



Subcommittee #3 Education

Action Items

I. Legislation

1. Legislation amending § 22.1-272.2 of the Code of Virginia to include in the model memorandum of understanding procedures for providing the option for students to receive counseling from school counselors via telehealth.
Observation 3.1: the pandemic had a profound impact on students' and educators' well-being.
Recommendation 3.1.1(a): Expand the availability of mental health counselors and social workers, both physically in schools and having telehealth options.
TAB A
2. Legislation codifying the Mental Health First Aid Trainings established in partnership between the Departments of Education and Behavioral Health and Developmental Services. The legislation would also provide for the expansion of the mentor teacher program to include an ongoing mental health support program or system for teachers from a staff support perspective. *(Subcommittee Chair Recommendation)*
Observation 3.1
Recommendation 3.1.1(b): Provide training for teachers and staff on recognizing mental health concerns in students and themselves, including trauma-informed care and psychological first aid.
Recommendation 3.1.1(c): Create school-based peer-to-peer support networks for students and educators to create a sense of community and shared resilience
TAB B
3. Legislation directing the Department of Education to develop and post on its website guidelines and information relating to virtual learning, including (i) statewide policies relating to virtual learning, (ii) the availability of online or virtual learning options and pertinent information on such options, and (iii) guidelines for educators and schools relating to online or virtual learning policies and best practices. These guidelines are to be updated annually and made available to each school board for distribution to parents. *(Subcommittee Chair Recommendation)*
Observation 3.1
Recommendation 3.1.3: Propose strategies for hybrid learning models and mental health initiatives
TAB C

4. Legislation amending § 22.1-98 of the Code of Virginia to require that all schools in Virginia include in their annual safety audits comprehensive plans for school closures due to public health emergencies. *(Subcommittee Chair Recommendation)*

Observation 3.2: School districts encountered challenges in managing public information and operations due to legal restrictions, information needs, and capacity.

Recommendation 3.2.3: Propose strategies for hybrid learning models and mental health initiatives

TAB D

II. Budget Language

Budget amendment supporting the funding of individualized education program training and implementation. An estimated cost to support special education staffing needs for Level I Services is \$8.7 million. *(Chair Recommendation)*

TAB E

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Tab A

Legislation requiring the model memorandum of understanding regarding partnerships for the provision of mental health services developed by the Department of Education to include procedures allowing for the option for students to receive counseling from school counselors by way of telehealth.

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact § 22.1-272.2 of the Code of Virginia, relating to Department of Education;
2 model memorandum of understanding; partnerships with community mental health services
3 providers or a nationally recognized school-based telehealth provider; counseling from school
4 counselors by way of telehealth.

5 **Be it enacted by the General Assembly of Virginia:**

6 **1. That § 22.1-272.2 of the Code of Virginia is amended and reenacted as follows:**

7 **§ 22.1-272.2. Department; model memorandum of understanding; partnerships with**
8 **community mental health services providers or a nationally recognized school-based telehealth**
9 **provider.**

10 The Department, in consultation with the Department of Behavioral Health and Developmental
11 Services and the Department of Medical Assistance Services, shall develop, adopt, and distribute to each
12 school board a model memorandum of understanding between a school board and a public or private
13 community mental health services provider or a nationally recognized school-based telehealth provider
14 that (i) sets forth parameters for the provision of mental health services to public school students enrolled
15 in the local school division by such provider, including the provision of mental health teletherapy for
16 students, and the provision of counseling for students by school counselors by way of telehealth, (ii)
17 reflects effective practices, and (iii) addresses privacy considerations related to the exchange of
18 information between the parties to the memorandum of understanding and relevant laws and regulations.
19 The Department shall maintain and update as necessary the model memorandum of understanding to
20 ensure that it remains current, useful, and relevant.

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Tab B

Legislation codifying the mental health first aid training program developed by the Department of Education, in consultation with the Department of Behavioral Health and Developmental Services.

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend the Code of Virginia by adding a section numbered 22.1-272.1:2, relating to Department
2 of Education; mental health first aid training program.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That the Code of Virginia is amended by adding a section numbered 22.1-272.1:2 as follows:**

5 **§ 22.1-272.1:2. Mental health first aid training program.**

6 The Department, in consultation with the Department of Behavioral Health and Developmental
7 Services, shall develop a mental health first aid training program consisting of an adult and an adolescent
8 and youth component. The adult component shall focus on how to identify, understand, and respond to
9 signs of mental illnesses and substance use disorders. The adolescent and youth component shall be
10 designed for adults who regularly interact with youth and focus on mental, health, crisis management, and
11 substance abuse in adolescents and youth.

