

House Select Committee on School Safety Recommendations

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COUNSELING & MENTAL HEALTH

1. School Counselor Realignment

Recommendation A:

The General Assembly should realign the roles and responsibilities of school counselors to ensure that school counselors are spending the majority of their time providing direct student services, including emotional, behavioral, career, and life counseling and guidance.

Legislative Proposal:

The bill could either (i) add a new section in Article 1 (§ 22.1-289.1 et seq.) of Chapter 15 of Title 22.1 of the Code of Virginia (general provisions relating to school board employees) that requires each school counselor employed by a school board in a public elementary or secondary school to spend a certain minimum percentage of his staff time during normal school hours in the direct counseling of individual students or groups of students or (ii) direct the Board of Education to adopt regulations to establish such a requirement.

Fiscal Impact:

Indeterminate. Additional staff positions may be required in order to ensure compliance.

1. School Counselor Realignment

Recommendation B:

The General Assembly should fund new school-based staff positions (e.g., testing coordinator) to relieve school counselors of additional administrative duties and ensure that they have sufficient time to provide counseling services.

Legislative Proposal:

None necessary, but the Select Committee may wish to consider adding the new school-based staff position(s) to SOQ 2 (Instructional, administrative, and support personnel) (§ 22.1-253.13:2 of the Code of Virginia)

Fiscal Impact:

Indeterminate. If a data coordinator position, or a similar FTE, were established to handle some of the administrative duties of a counselor, the Department of Education has suggested a cost estimate using a weighted average of the funded teacher salaries from Chapter 2 of the General Appropriation Act, which works out to be \$66,863 per new position.

2. Addressing Behavioral and Mental Health in Schools

Recommendation A:

The General Assembly should implement a statewide mental health and suicide prevention tip line, similar to SafeUT, that students can access to receive real-time crisis-intervention counseling and report threats of violence.

Legislative Proposal:

Utah created a commission to start SafeUT. The Select Committee could establish such a commission through (i) the budget, (ii) a House Joint Resolution, or (iii) a bill to add a new chapter in Title 30 of the Code of Virginia.

Fiscal Impact:

Initial startup in Utah cost about \$150,000. Current costs for operation are about \$2.0 million/year to serve 850,000 students. The Commonwealth would also need to develop a statewide crisis line and lifeline staffed by peers.

2. Addressing Behavioral and Mental Health in Schools

Recommendation B:

The General Assembly should require that mental and emotional health be taught as a component of any family life education program offered in a local school division.

Legislative Proposal:

The bill could amend § 22.1-207.1 of the Code of Virginia to require the mental health education and awareness component of the Board of Education's family life education curriculum guidelines to include education on and awareness of mental and emotional health issues that commonly manifest in adolescence.

Fiscal Impact:

Indeterminate. Development of a new standard at DOE may require short-term staffing or use of a consultant, and schools would need to provide professional development to deploy curriculum revisions.

2. Addressing Behavioral and Mental Health in Schools

Recommendation C:

Recognizing that student mental health is a growing and multifaceted issue and that policy-making should be informed by adequate evidence and subject-matter expertise, the General Assembly should create a Commission on Student Mental Health to study, among other topics:

1. The current school counselor-to-student ratio and whether the proposed realignment of counseling responsibilities is improving the delivery of direct student services;
2. The feasibility and affordability of enhanced wrap-around mental health services in schools through partnerships with the Department of Behavioral Health and Developmental Services, the Department of Medical Assistance Services, and community services boards;
3. The effectiveness of de-escalation and alternative disciplinary policies when interacting with students suffering from mental health challenges; and
4. The value of additional teacher training requirements on student mental health, such as mental health first aid.

Legislative Proposal:

The Select Committee could establish such a committee through (i) the budget, (ii) a House Joint Resolution, or (iii) a bill to add a new chapter in Title 30 of the Code of Virginia.

Fiscal Impact:

Indeterminate but likely low (\$10,000-\$20,000). The Commission on Student Mental Health budget would be determined by the number of members and the number of annual meetings established in the budget, joint resolution, or bill.

2. Addressing Behavioral and Mental Health in Schools

Recommendation D:

The General Assembly should amend the Virginia Juvenile Community Crime Control Act (VJCCCA) so that community services can be provided to juveniles before they are brought before the court on a complaint or petition.

