



Virginia Commission on Youth 2018 Legislative Studies and Initiatives

School Resource Officers Recommendations

Recommendations	Public Comments
<p><u>Recommendations on Threat Assessment and Follow-up Treatment for At-Risk Youth</u></p> <p><u>Recommendation 1</u></p> <p>Request that the Virginia Center for School and Campus Safety under the Department of Criminal Justice Services work with the Department of Behavioral Health & Developmental Services and the Department of Education to produce state level guidance/best practices on information-sharing among law enforcement, schools, and mental health providers (FERPA/HIPAA). As a part of this effort, have DCJS produce model documents for information-sharing. (Children’s Cabinet)</p> <p>(By letter)</p>	<p><u>In support</u></p> <p>Virginia Municipal League supports this recommendation.</p> <p><u>In opposition</u></p> <p>Legal Aid Justice Center states that they “are concerned at the possible unintended consequences of disclosing personal or health related information about students across public agencies, especially between schools and law enforcement, where there are fewer set privacy protections, such as those contained in federal HIPAA and FERPA laws.”</p>

<p><u>Recommendation 2</u></p> <p>Request that the Virginia Center for School and Campus Safety under the Department of Criminal Justice Services identify and recommend ways to enhance the timely notification from law enforcement to schools, and schools to law enforcement when they are aware that a student has experienced, or may experience, a traumatic event in the community. (Children’s Cabinet)</p> <p>(By letter)</p>	<p><u>In support</u></p> <p>Virginia Poverty Law Center supports this recommendation.</p> <p><u>In opposition</u></p> <p>Legal Aid Justice Center has concerns about this recommendation in the context of potential future actions and “would encourage strong adherence to student privacy, and opening up supports that are designed to acknowledge and honor that privacy, e.g., counseling opportunities rather than law enforcement interactions.”</p>
<p><u>Recommendation 3</u></p> <p>Amend the <i>Code of Virginia</i>, the Virginia Juvenile Community Crime Control Act (VJCCCA), so that community services can be provided to juveniles before they are brought before the court on a complaint or petition. (House Select)</p> <p>(Legislation submitted by Speaker’s Select Committee)</p>	<p><u>In support</u></p> <p>Virginia Poverty Law Center supports this recommendation.</p> <p>Legal Aid Justice Center strongly supports this recommendation. “If services and supports were made available to children and youth in need at an earlier stage, such prevention and early intervention would have the added effect of improving school safety.”</p> <p>LAJC adds, “this reform should include a provision that allows CSA to waive the local matched contribution when a locality’s inability to meet their required match is the sole barrier to children and youth receiving the service.”</p> <p><u>In opposition</u></p> <p>Department of Juvenile Justice states that current Code sections already permit “VJCCCA to divert juveniles at intake prior to being brought before the court and community service is an allowable VJCCCA program. It does not appear as if there would be a need for an amendment to the Code of Virginia.”</p>

	<p>Virginia Municipal League is greatly concerned by this recommendation. “Such an amendment would expand the use of already-limited resources to serve an undefined, but undoubtedly larger, population, with no identified source of additional funding. Other key details, such as the basis on which referrals would be made, to whom youth would be referred, or how to address state-local accountability for the use of funds, are also missing.”</p> <p>Donna Sayegh identifies the “Whole School Change” program or “SaferSanerSchools” as programs that will address issues in the school or community before going to court on a complaint or petition.</p>
<p><u>Recommendation 4</u></p> <p>Request the Department of Education identify opportunities to increase access to trauma-informed care within schools and communities, and expand access to trauma-informed training for school, mental health, and law enforcement professionals. (Children’s Cabinet)</p> <ol style="list-style-type: none"> a. Promote increased access to telehealth services that will enable students to receive access to care during school hours. b. Identify funding streams that may be utilized to achieve this goal. c. Support the placement of behavioral interventionist positions in schools. These positions should promote whole-child education and the social and emotional wellbeing of all students, but especially our most at-risk students. These roles should serve as an intermediary between classrooms and administration. <p>(By letter)</p>	<p>Virginia Poverty Law Center supports this recommendation.</p> <p>Beth Tolley would prefer to see “mental health professional” in place of “behavioral interventionists” under clause c. She noted that “behavioral interventionists bring to mind a focus on the outward behavior – without a deep search for underlying causes.”</p> <p>Legal Aid Justice Center “supports the development of a concrete plan to transform our schools through trauma-informed training, policy, and practice. This is most clearly and effectively accomplished by addressing the dearth of support staff in our schools.”</p> <p>Further, LAJC believes that “the General Assembly should lift the arbitrary, recession-era cap on school support positions, following the Virginia Board of Education’s 2017 recommendations to revise the Standards of Quality.”</p> <p>Donna Sayegh stresses the importance of training teachers in how to implement Restorative Justice Practices in the classroom.</p>

