



**COMMONWEALTH of VIRGINIA**  
*Office of the Governor*

Robert F. McDonnell  
Governor

February 1, 2013

Dear Members of the General Assembly:

On December 20, 2012, I created the Taskforce on School and Campus Safety through Executive Order 56 to enhance the safety and security of those that attend our schools in the Commonwealth. As a fundamental component of the Executive Order, I asked this group to provide preliminary recommendations to me by January 31, 2013, so that we could provide ideas for consideration during this General Assembly session.

I am pleased to report that the Taskforce has provided me with a number of initial recommendations that the members believe will help make our schools and campuses safer. After reviewing their initial recommendations, I agree that these will help make our schools and campuses more secure. Attached is the full list of the initial recommendations.

Given the limited time left in session and considering that budget development is already well underway, I am providing you with my thoughts regarding which recommendations should be given your highest consideration and most immediate attention. Those include the following from within each work group, some of which were combined given their overlap with multiple subject areas covered:

**Public Safety:**

- PS-01- Immunity from Civil Liability for Reporting Credible School Safety Threats
- PS-02/E-03- Mandatory School Lockdown Drills
- PS-03- School Emergency Manager Designations
- PS-06- Restore and Enhance § 9.1-110 Funding for SRO Incentive Grant Fund
- PS-07- Critical Incident Response Model Curriculum
- PS-08- Mandatory Vulnerability Checklists and Sharing of Crisis Management Plans with First Responders
- PS-09- Funding for Facility Upgrades
- PS-13- K-12 Threat Assessment Teams
- PS-14- Enhanced Penalty for Straw Purchases of Firearms
- PS-16- Create Criminal Offense for Entering a School Armed with Intent to Commit a Violent Felony

**Education:**

E-01- Statutory Definition of Bullying  
E-04- Anti-Bullying Training Funding

**Mental Health:**

MH-01- Statewide Suicide Prevention Program  
MH-02- Expansion of Outpatient Mental Health Services  
MH-03- Mental Health First Aid Training

For those recommendations that are not determined to be highest priority but are included in the report, I would ask that we consider them in the upcoming biennial budget process. I intend to send down legislation, where necessary, to accomplish these recommendations and respectfully request that you make necessary amendments in the current budget process to properly fund these efforts.

Several pieces of 2013 legislation were forwarded to the Taskforce for consideration. Although the Taskforce did not explicitly recommend any specific piece of legislation, many of the concepts are expressed in their recommendations. Additionally, the Work Groups will continue to evaluate and assess the feasibility of licensed armed security personnel within school buildings and related items. The Taskforce will continue its efforts, and it is expected that additional recommendations will be provided in its final report on June 30, 2013.

Thank you for your consideration of the enclosed recommendations. I am confident that by working together we will make our schools and campuses safer and improve upon the legal and budgetary framework necessary to help our first responders, education and mental health profession protect all Virginians.

Sincerely,



Robert F. McDonnell

Attachment

**Summary**  
**Public Safety Workgroup Recommendations**  
**January 31, 2013**

**General Note:** When implementing these recommendations, it is suggested that the General Assembly look for opportunities where existing groups can serve more than one mission and accomplish multiple functions.

