

SENATE BILL NO. 1240

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education

on February 17, 2025)

(Patron Prior to Substitute—Senator Sturtevant)

A BILL to amend and reenact § 22.1-272.1:1 of the Code of Virginia, relating to school-connected student overdoses and opioid antagonist treatments; policies relating to parental notification; guidelines.

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-272.1:1 of the Code of Virginia is amended and reenacted as follows:****§ 22.1-272.1:1. Student overdose and opioid antagonist treatment policies; parental notification; guidelines.***A. As used in this section:*

"Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance.

"School-connected student opioid antagonist treatment" includes the administration of naloxone, another opioid antagonist, or another similar medication to a student enrolled in a public or private elementary or secondary school in the Commonwealth (i) that occurs (a) on the premises of such school during regular school hours or (b) during school-sanctioned activities whether on or off the premises of such school and (ii) the intent of which is to counter or temporarily reverse the effects of an overdose.

"School-connected student overdose" includes any overdose of a student enrolled in a public or private elementary or secondary school in the Commonwealth that occurs (i) on the premises of such school during regular school hours or (ii) during school-sanctioned activities whether on or off the premises of such school.

B. Each division superintendent or his designee shall notify the parent of each student enrolled in the local school division within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the division superintendent having knowledge of a school-connected student opioid antagonist treatment. The parental notification shall include information that is available at the time on (a) the name or any identifiable features of the controlled substance and (b) whether the overdose or treatment occurred on school premises during regular school hours or during school-sanctioned activities whether on or off school premises. The division superintendent or his designee shall use methods of communication for such parental notifications that are considered regular forms of communication for other divisionwide notifications. Within 24 hours after any parental notification made pursuant to this subsection, each division superintendent or his designee shall also provide a similar notification to the Department.

C. Each division superintendent or his designee shall issue an updated notification to the parent of each student in the local school division to correct any inaccuracy subsequently discovered after the initial notification made pursuant to subsection B.

D. Each principal, headmaster, or other chief administrator of each private elementary or secondary school in the Commonwealth or his designee shall notify the parent of each student enrolled in such school within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the principal, headmaster, or other chief administrator having knowledge of a school-connected student opioid antagonist treatment. The parental notification shall include information that is available at the time on (a) the name or any identifiable features of the controlled substance and (b) whether the overdose or treatment occurred on school premises during regular school hours or during school-sanctioned activities whether on or off school premises. The principal, headmaster, or other chief administrator or his designee shall use methods of communication for such parental notifications that are considered regular forms of communication for other schoolwide notifications. Within 24 hours after any parental notification made pursuant to this subsection, each principal, headmaster, or other chief administrator or his designee shall also provide a similar notification to the Department.

E. Each principal, headmaster, or other chief administrator or his designee shall issue an updated notification to the parent of each student enrolled in such school to correct any inaccuracy subsequently discovered after the initial notification made pursuant to subsection D.

F. The Board shall establish and maintain guidelines for school-connected student overdose response and parental notification policies to aid local school boards and private elementary or secondary schools in the implementation of such policies. The guidelines shall include (i) a model action plan for each school board and private elementary or secondary school to follow in responding to any school-connected student overdose, including, if applicable, communicating and coordinating with (a) the Department and (b) the

57 applicable law-enforcement liaison or the local law-enforcement agency that, pursuant to § 22.1-280.2:3,
58 employs such school division's school ~~resources~~ resource officers; and (ii) criteria for issuing parental
59 ~~notification~~ notifications pursuant to subsections B through E to ensure sensitivity to the privacy interests of
60 affected individuals and compliance with any applicable law, rules, or regulations relating to the disclosure
61 and protection of a minor's personal, confidential, or otherwise sensitive information, *including the federal*
62 *Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) (FERPA) and related regulations.*

63 *G. Each school board shall adopt, implement, and maintain policies consistent with subsections B and C*
64 *and the guidelines developed by the Board pursuant to subsection F. Each private elementary or secondary*
65 *school shall adopt, implement, and maintain policies consistent with subsections D and E and the guidelines*
66 *developed by the Board pursuant to subsection F.*

67 *H. Notwithstanding any other provision of this section, each local school board, division superintendent,*
68 *and public or private elementary or secondary school administrator or other employee shall take reasonable*
69 *steps to protect the privacy and dignity of individuals involved in any school-connected student overdose or*
70 *school-connected student opioid antagonist treatment.*