Recommendation 5

Request that the Department of Behavioral Health and Developmental Services, in conjunction with the Department of Health, Department of Criminal Justice Services, Department of Education, and advocacy organizations, ~~develop~~ coordinate and promote educational campaigns and trainings that will help school professionals, students, parents, and caregivers recognize behaviors that could indicate the potential for self-harm, or harm to others. (Children’s Cabinet)

- a. Promote student-driven, peer-to-peer, communication campaigns focusing on suicide prevention, recognizing when a peer may be in need of additional support, and “See Something, Say Something” principles. Particular emphasis should be placed on educating students, parents or caregivers, school professionals, and others on how to report information and to whom information should be reported.
- b. Local school divisions may consider adopting an anonymous reporting mechanism.
- c. Develop school-appropriate guidance for school, mental health, and law enforcement professionals on which questions should be asked in order to assess a student’s risk-level for harm to self or others.

(By letter)

Virginia Poverty Law Center supports this recommendation.

Beth Tolley believes that DBHDS, VDH, mental health professionals from the universities and the community, and the National Alliance on Mental Illness (NAMI) Virginia should be providing these educational campaigns and trainings.

She explains that (NAMI) Virginia, for example, already has campaigns and trainings that can be provided to administrators and teachers and students – and that are being provided on request. NAMI focuses on the efforts found in clauses a and c already.

Legal Aid Justice Center again supports the development of a concrete plan to transform our schools through trauma-informed training, policy, and practice. They note that “according to data from the 2015-2016 Virginia Department of Criminal Justice Services School Safety Audit, half of the 9,238 school threat assessments conducted that year involved suicide or self-harm.”

Donna Sayegh identifies the International Institute for Restorative Practices as a resource for addressing these issues.

Recommendation 6

Introduce a budget amendment to dedicate funding to the Virginia Center for School and Campus Safety under the Department of Criminal Justice Services to develop cross-disciplinary trainings for schools, law enforcement, and mental health professionals, improve data collection, and enhance information-sharing within the threat assessment team, as well as between threat assessment teams and their partners, including across school divisions. (House Select and Children's Cabinet)

This additional funding is allocated to:

- a. Provide technical assistance to local school divisions on the school climate survey, school safety audit, threat assessment teams, and other public safety practices.
- b. Increase the availability of cross-disciplinary threat assessment training for all involved stakeholders (including community mental health partners) that encompasses key principles from each of the disciplines involved in threat assessment.
- c. Authorize and fund the Center to conduct a single school climate survey in consultation with the Virginia Department of Education (DOE) and the Department of Behavioral Health and Developmental Services (DBHDS) that encompasses safety, education, and health interests. Survey students and staff in secondary schools (Grades 6-12) on an annual basis. This would reduce burden on schools, eliminate duplicative efforts, and provide statewide data to assist schools in addressing school climate issues and better direct their efforts.

(Budget amendment submitted by Speaker's Select Committee and Governor's Children's Cabinet)

Sean Campbell states that "I am in full support for combining the VDOE climate survey and the DBHDS annual surveys into one single item. I would recommend that the Virginia Center for School and Campus Safety solicit feedback from VDOE and/or LEAs about the appropriateness of the survey length and survey wording. In the past, many of our staff and students have expressed concerns about the wording and duration of DBHDS survey."