Recommendation Number	Proposal	Budget Impact
<b>PS-01 Passed</b>	<i>Immunity From Civil Liability</i> – This proposal expands current Virginia law by extending immunity to any person who reports, with good faith, information that an individual poses credible danger of serious bodily injury or death to one or more students, school personnel, or others on school property.	No budget impact
<b>PS-02 Passed with Amendment</b>	<i>Lockdown Drills</i> – Mandates schools to conduct one lockdown drill within the first 20 days of the fall and spring semesters.  Identical to Recommendation E-3.	No budget impact
<b>PS-03 Passed</b>	<i>Designation of Emergency Manager For Schools</i> – Each school division within the Commonwealth shall designate an Emergency Manager who can coordinate school preparedness within the division and also coordinate with the locality in which they reside.	No budget impact
<b>PS-04 Passed</b>	<i>Juvenile Records Information Sharing</i> -- Facilitates sharing of juvenile intake and petition information with school divisions and public and private institutions of higher education.	No budget impact
<b>PS-05 Passed with Amendment</b>	<i>Public Safety Study</i> – The Public Safety Workgroup and the Education Workgroup of the Governor’s School and Campus Safety Taskforce will evaluate and assess the feasibility of armed security positions within the school building weighing the pros and cons and assessing the risks and liability concerns. Report will be provided by June 30, 2013.	Budget Impact
<b>PS-06 Passed</b>	<i>Restores § 9.1-110 Funding For SRO Incentive Grant Fund</i> -- Recommend appropriation of funds to replenish the School Resource Officer Incentive Grant Fund.	Budget Impact
<b>PS-07 Passed with amendment</b>	<i>Critical Incident Response Model Curriculum</i> – Directs DCJS, VSP, DBHDS, and DOE to develop model Critical Incident Response training for school personnel and those providing services to schools.	Budget Impact
<b>PS-08 Passed</b>	<i>Mandatory Establishment of Security and Vulnerability Checklists and Sharing of Crisis Management Plans with Law Enforcement and First Responders</i> – A - Mandates an annual school safety team vulnerability checklist be conducted using a standardized safety protocol provided by the VCSS and inclusive of CPTED principles. Results of such checklist will be shared with local law enforcement. B - Requires School Superintendents to share the results/findings of safety audits with the Chief Law Enforcement Officer, and school crisis, emergency and medical response plans with the Chief Law Enforcement Officer and Chief Fire/EMS official of their locality.	Budget Impact
<b>PS-09 Passed</b>	<i>Funding For Facility Upgrades</i> – Proposes the creation of a fund to provide grants and loans to localities, subject to local match, for facility upgrades of older facilities to improve security.	Budget Impact

<p><b>PS-10 Passed With amendment</b></p>	<p><i><b>Mandatory Study of College Threat Assessment Teams</b></i> -- DCJS, in collaboration with DBHDS will conduct a study to determine compliance with 2008 legislation and evaluate the nature and quality of threat assessment teams in Virginia colleges and universities. Recommendations will be made to the General Assembly on needed improvements. Universities will be required to participate in this study.</p>	<p>Budget Impact</p>
<p><b>PS-11 Passed</b></p>	<p><i><b>Mandated Reporting Threat Assessment Analysis</b></i> – Requires schools to annually report to the VCSS quantitative data collected on threat assessments. VCSS will examine the effectiveness of these processes and analyze statewide trends.</p>	<p>Budget Impact</p>
<p><b>PS-12 Passed</b></p>	<p><i><b>Funding For Threat Assessment Protocols</b></i> --Creates a fund within the Virginia Center for School Safety to provide technical assistance to localities for developing threat assessment-based protocols.</p>	<p>Budget Impact</p>
<p><b>PS-13 Passed with amendment</b></p>	<p><i><b>Mandated K-12 Threat Assessment Teams</b></i> -- Requires each School Board to establish a violence prevention committee and requires each K-12 school to have a multi -disciplinary threat assessment team similar to those in § 23-9.2:10 of the Code of Virginia.</p> <p style="text-align: center;"><b>In coordination with Recommendation E-2.</b></p>	<p>Budget Impact</p>
<p><b>PS-14 Passed</b></p>	<p><i><b>Criminal Offenses</b></i> -- Straw-man purchases, prohibited under existing Virginia law, occur when a person who lawfully may purchase a firearm purchases a firearm with the intent to transfer that firearm to a person who is ineligible to purchase a firearm. Depending on circumstances, this is punishable either as a Class 6 felony (1-5 years) or as a Class 5 felony. (1-10 years). This proposal increases the punishment for all straw-man transactions, adds a mandatory 1 year punishment for the purchaser, and adds a new mandatory punishment of 10 years for the ineligible person if the transaction involves multiple firearms.</p>	<p>Budget Impact</p>
<p><b>PS-15 Referred to Mental Health Workgroup and then back to Public Safety Workgroup</b></p>	<p><i><b>Criminal Offenses</b></i> -- Virginia law (Virginia Code §§ 18.2-308.1:1, 18.2-308.1:2, 18.2-308.1:3 and 18.2-308.1:4) presently prohibits purchase or transport of firearms by: 1) persons acquitted by reason of insanity; 2) persons adjudicated legally incompetent or mentally incapacitated; 3) persons involuntarily committed or involuntarily admitted to outpatient treatment, or voluntarily admitted following the issuance of a temporary detention order; and 4) persons subject to protective orders. A violation of state law is punishable as a Class 1 misdemeanor (up to 12 months in jail). Violation of parallel provisions of federal law presently is a felony. This proposal would increase the punishment for the state law violation to a Class 6 felony, punishable by 1-5 years in prison or, in the discretion of the court, up to 12 months in jail.</p>	<p>Budget Impact</p>
<p><b>PS-16 Passed with amendment</b></p>	<p><i><b>Criminal Offenses</b></i> – Creates new criminal offenses for entering a school while armed or while in possession of an explosive device with the intent to commit a violent felony listed in Code § 19.2-297.1. Proposed punishment is a Class 3 felony (5-20 years).</p>	<p>Budget Impact</p>

