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## HOUSE BILL NO. 949

Offered January 22, 1996

A *BILL* to amend the Code of Virginia by adding a section numbered 22.1-280.2:1, relating to programs for random testing for controlled substance and alcohol use by students participating in interscholastic athletics.

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Patron—Wagner

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Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 22.1-280.2:1 as follows:**

§ 22.1-280.2:1. Testing for controlled substance and alcohol use by students participating in interscholastic athletics.

A. The Board of Education shall, in consultation with the Office of the Attorney General, develop regulations authorizing local school boards to implement programs for the random testing for controlled substance and alcohol use by students participating in interscholastic athletics. Each school board may approve the implementation of a random drug testing program for students participating in the division's interscholastic athletic programs pursuant to these regulations. The costs of the program shall be borne by funds that may be received or appropriated for this purpose and from fees assessed and paid by those students participating in such athletic programs. No state and local school basic aid funds shall be used to support the testing programs.

B. The Board of Education shall promulgate regulations for the implementation of such testing programs pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.) which shall include, but not be limited to, the following: (i) criteria for developing school board policies which shall authorize and govern testing programs for students participating in interscholastic athletics; (ii) requirements for student and parental consent for student participation in a controlled substance and alcohol testing program; (iii) provisions to assist school boards in determining the amount and payment of fees for participation in the program; (iv) standards for the confidentiality and limited disclosure of tests results; (v) guidelines for appropriate disciplinary measures addressing controlled substance and alcohol use by students participating in interscholastic athletics; (vi) guidelines for agreements between schools within the school division for joint administration of the program, and with laboratories or companies providing testing, analysis, and data compilation services; and (vi) the provisions of relevant state, federal and constitutional laws.

INTRODUCED

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