

STUDENTS

Reporting Data About School Violence and Crime

A. Generally

Virginia Code § 22.1-279.3:1 requires that the Virginia Department of Education collect information on crime, violence and substance abuse that takes place on public school property, on school buses or at school-sponsored activities.

B. Purpose

The purpose of this Policy is to ensure the School Division's compliance with Virginia Code § 22.1-279.3:1 by identifying the crime, violence and substance abuse data to be collected and reporting procedures.

1. Incidences of Crime, Violence, and Substance Abuse Required to be Reported by School Staff to School Principals or designee.
 - a. The assault, assault and battery, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, or stalking of any person as described in §18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
 - b. Any conduct involving tobacco, alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school sponsored activity, including

- the theft or attempted theft of student prescription medications;
- c. Any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
 - d. The illegal carrying of a firearm onto school property;
 - e. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Virginia Code § 18.2-85, or explosive or incendiary devices, as defined in Virginia Code § 18.2-433.1, or chemical bombs, as described in Virginia Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity; or
 - f. The arrest of any students for an incident occurring on a school bus, on school property, or at a school sponsored activity including the charge therefor ~~e~~;
 - g. Any threats or false threats to bomb, as described in Virginia Code § 18.2-83, made against school personnel or involving school property or school buses or at school sponsored events.

2. Reports Made by Local Law Enforcement to Schools

Local law enforcement authorities may report, and the principal or designee may receive such reports on offenses, wherever committed, by students enrolled at the school, if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (§ 54.1-3400 et seq.) and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (i) through (viii) of subsection A of Virginia Code § 22.1-279.3:1.

3. Reporting Procedures by Principal to Superintendent and Superintendent to Virginia Department of Education

- a. The principal of each school shall submit a report of all incidents required or authorized to be reported by Section 1 or Section 2 to the Director of Student Leadership. The Superintendent or designee shall annually report all incidents to the Virginia Department of Education and such information will be made available to the public.
- b. The closing date for submission with verification by the Superintendent is due at the end of July as defined by the Virginia Department of Education following the most recently completed school year.
- c. The Superintendent and principals and their designees shall accurately indicate any offenses, arrests or charges as recorded by law enforcement authorities and required to be reported by such authorities.

4. Reporting of certain incidents to Law Enforcement

Each principal or designee shall immediately report to the local law enforcement agency any incident set forth in Code of Virginia § 22.1-279.3:1 the following.

- a. Any incident described in in Code of Virginia § 22.1-279.3:1 (A) (1) (relating to alcohol, marijuana, a controlled substance etc.) that may constitute a felony offense.
- b. Any incident in Code of Virginia § 22.1-279.3:1 (A)(3-7) except that a principal is not required to but may report to the local law enforcement agency any incident described in Code of Virginia § 22.1-

279.3:1 (A)(4) committed by a student who has a disability.

5. Discretionary reporting of certain incidents to Law Enforcement

a. A principal may report to law enforcement any other incidents described in Code of Virginia § 22.1-279.3:1 (A) that are not required to be reported pursuant to (A) (1-2).

6. Reporting of certain incidents to parents of minor students

a. The principal or designee shall immediately report any act enumerated in Code of Virginia § 22.1-279.3:1 (A)(1-5) that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal shall report whether the incident has been reported to local law enforcement pursuant to Code of Virginia § 22.1-279.3:1 and, if the incident has been reported, that the parents may contact local law enforcement for further information, if they so desire.

b. The principal or designee shall also notify the parent of any student involved in an incident required pursuant to Code of Virginia § 22.1-279.3:1 to be reported, regardless of whether the disciplinary action is taken against such student or the nature of the disciplinary action. Such notice shall relate only to the relevant student's involvement and shall not include information concerning other students.

7. Local Law-enforcement reporting to Superintendent and Superintendent reporting to principals

- a. In accordance with Code of Virginia § 22.1-279.3:1, local law enforcement authorities shall report to the Superintendent or designee and principal or designee, such reports, on offenses, wherever committed, by students enrolled at the school.
- b. When the Superintendent or designee who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Code of Virginia § 16.1-260, shall report such information to the principal of the school in which the juvenile is enrolled.

Legal Reference

Code of Virginia § 18.2-60.3, as amended. Stalking ; ~~penalty is defined as:~~

Code of Virginia §18.2-83, as amended. Threats to bomb or damage buildings or means of transportation; false information s to danger to such buildings, etc.; punishment; venue.

Code of Virginia § 18.2-85, as amended. Manufacture; possession, use, etc., of fire bombs or explosive materials or devices; penalty.

Code of Virginia §18.2-87.1, as amended. Setting off chemical bombs capable of producing smoke in certain public buildings.

Code of Virginia § 18.2-433.1, as amended. Definitions.

Code of Virginia § 22.1-279.3:1, as amended. Reports of certain acts to school authorities; ~~reports of certain acts by school authorities to parents;~~ reports of certain actions by school authorities to law enforcement.

Virginia Board of Education Regulations Governing Reporting Acts of Violence and Substance Abuse in Schools, 8VAC20-560-10, as amended.

Code of Virginia § 54.1-3400, et seq., as amended. Drug Control Act.

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APPROVED AS TO
LEGAL SUFFICIENCY

Kamala H. Larratti