

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 46

An Act to amend and reenact §§ 9.1-184, 22.1-79.4, and 23.1-805 of the Code of Virginia, relating to public elementary and secondary schools and institutions of higher education; threat assessment teams; training on emergency substantial risk orders and substantial risk orders.

[H 1071]

Approved April 2, 2026

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-184, 22.1-79.4, and 23.1-805 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-184. Virginia Center for School and Campus Safety created; duties.

A. From such funds as may be appropriated, the Virginia Center for School and Campus Safety (the Center) is hereby established within the Department. The Center shall:

1. Provide training for Virginia public school personnel in school safety, on evidence-based antibullying tactics based on the definition of bullying in § 22.1-276.01, and in the effective identification of students who may be at risk for violent behavior and in need of special services or assistance;

2. Serve as a resource and referral center for Virginia school divisions by conducting research, sponsoring workshops, and providing information regarding current school safety concerns, such as conflict management and peer mediation, bullying as defined in § 22.1-276.01, school facility design and technology, current state and federal statutory and regulatory school safety requirements, and legal and constitutional issues regarding school safety and individual rights;

3. Maintain and disseminate information to local school divisions on effective school safety initiatives in Virginia and across the nation;

4. Develop a case management tool for the collection and reporting of data by threat assessment teams pursuant to § 22.1-79.4;

5. Collect, analyze, and disseminate various Virginia school safety data, including school safety audit information submitted to it pursuant to § 22.1-279.8, collected by the Department and, in conjunction with the Department of Education, information relating to the activities of school resource officers submitted pursuant to § 22.1-279.10;

6. Encourage the development of partnerships between the public and private sectors to promote school safety in Virginia;

7. Provide technical assistance to Virginia school divisions in the development and implementation of initiatives promoting school safety, including threat assessment-based protocols with such funds as may be available for such purpose;

8. Develop a memorandum of understanding between the Director of the Department of Criminal Justice Services and the Superintendent of Public Instruction to ensure collaboration and coordination of roles and responsibilities in areas of mutual concern, such as school safety audits and crime prevention;

9. Provide training for and certification of school security officers, as defined in § 9.1-101 and consistent with § 9.1-110;

10. 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 others providing services to schools that shall also be made available to private schools in the Commonwealth;

11. In consultation with the Department of Education, 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 *to include specific education and training for threat assessment team members, within existing annual training, on the use of emergency substantial risk orders and substantial risk orders as set forth in Chapter 9.2 (§ 19.2-152.13 et seq.) of Title 19.2 to address the risk of harm to self or others posed by a student's access to a firearm;*

12. Develop a model memorandum of understanding setting forth the respective roles and responsibilities of local school boards and local law-enforcement agencies regarding the use of school resource officers. Such model memorandum of understanding may be used by local school boards and local law-enforcement agencies to satisfy the requirements of subsection A of § 22.1-280.2:3; and

13. Designate an employee of the Center as the school personnel safety official for the Commonwealth whose duty is to compile, maintain, and make publicly available a list of each division safety official designated and the contact information for such individual included in each collated packet of school safety audits received pursuant to subsection B of § 22.1-279.8. Such school personnel safety official for the Commonwealth shall at least annually confirm with each division superintendent that such contact

information is up to date and accurate.

B. All agencies of the Commonwealth shall cooperate with the Center and, upon request, assist the Center in the performance of its duties and responsibilities.

§ 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, *and shall require, within existing annual training, specific education and training for threat assessment team members on the use of emergency substantial risk orders and substantial risk orders as set forth in Chapter 9.2 (§ 19.2-152.13 et seq.) of Title 19.2 to address the risk of harm to self or others posed by a student's access to a firearm.*

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 § 19.2-152.13 relating to emergency substantial risk orders and § 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.

§ 23.1-805. Violence prevention committee; threat assessment team.

A. Each public institution of higher education shall establish policies and procedures for the prevention of violence on campus, including assessment of and intervention with individuals whose behavior poses a threat to the safety of the campus community.

B. The governing board of each public institution of higher education shall determine a violence prevention committee structure on campus composed of individuals charged with education on and prevention of violence on campus. Each violence prevention committee shall include representatives from student affairs, law enforcement, human resources, counseling services, residence life, and other

constituencies as needed and shall consult with legal counsel as needed. Each violence prevention committee shall develop a clear statement of mission, membership, and leadership. Such statement shall be published and made available to the campus community.

C. Each violence prevention committee shall (i) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a physical threat to the community; (ii) identify members of the campus community to whom threatening behavior should be reported; (iii) establish policies and procedures that outline circumstances under which all faculty and staff are required to report behavior that may represent a physical threat to the community, provided that such report is consistent with state and federal law; and (iv) establish policies and procedures for (a) the assessment of individuals whose behavior may present a threat, (b) appropriate means of intervention with such individuals, and (c) sufficient means of action, including interim suspension, referrals to community services boards or health care providers for evaluation or treatment, medical separation to resolve potential physical threats, and notification of family members or guardians, or both, unless such notification would prove harmful to the individual in question, consistent with state and federal law.

D. The governing board of each public institution of higher education shall establish a threat assessment team that includes members from law enforcement, mental health professionals, and representatives of student affairs and human resources. College or university counsel shall be invited to provide legal advice. Each such threat assessment team may invite other representatives from campus to participate in individual cases, but no such representative shall be considered a member of the threat assessment team. Each threat assessment team shall implement the assessment, intervention, and action policies set forth by the violence prevention committee pursuant to subsection C.

E. Each threat assessment team shall establish relationships or utilize existing relationships with mental health agencies and local and state law-enforcement agencies to expedite assessment of and intervention with individuals whose behavior may present a threat to safety. Upon a preliminary determination that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or a need for assistance, the 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.

F. Upon a preliminary determination that an individual poses an articulable and significant threat of violence to others, the threat assessment team shall:

1. Obtain any available criminal history record information as provided in §§ 19.2-389 and 19.2-389.1 and any available health records as provided in § 32.1-127.1:03;

2. Notify in writing within 24 hours upon making such preliminary determination (i) the campus police department, (ii) local law enforcement for the city or county in which the public institution of higher education is located, local law enforcement for the city or county in which the individual resides, and, if known to the threat assessment team, local law enforcement for the city or county in which the individual is located, and (iii) the local attorney for the Commonwealth in any jurisdiction where the threat assessment team has notified local law enforcement; and

3. Disclose any specific threat of violence posed by the individual as part of such notification.

G. The custodians of any criminal history record information or health records shall, upon request from a threat assessment team pursuant to subsections E and F, produce the information or records requested.

H. No member or invited representative 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.

I. Each threat assessment team member shall complete a minimum of eight hours of initial training within 12 months of appointment to the threat assessment team and shall complete a minimum of two hours of threat assessment training each academic year thereafter. Training shall be conducted by the Department of Criminal Justice Services (the Department) or an independent entity approved by the Department *and shall include, within existing annual training, specific education and training on the use of emergency substantial risk orders and substantial risk orders as set forth in Chapter 9.2 (§ 19.2-152.13 et seq.) of Title 19.2 to address the risk of harm to self or others posed by a student's access to a firearm.*

J. When otherwise consistent with applicable state and federal law, in the event that a public institution of higher education has knowledge that a student or employee who was determined pursuant to an investigation by the institution's threat assessment team to pose an articulable and significant threat of violence to others is transferring to another institution of higher education or place of employment, the public institution of higher education from which the individual is transferring shall notify the institution of higher education or place of employment to which the individual is transferring of such investigation and determination.