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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 209

Session of  
1985

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INTRODUCED BY JAROLIN, BELARDI, ARTY, KUKOVICH, PRESSMANN, COY,  
MARKOSEK, AFFLERBACH, RYBAK, BUSH, HERMAN, WAMBACH, TRELLO,  
LETTERMAN, BELFANTI, FEE, REBER, KOSINSKI, DALEY, HASAY,  
FREEMAN, MORRIS, ANGSTADT, DUFFY, DeLUCA, PRATT, DeWEESE,  
SIRIANNI, STABACK, CIVERA, KASUNIC, MICOZZIE, GEIST, COHEN,  
WIGGINS, FOX AND BLAUM, FEBRUARY 6, 1985

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SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED  
AS AMENDED, DECEMBER 11, 1985

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," requiring instruction relating to the  
6 cause and prevention of drug and alcohol abuse; and  
7 permitting the employment of a certified addiction counselor  
8 by school districts.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. ~~Section 1605 of the~~ THE act of March 10, 1949 <—  
12 (P.L.30, No.14), known as the Public School Code of 1949, is  
13 amended by adding ~~subsections~~ A SECTION to read: <—

14 ~~Section 1605. Courses of Study. \* \* \*~~ <—

15 ~~(c) Each public school student in grades kindergarten~~  
16 ~~through twelve inclusive shall receive mandatory instruction in~~  
17 ~~alcohol and chemical abuse. The instruction shall be developed~~

~~or approved by the Department of Health, Office of Drug and Alcohol Programs, and shall include, but not be limited to, drug and alcohol information, prevention programming and intervention programming. The instruction may be integrated into existing health instruction courses.~~

SECTION 1547. MANDATORY ABUSE INSTRUCTION.--(A) BEGINNING WITH SCHOOL YEAR 1987-1988 AND EACH YEAR THEREAFTER, EACH PUBLIC SCHOOL STUDENT SHALL RECEIVE MANDATORY INSTRUCTION IN ALCOHOL AND CHEMICAL ABUSE WITHIN THE HEALTH COURSE OF STUDY REQUIRED IN ACCORDANCE WITH THE STATE BOARD OF EDUCATION REGULATIONS. THE DEPARTMENT OF HEALTH, OFFICE OF DRUG AND ALCOHOL PROGRAMS, SHALL MAKE AVAILABLE INFORMATION ABOUT APPROPRIATE CURRICULUM MATERIALS UPON REQUEST OF A SCHOOL DISTRICT.

~~(d)~~ (B) School boards shall conduct an assessment of the need for drug, alcohol or chemical abuse referral services and submit a written report to the Secretary of Education by June 30, ~~1986~~ 1987. Such assessment instrument shall be devised by the Department of Education and made available at no cost to school districts. The assessment shall not include the testing of individual students or a survey which permits the identification of the responses of individual students. Based upon this assessment by local school boards of the need for such services, a school district may have an agreement or contract with or employ a person or organization approved by the Office of Drug and Alcohol Programs or a certified addictions counselor to handle referral of students with problems relating to drug, alcohol or chemical abuse.

~~(e) For purposes of reimbursement, any programs or services developed pursuant to subsection (c) or (d) shall be considered to be part of actual instructional expenditures.~~

1     ~~Section 2. This act shall apply to the school year next~~  
2     ~~commencing after the effective date of this act and to each~~  
3     ~~school year thereafter.~~

4     ~~Section 3. This act shall take effect immediately.~~

5     ~~SECTION 2. THIS ACT SHALL TAKE EFFECT JANUARY 1, 1986.~~     <—

6     SECTION 2. SECTION 2574.1 OF THE ACT, AMENDED OCTOBER 21,  
7     1965 (P.L.601, NO.312) AND JANUARY 26, 1966 (1965 P.L.1591,  
8     NO.560), IS AMENDED TO READ:

9     SECTION 2574.1. PAYMENTS ON ACCOUNT OF BUILDING SITE  
10    COSTS.--WHENEVER ANY SCHOOL DISTRICT ACQUIRES A SITE FOR A  
11    SCHOOL BUILDING IN ADVANCE OF ITS NEED AND IN ACCORDANCE WITH A  
12    LONG RANGE MASTER PLAN FOR SCHOOL BUILDING CONSTRUCTION APPROVED  
13    BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION TO THE  
14    EXTENT THAT THE COST OF THE ACQUISITION SHALL BE DEEMED  
15    REASONABLE BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION,  
16    THE COMMONWEALTH SHALL PAY, IN THE YEAR OF SUCH ACQUISITION, ONE  
17    HUNDRED PERCENT (100%) OF THE REIMBURSEMENT DUE THE DISTRICT  
18    UNDER APPLICABLE LAWS IN FORCE AT THAT TIME FOR THE COST OF  
19    ACQUISITION. IF SUCH SITE IS NOT THEREAFTER USED BY THE DISTRICT  
20    FOR SCHOOL BUILDING PURPOSES, WITHIN A PERIOD OF TEN YEARS FROM  
21    DATE OF PURCHASE, THE AMOUNTS PAID TO THE DISTRICT UNDER THIS  
22    SECTION SHALL BE RETURNED TO THE COMMONWEALTH BY THE DISTRICT  
23    WITHIN TWO YEARS OF THE END OF SUCH TEN YEAR PERIOD OF NON-USER.  
24    IF SUCH AMOUNTS ARE NOT SO RETURNED WITHIN SUCH TWO YEAR PERIOD,  
25    COMMONWEALTH MONEYS DUE AND PAYABLE TO THE DISTRICT BY THE  
26    DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION AS A SUBSIDY OR  
27    REIMBURSEMENT FOR ANY PURPOSE SHALL FIRST BE WITHHELD IN THE  
28    AMOUNT OF THE MONEYS OWED THE COMMONWEALTH BY THE DISTRICT UNDER  
29    THIS SECTION AND CREDITED AS RETURNED IN FULL HEREUNDER BEFORE  
30    ANY PART OF SUCH COMMONWEALTH REIMBURSEMENT OR SUBSIDY IS PAID

1 TO THE DISTRICT. THE DISTRICT SHALL NOT BE REQUIRED TO RETURN  
2 THE FUNDS IT RECEIVED IF THE DISTRICT CAN DEMONSTRATE IN ITS  
3 LONG RANGE PLAN THAT THE SITE WILL STILL BE NEEDED FOR A SCHOOL  
4 BUILDING, EVEN THOUGH THE SITE MAY BE USED TEMPORARILY BY A  
5 POLITICAL SUBDIVISION, OR AGENCY THEREOF, FOR PUBLIC PURPOSES.  
6 IF THE DISTRICT CONVEYS OR TRANSFERS THE SITE TO ANOTHER PARTY,  
7 THE DISTRICT SHALL REPAY THE AMOUNT IT WAS REIMBURSED AND  
8 APPROPRIATE INTEREST, AS DETERMINED BY THE DEPARTMENT.

9 SECTION 3. (A) SECTION 2 OF THIS ACT SHALL TAKE EFFECT  
10 IMMEDIATELY.

11 (B) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT JANUARY 1,  
12 1986.