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Tab C

Provides for the Department of Education (Department) to develop and post on its official website guidelines and information relating virtual or online learning. Such guidelines and information shall include (i) statewide policies relating to virtual learning, (ii) the availability of online or virtual learning options and pertinent information on such options, and (iii) guidelines for educators and schools relating to online or virtual learning policies and best practices.

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend the Code of Virginia by adding a section numbered 22.1-23.6, relating to Department
2 of Education; development of guidelines and information relating virtual or online learning.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That the Code of Virginia is amended by adding a section numbered 22.1-23.6 as follows:**

5 **§ 22.1-23.6. Guidelines relating to virtual or online learning.**

6 A. The Department shall develop and post on its official website guidelines and information
7 relating to virtual learning, including (i) statewide policies relating to virtual learning, (ii) the availability
8 of online or virtual learning options and pertinent information on such options, and (iii) guidelines for
9 educators and schools relating to online or virtual learning policies and best practices. In addition, the
10 Department shall provide for the guidelines to allow dissemination to each school board for distribution
11 to parents.

12 B. The guidelines established by the Department pursuant to this section shall be updated annually.

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Subcommittee #2 Education

Tab D

Legislation requiring each K-12 school in the Commonwealth to include, as a component of in its annual safety audit, a review of the school's plan for school closures due to public health emergencies.

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact § 22.1-279.8 of the Code of Virginia, relating to school safety audits; plan
2 for closures due to public health emergencies.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That § 22.1-279.8 of the Code of Virginia is amended and reenacted as follows:**

5 **§ 22.1-279.8. School safety audits and school crisis, emergency management, and medical**
6 **emergency response plans required.**

7 A. For the purposes of this section, unless the context requires otherwise:

8 "School crisis, emergency management, and medical emergency response plan" means the
9 essential procedures, operations, and assignments required to prevent, manage, and respond to a critical
10 event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather;
11 loss or disruption of power, water, communications or shelter; bus or other accidents; medical
12 emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff
13 member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to
14 hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or
15 kidnapping of a student; hostage situations; violence on school property or at school activities; incidents
16 involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or
17 facilities. The plan shall include a provision that the Department of Criminal Justice Services and the
18 Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the
19 event of an emergency as defined in the emergency response plan when there are victims as defined in §
20 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation
21 Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan
22 shall also contain current contact information for both agencies.

23 "School safety audit" means a written assessment of the safety conditions in each public school to
24 (i) identify and, if necessary, develop solutions for physical safety concerns, including building security
25 issues, and (ii) identify and evaluate any patterns of student safety concerns occurring on school property

26 or at school-sponsored events. Solutions and responses shall include recommendations for structural
27 adjustments, changes in school safety procedures, and revisions to the school board's standards for student
28 conduct.

29 B. The Virginia Center for School and Campus Safety, in consultation with the Department of
30 Education, shall develop a list of items to be reviewed and evaluated in the school safety audits required
31 by this section. Such items shall include (i) those incidents reported to school authorities pursuant to §
32 22.1-279.3:1; (ii) a school inspection walk-through using a standardized checklist provided by the Virginia
33 Center for School and Campus Safety, which shall incorporate crime prevention through environmental
34 design principles; and (iii) specific technology systems, including physical security technologies,
35 emergency telecommunication systems, and associated technology including equipment and software.

36 The Virginia Center for School and Campus Safety shall prescribe a standardized report format
37 for school safety audits, additional reporting criteria, and procedures for report submission, which may
38 include instructions for electronic submission.

39 Each local school board shall require all schools under its supervisory control to annually conduct
40 school safety audits, as defined in this section, consistent with such list and in collaboration with the chief
41 law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall
42 create a detailed and accurate floor plan for each public school building in the local school division or
43 shall certify that the existing floor plan for each such school is sufficiently detailed and accurate. In
44 addition, a component of each such audit shall include a review of the school's comprehensive plan for
45 closures due to public health emergencies.