Legislative Proposal:

The bill could amend §§ 16.1-309.2, 16.1-309.3, and 16.1-309.7 of the Code of Virginia to allow juveniles who have been screened for needing community-based services, using an evidence-based assessment protocol, to receive community-based services as provided by the Virginia Juvenile Community Crime Control Act (§ 16.1-309.2 et seq.). The bill would also require the total number of children who have been screened for needing community diversion or community-based services, using an evidence-based assessment protocol, to be factored into the funding determination for community diversion services as provided for by the Act.

Fiscal Impact:

None.

TRAINING & SCHOOL SECURITY

1. Enhanced Training

Recommendation A:

The General Assembly should prioritize increased funding to the Center for School and Campus Safety to:

1. Provide training to education and law enforcement professionals;
2. Implement a statewide school climate survey; and
3. Maintain a catalog of best practices that is regularly shared with school divisions, as well as with law enforcement, fire safety, and emergency services departments.

Legislative Proposal:

None necessary, but the Select Committee may wish to consider amending § 9.1-184 of the Code of Virginia to make one or more of the items listed above permanent duties of the Center for School and Campus Safety.

Fiscal Impact:

Indeterminate.

1. Enhanced Training

Recommendation B:

The General Assembly should require the Center for School and Campus Safety to create a standardized data collection and reporting template to be used by all threat assessment teams across the Commonwealth.

Legislative Proposal:

The bill would amend §§ 9.1-184 and 22.1-79.4 of the Code of Virginia to require the Virginia Center for School and Campus Safety to develop a case management tool for use by public elementary and secondary school threat assessment teams and require such threat assessment teams to use such tool to collect and report to the Center quantitative data on its activities.

Fiscal Impact:

\$500,000 (one-time cost for development of the case management system).

1. Enhanced Training

Recommendation C:

The General Assembly should require annual schoolwide training for students and faculty on school safety procedures.

Legislative Proposal:

The bill would add in Article 2 (§ 22.1-135 et seq.) of Chapter 9 of Title 22.1 (school buildings) a section numbered 22.1-137.3 to require, in addition to the fire drills, lockdown drills, and tornado drills required by law to be conducted on a periodic basis, an annual schoolwide training for students and faculty on school safety procedures.

Fiscal Impact:

Indeterminate.

2. School Resource Officers and School Security Officers

Recommendation A:

The General Assembly should prioritize increased funding for the School Resource Officer Grants Program to fund 44 new SRO positions, which would reduce the current unfunded demand by half.

Legislative Proposal:

None necessary.

Fiscal Impact:

\$1.76 million (44 positions at \$40,000/position) of additional funds. Currently, \$1.3 million is appropriated from the School Resource Office Grants Program. This recommendation would bring the total cost of the program to \$3.06 million.

2. School Resource Officers and School Security Officers

Recommendation B:

The General Assembly should require all school divisions that receive funding through the School Resource Officer Grants Program to enter into an MOU with local law enforcement that outlines the roles, responsibilities, and expectations of the school resource officer, the school division, and the law-enforcement agency.

Legislative Proposal:

The bill would amend § 9.1-110 of the Code of Virginia to require all school divisions that receive funding through the School Resource Officer Grants Program to enter into an MOU with the local law-enforcement agency that employs the school division's school resource officers.

Fiscal Impact:

None.

2. School Resource Officers and School Security Officers

Recommendation C:

The General Assembly should amend the Code of Virginia to allow retired law-enforcement officers to be hired as school resource officers or school security officers without affecting their retirement benefits.

Legislative Proposal:

The bill would amend § 51.1-155 of the Code of Virginia to allow a retired law-enforcement officer to continue to receive his service retirement allowance during a subsequent period of employment by a local school division as a school security officer or by a local law-enforcement agency as a school resource officer.

Fiscal Impact:

Indeterminate. Will depend upon the behavior of LEOs after creation of the rule. For example, if large numbers of LEOs retire earlier than previously expected in order to work as an SRO while receiving pension benefits, it would have an impact on VRS. If few LEOs make this decision, the impact would be minimal.

3. Preparedness

Recommendation A:

The General Assembly should increase the amount of funding made available for grants to eligible school divisions pursuant to the Public School Security Equipment Grant Act of 2013 for the purpose of purchasing security equipment for schools.

Legislative Proposal:

None necessary, but the Department of Education may want to amend its guidelines concerning the grant program to allow for a broader scope of eligible purchases under the grant program if necessary.