**Summary**  
**Education Work Group Recommendations**  
**January 31, 2013**

RECOMMENDATION NUMBER	PROPOSAL	BUDGET IMPACT
<p style="text-align: center;"><b>E-01</b> <b>Passed</b></p>	<p><b>Bullying:</b> <i>That a definition of “bullying” be provided in the Code of Virginia, and that the Governor’s School and Campus Safety Task Force support legislation pending in the 2013 General Assembly which provides for such a definition.</i></p> <p>Although the <i>Code of Virginia</i> references bullying in several contexts, such as the requirement that school boards include bullying in their student codes of conduct, there is no specific definition of bullying provided.</p>	<p style="text-align: center;"><b>NO</b></p>
<p style="text-align: center;"><b>E-02</b> <b>Passed with amendment</b></p>	<p><b>Required School Division Safety Audit Planning Teams:</b> To amend the Code of Virginia to require school boards to establish a school safety audit committee to consist of representatives of parents, school personnel, local law-enforcement, fire and rescue representatives, behavioral health, and medical service agencies, and judicial and public safety personnel, as well as the community at large. Current law does not require such committees and only says “may” form such. Proposal would also require representatives from fire and rescue representatives, behavioral health, and medical service agencies.</p> <p style="text-align: center;"><b>In coordination with PS-13.</b></p>	<p>May be budgetary impact to address personnel, training and materials to provide technical assistance</p>
<p style="text-align: center;"><b>E-03</b> <b>Merged with PS-02</b></p>	<p><b>Lockdown Drills</b>– Mandates schools to conduct one lockdown drill within the first 20 days of the fall and spring semesters.</p> <p style="text-align: center;"><b>Identical to Recommendation PS-2.</b></p>	<p style="text-align: center;"><b>NO</b></p>
<p style="text-align: center;"><b>E-04</b> <b>Passed</b></p>	<p><b>Antibullying Training Funding:</b> To provide funding for the implementation of recommendations set forth in the <u>Study of the Nature and Effectiveness of Virginia School Divisions’ Antibullying Policies</u> (House Joint Resolution No. 625, 2011); specifically to “provide technical assistance and training for school divisions and schools in best policies, practice, and procedures for implementing bullying prevention and responding to bullying incidents. “</p>	<p style="text-align: center;"><b>YES</b></p> <p style="text-align: center;"><b>YES</b></p>
<p style="text-align: center;"><b>E-05</b> <b>Passed</b></p>	<p><b>Safety and Security Fund:</b> the state establishes a recurring non-reverting fund to be made available for use at the discretion of schools and localities for school</p>	

