

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 23-9.2:10 of the Code of Virginia, relating to student mental health*
3 *policies; violence prevention committees.*

[H 1268]

Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 23-9.2:10 of the Code of Virginia is amended and reenacted as follows:**8 **§ 23-9.2:10. Violence prevention committee; threat assessment team.**

9 A. Each public college or university shall have in place policies and procedures for the prevention of
10 violence on campus, including assessment and intervention with individuals whose behavior poses a
11 threat to the safety of the campus community.

12 B. The board of visitors or other governing body of each public institution of higher education shall
13 determine a committee structure on campus of individuals charged with education and prevention of
14 violence on campus. Each committee shall include representatives from student affairs, law enforcement,
15 human resources, counseling services, residence life, and other constituencies as needed. Such committee
16 shall also consult with legal counsel as needed. Once formed, each committee shall develop a clear
17 statement of: (i) mission, (ii) membership, and (iii) leadership. Such statement shall be published and
18 available to the campus community.

19 C. Each committee shall be charged with: (i) providing guidance to students, faculty, and staff
20 regarding recognition of threatening or aberrant behavior that may represent a *physical* threat to the
21 community; (ii) ~~identification of~~ identifying members of the campus community to whom threatening
22 behavior should be reported; (iii) *establishing policies and procedures to require all faculty and staff to*
23 *report behavior that may represent a physical threat to the community, consistent with state and federal*
24 *law; and (iii) (iv) establishing policies and procedures for the assessment of individuals whose behavior*
25 *may present a threat, appropriate means of intervention with such individuals, and sufficient means of*
26 *action, including interim suspension, referrals to community services boards or health care providers for*
27 *evaluation or treatment, or medical separation to resolve potential physical threats, or notification of*
28 *family members or guardians, or both, unless such notification would prove harmful to the individual in*
29 *question.*

30 D. The board of visitors or other governing body of each public institution of higher education shall
31 establish a specific threat assessment team that shall include members from law enforcement, mental
32 health professionals, representatives of student affairs and human resources, and, if available, college or
33 university counsel. Such team shall implement the assessment, intervention and action policies set forth
34 by the committee pursuant to subsection C.

35 E. Each threat assessment team shall establish relationships or utilize existing relationships with local
36 and state law-enforcement agencies as well as mental health agencies to expedite assessment and
37 intervention with individuals whose behavior may present a threat to safety. Upon a preliminary
38 determination that an individual poses a threat of violence to self or others, or exhibits significantly
39 disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record
40 information, as provided in §§ 19.2-389 and 19.2-389.1, and health records, as provided in
41 § 32.1-127.1:03. No member of a threat assessment team shall redisclose any criminal history record
42 information or health information obtained pursuant to this section or otherwise use any record of an
43 individual beyond the purpose for which such disclosure was made to the threat assessment team.

ENROLLED

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