

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 265

An Act to amend and reenact §§ 18.2-60 and 22.1-280.1 of the Code of Virginia, relating to threats against school personnel; penalty.

[H 481]

Approved April 4, 1994

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-60 and 22.1-280.1 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-60. Threats of death or bodily injury to a person or member of his family; certain oral threats communicated to school personnel; penalty.

A. If any person write or compose and also send or procure the sending of any letter or inscribed communication, so written or composed, whether such letter or communication be signed or anonymous, to any person, containing a threat to kill or do bodily injury to the person to whom such letter or communication is sent, or a threat to kill or do bodily injury to any member of his or her family, the person so writing or composing and sending or procuring the sending of such letter or communication shall be guilty of a Class 6 felony and may be prosecuted either in the county, city or town in which the letter or inscribed communication is composed, written, sent or procured to be sent or in the county, city or town in which the letter or inscribed communication is received.

B. *If any person orally makes a threat to any employee of any elementary, middle or secondary school, while on a school bus, on school property or at a school-sponsored activity, to kill or to do bodily injury to such person, he shall be guilty of a Class 1 misdemeanor.*

§ 22.1-280.1. Reports of certain acts to school authorities.

A. Any attempted or actual physical injury, including "unlawful woundings," maimings, and homicides, other than involuntary manslaughter, committed by a student on school personnel shall be reported to the principal or his designee. Similar reports shall be made to the principal or his designee on all incidents involving (i) the death, shooting, stabbing, cutting, or wounding of any person or; (ii) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity; or (iii) *any threats against school personnel while on a school bus, on school property or at a school-sponsored activity.* The principal or his designee shall semiannually submit a report of all such incidents to the superintendent of the school division. The division superintendent shall annually report all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms which shall be provided by the Department. A division superintendent who knowingly fails to comply or secure compliance with the reporting requirements of this section shall be subject to the sanctions authorized in § 22.1-65.

B. A statement providing a procedure and the purpose for the requirements of subsection A shall be included in the policy manual of all school divisions.

The Board of Education shall promulgate regulations to implement this section including, but not limited to, the reporting date and the format of the reports.