



COMMONWEALTH OF VIRGINIA

HOUSE OF DELEGATES

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COMMITTEE ASSIGNMENTS:
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Speaker Cox and members of the Select Committee on School Safety,

In Virginia, as in the rest of the United States, schools are increasingly becoming places of fear and anxiety rather than hope and security. This transformation is the result of more than just mass shootings. Students and teachers feel unsafe at school for a variety of reasons, and behavior such as bullying can lead some students to act in ways that will hurt themselves or others. In fact, most of the risk assessments being conducted in schools involve minors who would hurt themselves, rather than others. Access to guns, either at home or in the neighborhood, increases that likelihood. We must begin to make clear choices in our policy that ensure our schools and campuses are safe and secure communities of trust. That reform should not neglect any areas of policy or innovation. The following thirteen recommendations, broken into four categories, are areas we think the Select Committee should explore in order to craft legislation for our next session. These are all initiatives that could begin the process of restoring our schools as those safe and secure communities of trust.

Recommendation Group 1:

The General Assembly should implement policies that increase mental health access within the schools to assist students who face mental health, academic, and social challenges. We can do this in the following ways:

- A. Include mental health counselors in the state SOQs at high school and middle school levels. At present, guidance counselor SOQs are one full-time position per 500 students in elementary school, one full-time position per 400 students in middle school, and one full-time position per 350 students in high school. However, guidance counselors often do not have the training to assess risk or provide this specific form of counseling. When school divisions employ mental health counselors, they must typically pay for them with local dollars. We should move to make mental health, as well as guidance, counseling more accessible. To assess how to do this, we need information about what is happening in schools in the state with regards to the use of mental health counseling and the costs associated with requiring mental health counselors at various levels. This information should also address whether there are ways to increase community service board (CSB) activity in the schools by providing additional funding and an expansion of the guidance support positions with mental health backgrounds. Studying how to expand these mental health counseling positions is important, since they can help to identify at-risk students and mitigate a variety of destructive behaviors. We propose, therefore, that a series of budgetary impacts be developed to show state and local funding options for mental health counselors equal to our SOQs requirements for guidance school counselors.
- B. The current SOQs implement a 'cap' on support personnel at the district level, preventing schools from hiring additional aides, counselors, psychologists, or specialists in student needs or discipline matters. If lifting this cap will free school districts to employ the personnel they require to serve the mental health needs of their schools, we must explore that change.
- C. Virginia currently requires school administrative teams to have a crisis response team training and policy. While these trainings and policies are effective, they do not put enough emphasis on the 'recovery' phase of crisis response. Crisis team requirements and trainings should be revamped to ensure in the months and weeks after a crisis sufficient attention is paid to the potential mental health and community consequences

of that crisis. We need a briefing about best practices in this area and additional information on supplemental things the state can do to improve responses, including the fiscal implications of additional intervention.

- D. Many outcomes that are destructive to school health and safety can be mitigated or prevented by better structures of school policy and implementation for school personnel. One of the most effective such structures is trauma-informed schooling, which is a well-developed nationwide approach to policy enforcement and revision. We propose analyzing whether a grant program should be established to allow local school divisions to explore trauma-informed schooling and similar programs in high-risk schools. We need to hear more about best practices in threat-assessment and the gaps that need filling at the local level.

Recommendation Group 2:

Our task force should examine the categorization and types of security and discipline resources and programs it provides to schools, especially in the area of physical infrastructure and the rules surrounding the use of School Resource Officers (SROs) and School Security Officers (SSOs) to determine whether we need changes in policy.

