

# 1995 SESSION

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LD3745178

## HOUSE BILL NO. 1380

Offered January 25, 1994

*A BILL to amend and reenact § 16.1-305.1 of the Code of Virginia, relating to disclosure of arrest and disposition in delinquency cases.*

Patrons—Crittenden, Albo, Barlow, Behm, Christian, Cooper, Copeland, Hamilton, Jones, D.C., Kilgore, McClure, Melvin, Putney, Robinson, Shuler and Stump; Senators: Quayle and Saslaw

Referred to Committee for Courts of Justice

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

#### **1. That § 16.1-305.1 of the Code of Virginia is amended and reenacted as follows:**

§ 16.1-305.1. (Effective July 1, 1994) Disclosure of arrest and disposition in certain delinquency cases.

*A. Whenever a child is taken into custody pursuant to subsection C, C1 or D of § 16.1-246 based upon a violation of the law involving (i) the unlawful purchase, possession or use of a weapon; (ii) homicide, an assault or any unlawful wounding; (iii) any controlled substance or marijuana; (iv) arson; or (v) burglary, the intake officer shall provide written notice, including the nature of the offense for which the child was taken into custody, to the superintendent of the school division in which the child is enrolled at the time of the arrest or, if he is not then enrolled in school, the division in which he was enrolled at the time of the offense. Further disclosure of this information by the superintendent to school personnel is authorized only to allow appropriate action within the school setting with regard to the child or another student.*

*B. Whenever a child is adjudicated delinquent and the adjudication is based upon a violation of the law involving (i) the unlawful purchase, possession or use of a weapon, (ii) homicide, an assault or any unlawful wounding, (iii) any controlled substance or marijuana, (iv) arson or (v) burglary, the clerk of the juvenile court shall provide written notice of the disposition ordered by the court, including the nature of the offense upon which the adjudication was based, to the superintendent of the school division in which the child is enrolled at the time of the disposition or, if he is not then enrolled in school, the division in which he was enrolled at the time of the offense. Further disclosure of this information by the superintendent to school personnel is authorized only to allow appropriate action within the school setting with regard to the juvenile or another student.*

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