

SENATE BILL NO. 395

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health
on February 1, 2024)

(Patron Prior to Substitute--Senator Pekarsky)

A BILL to amend and reenact § 22.1-271.7 of the Code of Virginia, relating to public elementary and secondary schools; student athletes; pre-participation mental health assessment required.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-271.7 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-271.7. Public elementary and secondary school student-athletes; pre-participation physical examination and mental health assessment.

A. No public-middle elementary or secondary school student shall be a participant on or try out for any school athletic team or squad with a predetermined roster, regular practices, and scheduled competitions with other-middle elementary or secondary schools unless such student has submitted to the school principal a signed report from a licensed physician, a licensed advanced practice registered nurse practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician attesting that such student has been examined, within the preceding 12 14 months, received a physical examination and, except as provided in subsection D, a mental health assessment and has been found to be physically fit for athletic competition.

B. The signed report submitted to the school principal in accordance with subsection A shall not include any specific information relating to the results of such student's mental health assessment and shall include only such information as is necessary to establish such student's eligibility in accordance with subsection A.

C. No public elementary or secondary school shall become a member of any organization or entity whose purpose it is to regulate or govern interscholastic programs that does not deem eligible for participation a student who has, pursuant to subsection A, submitted a signed report to the school principal

27 attesting that such student has received within 14 months preceding the date on which he is seeking to
28 establish such eligibility a physical examination and, except as provided in subsection D, a mental health
29 assessment and has been found fit for athletic competition.

30 D. The parent of any student seeking to establish eligibility to participate on or try out for any
31 school athletic team or squad with a predetermined roster, regular practices, and scheduled competitions
32 with other elementary or secondary schools may, upon written request to such student's school, exempt
33 his child from the provision of subsection A requiring the submission to the school principal of a signed
34 report attesting that such student has received a mental health assessment within the preceding 14 months.
35 Upon receipt of such written request, any such student shall be deemed eligible to participate on or try out
36 for any school athletic team or squad with a predetermined roster, regular practices, and scheduled
37 competitions with other elementary or secondary schools, provided that such student has submitted in
38 accordance with subsection A a signed report attesting that such student has, within the preceding 14
39 months, received a physical examination and has been found physically fit for athletic competition.

40 **2. That the provisions of this act shall become effective on July 1, 2025.**

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