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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1013 Session of  
2018

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INTRODUCED BY GREENLEAF, ARGALL, RESCHENTHALER, MENSCH,  
MCGARRIGLE, RAFFERTY, KILLION, COSTA AND LEACH,  
JANUARY 2, 2018

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REFERRED TO EDUCATION, JANUARY 2, 2018

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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," in terms and courses of study,  
6 further providing for alcohol, chemical and tobacco abuse  
7 program.

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

10 Section 1. Section 1547 of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949,  
12 amended November 6, 2017 (P.L.1142, No.55), is amended to read:

13 Section 1547. Alcohol, Chemical and Tobacco Abuse Program.--

14 (a) Beginning with school year 1991-1992 and each year  
15 thereafter, each public school student shall receive mandatory  
16 instruction in alcohol, chemical and tobacco abuse in every year  
17 in every grade from kindergarten through grade twelve. The  
18 instruction shall be integrated within the health course of  
19 study required in accordance with the State Board of Education  
20 regulations. In grades where health is offered, instruction may

1 also be integrated into other appropriate courses of study. In  
2 grades where health is not offered, instruction shall be  
3 integrated into an appropriate curriculum requirement as listed  
4 in 22 Pa. Code §§ 4.21 (relating to elementary education:  
5 primary and intermediate levels), 4.22 (relating to middle level  
6 education) and 4.23 (relating to high school education).

7 (1) This instruction:

8 (i) Shall be age appropriate.

9 (ii) Shall be sequential in method of study.

10 (iii) Shall discourage the use of alcohol, tobacco and  
11 controlled substances.

12 (iv) Shall communicate that the use of illicit drugs and the  
13 improper use of legally obtained drugs is wrong.

14 (v) Shall be evidence-based and reviewed and updated  
15 annually to reflect current research.

16 (2) [School districts may utilize any appropriate public or  
17 private materials, personnel and other resources in developing  
18 and implementing this program of instruction. The Department of  
19 Health and the Department of Drug and Alcohol Programs, jointly,  
20 shall make available information about appropriate curriculum  
21 materials upon request of a school district. In developing its  
22 alcohol, chemical and tobacco abuse instructional program, each  
23 school district shall consult with the single county authority  
24 designated by the Department of Drug and Alcohol Programs to  
25 provide drug and alcohol services in the school district's  
26 area.] The Department of Education, the Department of Health,  
27 the Department of Drug and Alcohol Programs and the commission,  
28 in consultation with the center, shall compile a list of  
29 evidence-based alcohol, chemical and tobacco abuse instructional  
30 programs, including opioid abuse prevention programs as required

1 under subsection (a.1), from which a school district may choose  
2 a program to use in the district's elementary, middle and high  
3 school education curricula.

4 (3) Each school district shall participate in the  
5 Pennsylvania Youth Survey and utilize the results from the  
6 survey to help determine which evidence-based programs best  
7 address the needs of the students in the district.

8 (4) The commission and center shall, in cooperation with the  
9 Department of Education, communicate to all school districts how  
10 the commission and center may be resources to school districts  
11 in helping to implement evidence-based programs.

12 (a.1) Beginning with the 2018-2019 school year, for students  
13 in grades [six] three through twelve, the instruction required  
14 under subsection (a) shall include instruction related to the  
15 prevention of opioid abuse, with an emphasis on the prescription  
16 drug epidemic and the connection between prescription opioid  
17 abuse and addiction to other drugs, including heroin. This  
18 instruction shall be a stand-alone unit in the program and  
19 reflect the most recent evidence-based standards and practices.

20 Not later than the beginning of the 2018-2019 school year, the  
21 Department of Education, the Department of Health [and], the  
22 Department of Drug and Alcohol Programs and the commission, in  
23 consultation with the center, shall develop jointly a model  
24 curriculum for this purpose and each department, the commission  
25 and the center shall post the model curriculum on [its] their  
26 publicly accessible Internet [website] websites. The model  
27 curriculum developed under this subsection shall be revised when  
28 necessary to ensure that the model curriculum provides the most  
29 current information. In providing the instruction required under  
30 this subsection, a school district may, but shall not be

1 required to, use the model curriculum.

