

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 16.1-305.2 of the Code of Virginia and to amend the Code of Virginia*  
3 *by adding in Chapter 2 of Title 66 a section numbered 66-25.2:1, relating to disclosure of juvenile*  
4 *probation and parole reports.*

5 [S 1218]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 16.1-305.2 of the Code of Virginia is amended and reenacted and that the Code of**  
9 **Virginia is amended by adding in Chapter 2 of Title 66 a section numbered 66-25.2:1 as follows:**

10 § 16.1-305.2. Disclosure of notice of the filing of a petition and certain reports by division  
11 superintendent.

12 Except as otherwise provided in this section, a division superintendent shall not disclose information  
13 contained in or derived from a (i) notice of petition received pursuant to § 16.1-260 or (ii) report  
14 received pursuant to § 66-25.2:1. If the juvenile is not enrolled as a student in a public school in the  
15 division to which the notice or report was given, the superintendent shall promptly so notify the intake  
16 officer of the juvenile court in which the petition was filed or the Director of the Department who sent  
17 the report and may forward the notice of petition or report to the superintendent of the division in  
18 which the juvenile is enrolled, if known.

19 If the division superintendent believes that disclosure of information regarding a petition to school  
20 personnel is necessary to ensure the physical safety of the juvenile, other students or school personnel  
21 within the division, he may at any time prior to receipt of the notice of disposition in accordance with  
22 § 16.1-305.1, disclose the fact of the filing of the petition and the nature of the offense to the principal  
23 of the school in which the juvenile who is the subject of the petition is enrolled. The principal may  
24 further disseminate the information regarding a petition, after the juvenile has been taken into custody,  
25 whether or not the child has been released, only to those students and school personnel having direct  
26 contact with the juvenile and need of the information to ensure physical safety or the appropriate  
27 educational placement or other educational services.

28 If the division superintendent believes that disclosure of information regarding a report received  
29 pursuant to § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the juvenile,  
30 other students, or school personnel within the division he may disclose the information to the principal  
31 of the school in which the juvenile is enrolled. The principal may further disseminate the information  
32 regarding such report only to school personnel as necessary to protect the juvenile, the subject or  
33 subjects of the danger, other students, or school personnel.

34 § 66-25.2:1. Director; notice to school superintendent prior to release of certain offenders.

35 The Director or designee shall notify the school division superintendent in the jurisdiction in which  
36 the juvenile will be enrolled upon release from a juvenile correctional center if the Director reasonably  
37 believes that the juvenile poses any credible danger of serious bodily injury or death to one or more  
38 students, school personnel, or others on school property. Such information shall include the nature of  
39 the danger. The information provided to a school division superintendent pursuant to this section may  
40 be disclosed only as provided in § 16.1-305.2.

ENROLLED

SB1218ER