46 The results of such school safety audits shall be made public within 90 days of completion pursuant
47 to this subsection. The local school board shall retain authority to withhold or limit the release of any
48 security plans, walk-through checklists, floor plans, and specific vulnerability assessment components as
49 provided in subdivision 4 of § 2.2-3705.2. The completed walk-through checklist shall be made available
50 to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of
51 the school safety audit, which may exclude such security plans, walk-through checklists, and vulnerability

52 assessment components, within the office of the school principal and shall make a copy of such report
53 available for review upon written request.

54 Each school shall submit a copy of its school safety audit to the relevant school division
55 superintendent. The division superintendent shall collate and submit all such school safety audits, in the
56 prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and
57 shall make available to the chief law-enforcement officer of the locality the results of such audits for his
58 review and recommendations.

59 C. The division superintendent shall establish a school safety audit committee to include, if
60 available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local
61 community services boards, and judicial and public safety personnel. The school safety audit committee
62 shall review the completed school safety audits and submit any plans, as needed, for improving school
63 safety to the division superintendent for submission to the local school board.

64 D. Each school board shall ensure that every school that it supervises shall develop a written school
65 crisis, emergency management, and medical emergency response plan, consistent with the definition
66 provided in this section, and shall include the chief law-enforcement officer, the fire chief, the chief of the
67 emergency medical services agency, the executive director of the relevant regional emergency medical
68 services council, and the emergency management official of the locality, or their designees, in the
69 development of such plans. Each school division shall designate an emergency manager. The Department
70 of Education and the Virginia Center for School and Campus Safety shall provide technical assistance to
71 the school divisions of the Commonwealth in the development of the school crisis, emergency
72 management, and medical emergency response plans that describe the components of a medical
73 emergency response plan developed in coordination with local emergency medical services providers, the
74 training of school personnel and students to respond to a life-threatening emergency, and the equipment
75 required for this emergency response. The local school board, the chief law-enforcement officer, the fire
76 chief, the chief of the emergency medical services agency, the executive director of the relevant regional
77 emergency medical services council, and the emergency management official of the locality, or their
78 designees, shall annually review the written school crisis, emergency management, and medical

79 emergency response plans. The local school board shall have the authority to withhold or limit the review
80 of any security plans and specific vulnerability assessment components as provided in subdivision 4 of §
81 2.2-3705.2. The local school division superintendent shall certify this review in writing to the Virginia
82 Center for School and Campus Safety no later than August 31 of each year.

83 Upon consultation with local school boards, division superintendents, the Virginia Center for
84 School and Campus Safety, and the Coordinator of Emergency Management, the Board of Education shall
85 develop, and may revise as it deems necessary, a model school crisis, emergency management, and
86 medical emergency response plan for the purpose of assisting the public schools in the Commonwealth in
87 developing viable, effective crisis, emergency management, and medical emergency response plans. Such
88 model shall set forth recommended effective procedures and means by which parents can contact the
89 relevant school or school division regarding the location and safety of their school children and by which
90 school officials may contact parents, with parental approval, during a critical event or emergency.

91 E. Each school board shall ensure that every public school it supervises employs at least one school
92 administrator who has completed, either in-person or online, school safety training for public school
93 personnel conducted by the Virginia Center for School and Campus Safety in accordance with subdivision
94 A 1 of § 9.1-184. However, such requirement shall not apply if such required training is not available
95 online.

96 F. Each division superintendent shall annually designate an employee in the local school division
97 as the division safety official whose duty is to receive all reports required pursuant to subsection A of §
98 19.2-83.1 and §§ 19.2-291.1 and 19.2-299.3 and shall include such designation in the collated packet of
99 school safety audits submitted to the Virginia Center for School and Campus Safety pursuant to subsection
100 B. The designation required by this subsection shall include updated contact information for the division
101 safety official, including (i) a current mailing address, (ii) a current working daytime phone number, (iii)
102 a current functional email address, and (iv) a current functional fax number. It shall be the duty of the
103 division superintendent to update contact information required by this subsection within 48 hours of any
104 change to such contact information.

Subcommittee #2 Education

Tab E

Budget language to increase the amount of funding for individualized education program training and implementation. The estimated costs to support special education staffing needs for Level 1 Services is \$8.7 million.

Note: Recommendation of the Subcommittee Chair.

(Amendment to be drafted by Senate Committee on Finance and Appropriations or House Committee on Appropriations staff)