required by subsection G.* Nothing in this subsection shall preclude school division personnel from acting immediately to address an imminent threat.

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.

F. Upon a preliminary determination by the threat assessment team that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in §§ 19.2-389 and 19.2-389.1, and health records, as provided in § 32.1-127.1:03. No member of a threat assessment team shall redisclose any criminal history record information or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

G. *The Board, in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health, shall develop guidelines for the provision of materials on recognition of and strategies for responding to behavior indicating that a student poses a threat of violence or physical harm to self or others required pursuant to subsection D. Such guidelines shall include criteria for selecting such materials as well as materials that have been preapproved for such use by the Board.*

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