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HOUSE BILL NO. 1046

Offered January 10, 2024

Prefiled January 10, 2024

A BILL to amend and reenact § 22.1-79.4 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-79.4:1, relating to school boards; parental notification of certain threats, behavior, and unlawful acts; panic alarms.

Patron—Batten

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-79.4 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-79.4:1 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 and, in the case of any school in which a school resource officer is employed, at least one such school resource officer. New threat assessment team members shall complete an initial threat assessment training and all threat assessment team members shall be required to complete refresher threat assessment training every three years. 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.

§ 22.1-79.4:1. Panic alarms required in each public elementary and secondary school building.

A. As used in this section:

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59 *"Panic alarm" means a silent security system by which the user manually activates a device that*
60 *sends a non-audible signal to the local law-enforcement agency that indicates a school security*
61 *emergency that requires immediate response and assistance from such agency.*

62 *"School security emergency" includes a non-fire evacuation, lockdown, or active shooter situation.*

63 *B. Each school board shall equip each public elementary and secondary school building in the local*
64 *school division with at least one panic alarm that adheres to nationally recognized industry standards,*
65 *including the standards of the National Fire Protection Association and Underwriters Laboratories, and*
66 *is installed by a licensed and qualified professional.*