- A. We propose extending and expanding the current year-to-year security grant fund for physical infrastructure from \$6 million to \$12 million and that we reduce the local match from 25 percent to 20 percent. The Department of Education should also permit special consideration for updates to existing security infrastructure in high-poverty or high-risk school districts during grant distribution, including waiver of the local match. The definition of security infrastructure under the grant should be expanded to include a wider variety of building maintenance and modification that will improve the district's ability to implement effective safety and security policies.
- B. We propose the more extensive use of Memorandums of Understanding (MOUs) between school districts and law enforcement agencies in order to establish parameters for the placement and funding of SROs, provide better training, and clarify expectations and desired outcomes. Current state policy doesn't mandate the creation and use of MOUs between school divisions and law enforcement agencies about the role of SROs, however. Present SRO training standards only require being a certified law enforcement officer; given the special nature of discipline control in school, should not these SROs have additional required training. Training modules already exist and have been developed extensively by the Virginia Department of Criminal Justice Service (DCJS), but are only required for grant-funded officers. We propose more consistency for SRO training and deployment in schools.
- C. The Virginia Department of Education (VDOE) and DCJS should receive data about school-based use of force, arrests, court referrals, or actions by SSOs and SROs they do not now receive. These data should be disaggregated from other law enforcement data. Understanding these data would build community engagement and trust and could easily be made part of the other measures, like the School Safety Audit, which the VDOE and the DCJS already engage in for data collection.
- D. We propose changes in state law to create a risk warrant protective order applied to youngsters, perhaps through changes in the Child in Need of Services provision of the Code of Virginia. Under CHINS, a child from the ages of 15-18 is subject to court action if he or she is a threat to himself and is not receiving services; if 14 or under, court intervention is justified if the child is simply a threat to self or others. CHINS petitions are rarely used in the context of possible shootings, but changing the language of the code could allow them to be used in the context of school threat assessment. Under this change in code, if a child is found in need of services, the court can compel certain actions of either the child or custodian, or both. This change could allow securing or removing of firearms if necessary until the mental health crisis of the child is over. The committee should explore whether other states have adopted or are considering similar provisions.

Recommendation Group 3

The General Assembly should create policies that will enable schools to interact with their surrounding communities in a way that can inform their choices about student safety, health, and security and expand the effectiveness of their policies by coordinating with local resources and leaders.

- A. State law currently mandates forty separate acts that result in mandatory referral to local law enforcement. We need a review of whether having these many acts of referral are actually having their desired impact of making schools safer. If having so many acts breaks down community trust and interferes in the school community, then we need to revise them.
- B. The Children's Services Act provides resources to localities to study, intervene, and provide resources for students with special needs. However, there are structural and financial barriers that inhibit the effectiveness of the CSA's provisions. We propose that our task force consider whether the General Assembly should amend the CSA in order to allow a waiver of the local match requirement for funding when school districts and localities can show their inability to provide that match funding. These resources can be community based and often go a long way towards making the school community more supportive, secure, safe, and healthy for everyone, not just the student receiving services.

Recommendation Group 4:

Virginia's gun laws lack essential protections that many other states, even those with populations skeptical of restrictions on gun ownership and strongly supportive of the Second Amendment, have implemented. We propose implementing simple controls on the ways minors can access weapons that could improve school community safety without infringing on our state's culture or the Second Amendment.

- A. Presently, under Virginia law, minors under 14 must be supervised by an adult while using handguns and those 15 through 17 cannot possess handguns outside of receiving one as a gift from a family member or using one for sporting activities. We think these provisions should be extended to all firearms.
- B. Virginia should impose civil and/or criminal liability for improper storage of a handgun or other weapon which allows a minor access to the weapon. States as diverse as Texas and Iowa have such laws, and the specific content of the Child Access Protection (CAP) law varies. Virginia's CAP laws are among the weakest in the nation, only giving criminal liability to adults who deliberately and recklessly grant a minor access to a weapon.
- C. Virginia has no reporting standards for lost and stolen weapons. Nine states, including Ohio, require private gun owners to file a report with state law enforcement if a weapon is lost or stolen, but do not impose any liability on the gun owner for that loss. Virginia should implement basic reporting standards for lost and stolen weapons held by private owners.

Sincerely,



Delegate Schuyler VanValkenburg



Delegate Mike Mullin



Delegate Jeff Bourne