Virginia Municipal League supports this recommendation.

<p><u>Recommendation 7</u></p> <p>Amend the <i>Code of Virginia</i> to enable the Virginia Center for School and Campus Safety under the Department of Criminal Justice Services to adopt and implement a case management tool for threat assessment teams to ensure that schools are able to collect important data, monitor outcomes, and track information over time. (House Select and Children’s Cabinet)</p> <p>(Legislation submitted by Speaker’s Select Committee and Governor’s Children’s Cabinet)</p>	<p>Virginia Municipal League is concerned by this recommendation. “It is unclear whether recommendations like this would require additional local resources for staffing or technology to collect, track, and report data.”</p>
<p><u>Recommendations on Training for School Resource Officers</u></p> <p><u>Recommendation 1</u></p> <p>Amend the <i>Code of Virginia</i> to require that all school divisions employing school resource officers have a Memorandum of Understanding (MOU) with the employing law enforcement agency consistent with the Model MOU from the Virginia Department of Criminal Justice Services. MOUs should be regularly reviewed and updated. (House Select and Children’s Cabinet)</p> <p>(Legislation submitted by Speaker’s Select Committee and Governor’s Children’s Cabinet)</p>	<p>Sean Campbell recommends “the development of a MOU between LEAs and local police for situations involving the use of restraint and/or seclusion. This best practice has been outlined [by the Virginia Department of Education] in the proposed <i>Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia</i>.”</p> <p>Legal Aid Justice Center states that “localities should strongly encourage the development of a Memorandum of Understanding between local school divisions and law enforcement governing the use of SROs in schools and provide specific training to SROs on the contents of such an agreement.” Also, “Virginia should provide detailed, accessible data and reports on SRO interactions with students, so that youth, parents, and communities better understand the scope and activities of any police presence in their local schools.”</p> <p>Virginia Municipal League supports this recommendation.</p> <p>Virginia Poverty Law Center supports this recommendation.</p>

Recommendation 2

Amend the *Code of Virginia* to require every school resource officer to receive SRO training approved by the Virginia Center for School and Campus Safety within 12 months of employment, and encourage school administrators to attend this training with their assigned SRO. Also, introduce a budget amendment to provide adequate funding to the Center for School and Campus Safety to implement this recommendation. (Children's Cabinet)

[\(Legislation and budget amendment submitted by the Governor's Children's Cabinet\)](#)

Virginia Poverty Law Center: "We ask that any SRO training should include training in trauma, crisis intervention and implicit bias."

Beth Tolley states that 12 months is too long a window for training. She also adds that "trained National Alliance on Mental Illness (NAMI) members are available across the state who could help with training about mental health conditions."

Legal Aid Justice Center states if SROs are maintained in the schools, the General Assembly should mandate that all SROs receive initial and ongoing training relevant to working with children and youth, including but not limited to:

- Child and adolescent development and psychology
- Working with students who have disabilities, mental health issues, and experience with abuse and trauma, including training regarding the manifestations of disabilities (for example: Youth CIT and Mental Health First Aid)
- Safe and age-appropriate responses to behavior including de-escalation techniques
- Implicit bias and cultural competency training
- Conflict resolution techniques, including mediation and restorative practices
- Relevant school discipline and delinquency laws, and the short- and long-term consequences of school exclusion and justice system involvement
- Relevant school and community resources, including mental health services and other supports

Voices for Virginia's Children supports this recommendation and adds that additional training should be required before individuals can fill this role. Required training should ensure SROs are aware of adverse childhood experiences and trauma-informed approaches.

