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HOUSE BILL NO. 1482

Offered January 19, 2006

A *BILL to amend and reenact §§ 22.1-288.1 and 52-31.1 through 52-32 of the Code of Virginia, relating to school records of missing children.*

Patrons—Shannon and Carrico

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-288.1 and 52-31.1 through 52-32 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-288.1. Notation in school records of missing children; local law-enforcement cooperation.

A. Each school board shall ~~develop a cooperative arrangement with the local law-enforcement agencies within its jurisdiction to~~ receive reports of disappearances of any children living within the school division *from local law enforcement pursuant to § 52-31.1.*

B. Upon notification by a local law-enforcement agency of a child's disappearance, the principal of any school in which the child was enrolled at the time of the disappearance shall indicate, *by mark*, in the child's cumulative record that the child has been reported as missing. *Upon notification by law enforcement that the child is located, the principal shall remove the mark from the record.*

C. Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law-enforcement agency that provided the report to the school of the child's disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child, *without alerting the requestor of such report.*

D. *For the purposes of this section, a "mark" shall mean an electronic or other indicator that (i) is readily apparent on the student's record and (ii) will immediately alert any school personnel that the record is that of a missing child.*

§ 52-31.1. Superintendent to establish network.

The Superintendent of State Police shall establish a network to implement reports of the disappearance of children by local law-enforcement agencies to local school division superintendents and the State Registrar of Vital Records. The network shall be designed to establish cooperative arrangements between local law-enforcement agencies and local school divisions concerning reports of missing children, *whereby law enforcement shall either, within 24 hours or the next business day, notify the principal of the school where the missing child is or was most recently enrolled and inform the school official of the report, and notices to law-enforcement agencies of requests for copies of the cumulative records and birth certificates of missing children. Upon notification of a request for a marked school record or other information regarding a missing child, the Superintendent shall immediately initiate an investigation into the circumstances surrounding the request, including a search for any record that may exist showing who has legal custody of the child and for any record that may disclose an allegation of child abuse perpetrated against a member of the child's family.* The network shall also establish a mechanism for reporting the identities of all missing children to the State Registrar of Vital Records.

§ 52-32. Definitions.

As used in this chapter, unless the context requires otherwise or it is otherwise specifically provided: "Missing child" means any person who is under the age of 21 years, whose temporary or permanent residence is in Virginia, or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, ~~and~~ who has been reported as missing to a law-enforcement agency within the Commonwealth, *and whose disappearance may involve a criminal offense.*

"Missing child report" means a report prepared in a format prescribed by the Superintendent for use by law-enforcement agencies to report missing child information to the Missing Children Information Clearinghouse.

INTRODUCED

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