

20102829D

INTRODUCED

HB115

1 **HOUSE BILL NO. 1115**

2 Offered January 8, 2020

3 Prefiled January 7, 2020

4 A *BILL to amend and reenact § 23.1-805 of the Code of Virginia, relating to public institutions of*  
5 *higher education; threat assessment team; data reporting.*

6 Patron—Hudson

7 Referred to Committee on Education

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 23.1-805 of the Code of Virginia is amended and reenacted as follows:**10 **§ 23.1-805. Violence prevention committee; threat assessment team.**11 A. Each public institution of higher education shall establish policies and procedures for the  
12 prevention of violence on campus, including assessment of and intervention with individuals whose  
13 behavior poses a threat to the safety of the campus community.14 B. The governing board of each public institution of higher education shall determine a violence  
15 prevention committee structure on campus composed of individuals charged with education on and  
16 prevention of violence on campus. Each violence prevention committee shall include representatives  
17 from student affairs, law enforcement, human resources, counseling services, residence life, and other  
18 constituencies as needed and shall consult with legal counsel as needed. Each violence prevention  
19 committee shall develop a clear statement of mission, membership, and leadership. Such statement shall  
20 be published and made available to the campus community.21 C. Each violence prevention committee shall (i) provide guidance to students, faculty, and staff  
22 regarding recognition of threatening or aberrant behavior that may represent a physical threat to the  
23 community; (ii) identify members of the campus community to whom threatening behavior should be  
24 reported; (iii) establish policies and procedures that outline circumstances under which all faculty and  
25 staff are required to report behavior that may represent a physical threat to the community, provided that  
26 such report is consistent with state and federal law; and (iv) establish policies and procedures for (a) the  
27 assessment of individuals whose behavior may present a threat, (b) appropriate means of intervention  
28 with such individuals, and (c) sufficient means of action, including interim suspension, referrals to  
29 community services boards or health care providers for evaluation or treatment, medical separation to  
30 resolve potential physical threats, and notification of family members or guardians, or both, unless such  
31 notification would prove harmful to the individual in question, consistent with state and federal law.32 D. The governing board of each public institution of higher education shall establish a threat  
33 assessment team that includes members from law enforcement, mental health professionals,  
34 representatives of student affairs and human resources, and, if available, college or university counsel.  
35 Each threat assessment team shall implement the assessment, intervention, and action policies set forth  
36 by the violence prevention committee pursuant to subsection C.37 E. Each threat assessment team shall establish relationships or utilize existing relationships with  
38 mental health agencies and local and state law-enforcement agencies to expedite assessment of and  
39 intervention with individuals whose behavior may present a threat to safety. Upon a preliminary  
40 determination that an individual poses a threat of violence to self or others or exhibits significantly  
41 disruptive behavior or a need for assistance, the threat assessment team may obtain criminal history  
42 record information as provided in §§ 19.2-389 and 19.2-389.1 and health records as provided in §  
43 32.1-127.1:03.44 F. No member of a threat assessment team shall redisclose any criminal history record information or  
45 health information obtained pursuant to this section or otherwise use any record of an individual beyond  
46 the purpose for which such disclosure was made to the threat assessment team.47 G. Each threat assessment team established pursuant to this section shall collect and report to the  
48 Virginia Center for School and Campus Safety quantitative data on its activities according to guidance  
49 developed by the Virginia Center for School and Campus Safety in consultation with the Council.