Fiscal Impact:

Indeterminate. An increase in the issuance, as the grant allocations are structured now, will require more funds from the Literary Fund for debt service. A possible increase of \$3.0 million would address unmet requests from school divisions (see HAC presentation to Select Committee 9/11/2018).

3. Preparedness

Recommendation B:

The General Assembly should require the inclusion of local school divisions in the public safety voice communications system.

Legislative Proposal:

The bill could add a new section to Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2 (Police and Public Order) of the Code of Virginia requiring law-enforcement agencies to include local schools in their communications system.

Fiscal Impact:

Indeterminate.

4. Campus and Infrastructure

Recommendation A:

Change the date of the primary elections held in June from the second Tuesday in June to the third Tuesday in June to ensure that schools are no longer in session. This will mitigate safety concerns relating to the presence of thousands of individuals unaffiliated with the school on and in school property while students and faculty are in class.

Legislative Proposal:

The bill would amend various sections in Title 24.2 of the Code of Virginia (Elections) to change the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill would also amend the candidate filing deadlines to reflect the change of date of the primary elections.

Fiscal Impact:

None.

4. Campus and Infrastructure

Recommendation B:

Make the November election day a student holiday/staff clerical day to mitigate safety concerns relating to the presence of thousands of individuals unaffiliated with the school on and in school property while students and faculty are in class.

Legislative Proposal:

The bill would amend § 22.1-98 of the Code of Virginia to require school boards to make the November election day a student holiday/staff clerical day while still complying with the requirement to provide at least 180 teaching days or 990 teaching hours each school year.

Fiscal Impact:

None.

4. Campus and Infrastructure

Recommendation C:

The General Assembly should require each school board to collaborate with the local fire department to ensure that proposed security enhancements comply with building and fire codes.

Legislative Proposal:

The bill could amend § 22.1-138 of the Code of Virginia to require schools to work with the local fire marshal prior to purchasing any security enhancements to ensure compliance with the building and fire codes.

Fiscal Impact:

None.

4. Campus and Infrastructure

Recommendation D:

The General Assembly should require school crisis, emergency management, and medical emergency response plans to be developed and reviewed collaboratively by school boards and first responders.

Legislative Proposal:

The bill could amend § 22.1-279.8 of the Code of Virginia to require each school board to include the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, and the emergency management official of the locality, or their designees, in the development and review of school crisis, emergency management, and medical emergency response plans.

Fiscal Impact:

None.

4. Campus and Infrastructure

Recommendation E:

The General Assembly should require a professional who is trained and experienced in Crime Prevention through Environmental Design (CPTED) review and implementation to review each school building project, including new construction and renovation projects.

Legislative Proposal:

The bill could amend § 22.1-140 of the Code of Virginia to require the licensed architect or professional engineer who provides the required statement to accompany the school superintendent's approval on all plans and specifications for new or remodeled public school building construction to be trained and experienced in Crime Prevention through Environmental Design.

Fiscal Impact:

None.

MISCELLANEOUS

Recommendations for Localities and School Boards

Recommendation A:

Localities should enter into mutual aid agreements with other localities to provide emergency services.

Legislative Proposal:

None.

Fiscal Impact:

None.

Recommendations for Localities and School Boards

Recommendation B:

School boards should require employees who are responsible for procurement to work with local fire marshals to ensure that any infrastructure improvement complies with the Statewide Fire Prevention Code (SFPC).

Legislative Proposal:

None.

Fiscal Impact:

None.

Recommendations for Localities and School Boards

Recommendation C:

School divisions should increase collaboration among the various stakeholders in school safety audits and crisis management planning.

Legislative Proposal:

None.

Fiscal Impact:

None.

Recommendations for Localities and School Boards

Recommendation D:

Localities should establish consensus-driven stakeholder processes for school design and security planning that include public safety personnel, architects, engineers, school officials, and others who may have experience and expertise with school safety audits.

Legislative Proposal:

None.

Fiscal Impact:

None.

Recommendations for Localities and School Boards

Recommendation E:

Design professionals, school officials, police chiefs/sheriffs, fire officials, and building officials should form a team at the local level to avoid conflicts in law and regulations when the E (educational) occupancy is having any type of security infrastructure improvements made for new or existing E occupancies.

Legislative Proposal:

None.

Fiscal Impact:

None.