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Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of Criminal Justice Services
Virginia Administrative Code (VAC) Chapter citation(s)	6 VAC20-240
VAC Chapter title(s)	Regulations Relating to School Security Officers
Action title	Comprehensive Review and Update of Regulations Relating to School Security Officers
Date this document prepared	05/19/2026

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of the subject matter, intent, and goals of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation).

This regulatory change incorporates revisions and updates to seven sections, repeals three sections, adds an additional five sections, and incorporates six forms into 6 VAC 20-240, which enumerates the compulsory minimum training standards and requirements relating to school security officers (SSOs) employed in the Commonwealth of Virginia. Although currently being utilized by The Virginia Center for School and Campus Safety (VCSCS), the six forms will now be incorporated into the regulation in a separate Forms section. This action originated with legislative mandates from HB 1392 (2017) that were implemented but never incorporated into regulation. The VCSCS division of DCJS worked to assemble and consult with an advisory group comprised of personnel representing the Department of Education, the Virginia State Crime Commission, and other subject matter experts, that ultimately approved the regulatory text and the forms contained within this action. Due to the delay between passage of HB 1392 and corresponding amendments to the affected regulation, in 2024 the administration at the time advised DCJS to submit an emergency regulatory action to implement the necessary changes. On October 10,

2024, the Criminal Justice Services Board approved both the initiation of the emergency action to make these amendments and the associated regulatory text, and the action was submitted in November 2024. Following a period of executive branch review, the OAG recommended in May 2026 that the emergency action be withdrawn and resubmitted using the standard regulatory process because the originating legislation did not appear to contain an enactment clause.

Acronyms and Definitions

Define all acronyms or technical definitions used in this form.

Board: Criminal Justice Services Board, DCJS' policy board
 CJSB: Criminal Justice Services Board, DCJS' policy board
 DCJS: Department of Criminal Justice Services
 Department: Department of Criminal Justice Services
 OAG: Office of the Attorney General
 SSO: School Security Officer
 VCSCS: Virginia Center for School and Campus Safety

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation, (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

This rulemaking is a result of HB 1392, passed during the 2017 general assembly session. This legislation affected the certification requirements for school security officers, however regulatory amendments and updates were not initially promulgated. Pursuant to § 9.1-102(42) of the *Code of Virginia*, DCJS shall establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § [22.1-280.2:1](#), which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § [9.1-184](#). Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that they have completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The promulgating agency is the Department of Criminal Justice Services, which has the regulatory authority under § 9.1-102 to do so. Pursuant to § 9.1-102, the Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to adopt regulations, pursuant to the Administrative Process Act (§ [2.2-4000](#) et seq.), for the administration of this chapter. Additionally, DCJS has the authority under § 9.1-102(42) of the *Code of Virginia* to establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including clause (b) of § [22.1-280.2:1](#), which training and certification shall be administered by the Virginia Center for School and Campus Safety pursuant to § [9.1-184](#) (iii) certification requirements for school security officers, which has been in effect for many years.

Purpose

Describe the specific reasons why the agency has determined that this regulation is essential to protect the health, safety, or welfare of citizens. In addition, explain any potential issues that may need to be addressed as the regulation is developed.

DCJS has determined that this regulation is essential to protect the safety and welfare of citizens in the Commonwealth. The specific requirements have been codified in 9.1-102(42) for several years, although conforming regulatory amendments incorporating those requirements had not previously been made. The purpose of the amendments made to 6 VAC 20-240 is to incorporate updates and legislative mandates specific to school security officers after working with the advisory group mandated by the General Assembly. Ultimately, the inclusion of these updates will assist in efforts to maintain the protection of and safety for countless citizens across Virginia, as well as promote transparency and clarity in how school security officers are trained.

Substance

Briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.

The substantive changes to the five sections of 6 VAC 20-240 include updates and revisions since the passed legislation several years ago, and repeals 6 VAC 20-270-40, 6 VAC 20-240-60, and 6 VAC 20-240-90, which are no longer relevant. Additionally, six forms that had been recently updated by the VCSCS have been incorporated into the regulatory text. Five additional sections (6 VAC 20-240-130, 6 VAC 20-240-140, 6 VAC 20-240-150, 6 VAC 20-240-160, and 6 VAC 20-240-170) will be added to include additional requirements for the eligibility of armed school security officers, which were not previously listed in the *Code of Virginia*. These five sections include firearms qualification information and requirements, certification and recertification requirements, and notice of termination information.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

There are no viable alternatives to the regulatory changes that were considered, as the updates to this regulation were legislatively mandated and were codified in § 9.1-102(42) of the *Code of Virginia*, after the passage of HB 1392 (2017). The changes were not, however, incorporated into the regulatory text, so DCJS is of the belief that there are no alternatives to promulgating these changes. The revisions are not burdensome nor intrusive to small businesses.

Periodic Review and Small Business Impact Review Announcement

If you wish to use this regulatory action to conduct, and this NOIRA to announce, a periodic review (pursuant to § 2.2-4017 of the Code of Virginia and the ORM procedures), and a small business impact review (§ 2.2-4007.1 of the Code of Virginia) of this regulation, keep the following text. Modify it as necessary for your agency. Otherwise, delete the paragraph below and insert “This NOIRA is not being used to announce a periodic review or a small business impact review.”

In addition, pursuant to the ORM procedures and § 2.2-4007.1 of the *Code of Virginia*, the agency is conducting a periodic review and small business impact review of this regulation to determine whether this regulation should be terminated, amended, or retained in its current form. Public comment is sought on the review of any issue relating to this regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare; (ii) minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below. In addition, as required by § 2.2-4007.02 of the Code of Virginia, describe any other means that will be used to identify and notify interested parties and seek their input, such as regulatory advisory panels or general notices.

The Department of Criminal Justice Services is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, and (iii) the potential impacts of the regulation.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Lee Bryant, Office of the Director; 1100 Bank Street, Richmond, Virginia 23219, or at (804) 786-0410 and lee.bryant@dcjs.virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of the proposed stage of this regulatory action.