

## HOUSE BILL NO. HB0239

Schools-drug testing.

Sponsored by: Representative(s) Harshman, Goggles,  
Hinckley, Warren, Wasserburger and White

## A BILL

for

1 AN ACT relating to public schools; providing state  
2 assistance to school districts for drug testing programs;  
3 imposing duties upon the department of education and  
4 specifying application criteria; providing an  
5 appropriation; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.**

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11 (a) The Wyoming legislature recognizes that substance  
12 abuse continues to be a problem in Wyoming public schools  
13 and drug testing would assist school districts in  
14 identifying, intervening and treating students with  
15 substance abuse problems before reaching the age of  
16 majority and entering the criminal justice system. Based

1 upon test results, school districts could employ a  
2 combination of responses to address the prevention,  
3 treatment, education and awareness of substance abuse by  
4 their students.

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6 (b) To assist school districts with drug testing and  
7 prevention programs, a district may apply to the department  
8 of education for state assistance to fund expenses  
9 associated with planning and implementing testing programs  
10 for the unlawful use of controlled substances within the  
11 boundaries of property used by the district primarily for  
12 the education of students in grades seven (7) through  
13 twelve (12), including within school vehicles and at  
14 facilities in which school activities and events are held.  
15 The application shall be on a form and in a manner  
16 specified by the department and shall include a description  
17 of the program and policies adopted by the district board  
18 of trustees addressing:

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20 (i) Confidentiality of test results and records;

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22 (ii) District liability for knowledge of student  
23 drug use;

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1 (iii) Constitutional protection of privacy;

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3 (iv) Consent to testing by a student's parent or  
4 guardian.

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6 (c) To secure funding during school year 2005-2006,  
7 district applications under subsection (b) of this section  
8 shall be filed with the department by not later than August  
9 1, 2005. The department shall by rule and regulation  
10 establish a procedure for reviewing district applications  
11 and for awarding assistance subject to the following:

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13 (i) District allocations shall be made from  
14 funds appropriated by the legislature under section 2 of  
15 this act;

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17 (ii) Each applicant district approved by the  
18 department shall be allocated an amount equal to the  
19 greater of the following:

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21 (A) Ten dollars (\$10.00) per ADM within  
22 grade levels targeted by the district's program specified  
23 within its application, plus ten thousand dollars  
24 (\$10,000.00) for program administration; or

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(B) Fifty thousand dollars (\$50,000.00).

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(iii) In the event amounts appropriated under section 2 of this act are insufficient for payments under this section, the department shall make a pro rata reduction in the distributions to all approved district programs.

(d) Each recipient district shall report expenditures of payments distributed under this section to the department in a manner and at the time specified by the department. The department shall report a compilation of the district expenditure reports to the joint education interim committee not later than September 1, 2006.

**Section 2.** Five hundred thousand dollars (\$500,000.00) is appropriated from the school foundation program account for payments to districts in accordance with section 1 of this act.

1       **Section 3.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

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(END)