

2022 SESSION

LEGISLATION NOT PREPARED BY DLS
INTRODUCED

22104947D

HOUSE BILL NO. 1315

Offered January 21, 2022

A BILL to amend and reenact § 22.1-79.4 of the Code of Virginia, relating to school boards; parental notification of certain threats, behavior, and unlawful acts.

Patron—Anderson

Committee Referral Pending

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. 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. 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. Within four hours of receiving notification of (i) a preliminary determination by the threat assessment team that a student poses a threat of violence or physical harm to self or others; (ii) threatening or aberrant behavior that may represent a threat to the school; or (iii) unlawful acts committed on school property, on a school bus, or at a school-sponsored activity that involve the unlawful use or possession of a weapon, homicide, criminal sexual assault, or trespassing, each division superintendent shall notify the parent of each student enrolled in the relevant school of such threat, threatening or aberrant behavior, or unlawful act.

INTRODUCED

HB1315