	safety and security.	<b>YES</b>
<p><b>E-06 Failed VOTE on Original Recommendation 9 – Yes 20 – No</b></p> <p><b>Referred to Public Safety Workgroup and back to Education Workgroup to Assess the Training Needs of SROs.</b></p>	<p><b>School Resource Officers:</b> School Resource Officers complete a required training program prior to assignment to schools, with curriculum components and standards determined by the Virginia Center for School Safety, in consultation with the Virginia Department of Education and the Virginia Department of Behavioral Health and Developmental Services. The training may be provided by VCSS through the <u>School Resource Officer Curriculum</u> or other means, or it may be provided by other entities meeting VCSS established standards and the mandatory components. The curriculum components and standards are to be reviewed and updated, if necessary, every two years.</p> <p>Assigned School Resource Officers also be required to complete training every two years, as determined by the Virginia Center for School Safety, in consultation with the Virginia Department of Education and the Virginia Department of Behavioral Health and Developmental Services.</p>	<b>YES</b>

**Summary**  
**Mental Health Workgroup Recommendations**

Priority Rank	Proposal	Recommended Program Amount
	<b>Priority Ranking by Workgroup on January 24, 2013</b>	
<b>1 Passed With amendment</b>	<b>Suicide Prevention</b> – Expand a comprehensive statewide program of public education, evidence-based training, health and behavioral health (BH) provider capacity-building, and suicide (and related homicide) prevention activities in collaboration with VDH, DOE, DVS, DCJS, DARS, Department of Military Affairs and other partners. Target audiences will include CSB and private BH providers; health and social service providers; and community gatekeepers including school personnel, clergy, law enforcement, youth leaders, military and veteran advocates, and parents and families.	Budget Impact
<b>2 Passed</b>	<b>CSB Child/Adolescent Outpatient and Psychiatric Outpatient Services</b> – Expand access to child/adolescent outpatient clinicians and child psychiatrists (direct, consultative, and tele-psychiatry) for behavioral health conditions such as depression, anxiety, disturbing thoughts, interpersonal or relationship problems, substance abuse etc., in a one-to-one, counselor-client setting, as early as possible to the onset of the problem to reduce the likelihood that manageable mental health problems become full-blown crises.	Budget Impact
<b>3 Passed With amendment</b>	<b>Mental Health First Aid</b> – Five-day instructor training and certification on how to recognize and respond to mental or emotional distress. Some trained instructors will be clinicians who also act as community resource staff for consultations and interventions and will build networks through Virginia 211 referrals. Subsequent 12 hour trainings will target peers, <b>school personnel</b> , clergy, health professionals, community agency personnel, military and veteran service organizations and advocates, and other first responders and “gatekeepers” who have extensive public contact.	Budget Impact
<b>4 Passed</b>	<b>CIT Law Enforcement Assessment (Drop-off) Centers</b> –Develop new sites for police drop off where an officer can take a person in crisis for access to treatment and quickly return to their regular law enforcement duties. Individuals will receive clinical assessments for possible civil commitment and linkage to services for acute and	Budget Impact

	sub-acute mental health treatment needs 24 hours per day.	
<b>5 Passed</b>	<b>CSB Adult Outpatient and Psychiatric Services</b> – Expand access to adult outpatient clinicians and psychiatrists (direct, consultative, and tele-psychiatry) for behavioral health conditions such as depression, anxiety, disturbing thoughts, interpersonal or relationship problems, substance abuse etc., in a one-to-one, counselor-client setting, as early as possible to the onset of the problem to reduce the likelihood that manageable mental health problems become full-blown crises..	Budget Impact