Recommendations on Best Practices on School Discipline

Recommendation 1

Amend the *Code of Virginia* to create a Commission on Student Mental Health. Recognizing that student mental health is a growing and multifaceted issue and that policy-making should be informed by adequate evidence and subject-matter expertise, direct the newly created Commission on Student Mental Health to study, among other topics, the: (House Select)

- a. Current school counselor-to-student ratio and whether the proposed realignment of counseling responsibilities is improving the delivery of direct student services;
- b. Feasibility and affordability of enhanced wrap-around mental health services in schools through partnerships with the Department of Behavioral Health and Developmental Services, the Department of Medical Assistance Services, and Community Services Boards;
- c. Effectiveness of de-escalation and alternative disciplinary policies when interacting with students suffering from mental health challenges;
- d. Value of additional teacher training requirements on student mental health, such as mental health first aid.

(Legislation submitted by Speaker's Select Committee)

Virginia Poverty Law Center supports this recommendation. They also suggest such a commission include a youth member as well as youth advocates.

Legal Aid Justice Center “would support a Commission on Student Mental Health with the caveat that participation and decision-making authority must include students, parents, teachers and school counselors, and community partners from school divisions most struggling to provide the resources and supports outlined in the proposed study topics.”

Voices for Virginia’s Children supports this recommendation. Voices believes this Commission should be focused on recommendations to:

- Define how student support positions (e.g., school counselors, school psychologists, social workers, etc.) support students with mental health needs. More specifically, how these positions provide mental health treatment to students and/or how they facilitate referrals to community-based treatment.
- Explore partnerships with community-based mental health providers in both Community Services Boards and private practice. These partnerships could include contracted mental health services in schools, telehealth consultation, and MOUs for referrals.
- Identify training opportunities for teachers and other personnel to identify student mental health needs.
- Access how efforts to improve school climate and student discipline, such as trauma-informed approaches and social-emotional learning initiatives, can be expanded in school districts across the state.
- Identify funding streams (e.g. Medicaid funding) that could be leveraged to develop wrap-around mental health services in schools.

Virginia Municipal League supports this recommendation.

<p><u>Recommendation 2</u></p> <p>Request the Virginia Center for School and Campus Safety under the Department of Criminal Justice Services to develop online training on critical school and student safety issues that can be accessed by teachers (including provisional teachers), law enforcement, and school support staff who may not be able to attend in-person trainings. Training could include cultural competency, supporting special populations, the role of the SSOs/SROs, mental health awareness, Threat Assessment Teams, etc. (Children’s Cabinet)</p> <ul style="list-style-type: none">a. Require at least one school administrator from each school to attend a comprehensive school safety training developed or approved by the Center.b. School divisions may require that teachers participate in certain trainings or modules as part of their in-service or re-certification requirements. <p>(By letter)</p>	<p>Virginia Poverty Law Center supports online training for teachers, law enforcement, and school administrators and staff.</p> <p>Legal Aid Justice Center would “support any and all opportunities for administrators, teachers, threat assessment teams, and other school staff to access training in the proposed subjects, as well as those we have listed under our proposed training for School Resource Officers.”</p> <p>Virginia Municipal League supports this recommendation.</p>
	<p><u>Other Comments:</u></p> <p>Legal Aid Justice Center adds, “The General Assembly should provide adequate resources for all localities to implement proven and developmentally appropriate strategies for improving school climate, preventing student behavior issues, and productively intervening when inappropriate behavior occurs.</p> <p>“Programs and methods such as Positive Behavioral Interventions and Supports, restorative practices, systems of care, Social and Emotional Learning, and trauma-informed schools are able to improve school climate while addressing root causes of student misbehavior.”</p>

	<p>Virginia Poverty Law Center adds “Connecting low income households with livable wages and the job training needed to transition to those better paying jobs is logical. However, it should also be considered that these better paying jobs may not be in that household’s area. For example, many low income households live in Southwest Virginia and many of the better paying jobs are in Northern Virginia. I would like to see TANF grant these families the funds to move to the places where they would have these jobs. In the long-term, TANF money would be saved as these families would be quicker to be off of the TANF rolls and onto a path of better financial security.”</p>
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