2 (b) Each school district [is hereby authorized to] under  
3 guidelines established by the Department of Education,  
4 Department of Health and Department of Drug and Alcohol Programs  
5 shall develop and offer outreach programs relating to alcohol,  
6 chemical and tobacco abuse, including opioid abuse, for parents  
7 or legal guardians of students enrolled in the public schools.  
8 [If a school district does develop such programs, they] Such  
9 programs shall be developed in consultation with the single  
10 county authority designated by the Department of Drug and  
11 Alcohol Programs to provide drug and alcohol services in the  
12 school district's area. Such programs may include educating  
13 parents and guardians on recognizing warning signs of substance  
14 abuse and providing available resources and shall be offered at  
15 times convenient to the parents and guardians of the district on  
16 school premises, or in other suitable facilities, at no cost to  
17 parents and guardians.

18 (c) The Secretary of Education, in consultation with the  
19 Secretary of Health [and], the Secretary of Drug and Alcohol  
20 Programs, the executive director of the commission and the  
21 director of the center, shall develop curriculum guidelines  
22 which are evidence-based for instruction on alcohol, chemical  
23 and tobacco abuse and the laws governing their use and misuse.  
24 These guidelines shall encourage the inclusion of the following  
25 elements where appropriate in the instruction:

26 (1) Detailed factual information regarding the  
27 physiological, psychological, sociological and legal aspects of  
28 substance abuse.

29 (2) Detailed information regarding the availability of help  
30 and assistance for students and their families with alcohol,

1 chemical and tobacco dependency problems.

2 (3) The goals of quality education as set forth in 22 Pa.  
3 Code (relating to education).

4 (4) Skills needed to evaluate advertisements for and media  
5 portrayals of alcohol, chemical and tobacco products.

6 (5) Detailed instruction on the need for and the role of  
7 lawful authority and law-abiding behavior, including interaction  
8 with members of the legal and justice community.

9 (d) The following apply:

10 (1) Beginning with the 1991-1992 school year and each year  
11 thereafter, the Secretary of Education, in consultation with the  
12 Secretary of Health [and], the Secretary of Drug and Alcohol  
13 Programs, the executive director of the commission and the  
14 director of the center, shall make available, to all school  
15 districts and intermediate units, in-service training programs  
16 based upon the instruction requirements established in  
17 subsection (a) and the curriculum guidelines established in  
18 subsection (c). The programs shall provide preparation for the  
19 teaching of mandated instruction in alcohol, chemical and  
20 tobacco abuse. The in-service programs may utilize the single  
21 county authorities designated by the Department of Drug and  
22 Alcohol Programs or such other institutions, agencies or persons  
23 as the Secretary of Education or the Secretary of Health deems  
24 appropriate.

25 (2) Beginning with the 2018-2019 school year, the Department  
26 of Education, the Department of Health [and], the Department of  
27 Drug and Alcohol Programs and the commission, in consultation  
28 with the center, shall develop jointly and shall make available  
29 to all school districts and nonpublic schools in-service  
30 training programs based upon the instruction requirements

1 established under subsection (a.1) and the model curriculum  
2 developed under subsection (a.1). The in-service training  
3 programs developed under this subsection shall be revised when  
4 necessary to ensure that the in-service training programs  
5 provide the most current information.

6 (e) The following apply:

7 (1) Beginning with the 1991-1992 school year, each school  
8 district shall provide, as part of its in-service training,  
9 programs on alcohol, drugs, tobacco and dangerous controlled  
10 substances for all instructors whose teaching responsibilities  
11 include courses of study in which mandated instruction  
12 concerning alcohol, chemical and tobacco abuse is integrated. To  
13 comply with this requirement, a school district may utilize the  
14 programs made available by the Department of Education or use  
15 other alternative programs.

16 (2) Beginning with the 2018-2019 school year and every three  
17 (3) years thereafter, each school district shall provide, as  
18 part of its in-service training, programs based upon the  
19 instruction requirements established under subsection (a.1) for  
20 all instructors whose teaching responsibilities include courses  
21 of study in which such mandated instruction is integrated. To  
22 comply with this requirement, a school district may utilize the  
23 in-service training programs made available under subsection (d)  
24 (2).

25 (f) The governing board of each intermediate unit in which a  
26 nonpublic school is located shall have the authority and the  
27 duty to loan to all students attending nonpublic schools within  
28 the intermediate unit all educational materials developed by the  
29 Department of Education, the Department of Health [or], the  
30 Department of Drug and Alcohol Programs, the commission or the

1 center, pursuant to this act for the instruction of public  
2 school students on the nature and effects of drugs, alcohol,  
3 tobacco and dangerous controlled substances. Local school boards  
4 need not expend funds which are not provided by either the  
5 Federal or State Government for drug education programs for the  
6 use or loan of these materials. A nonpublic school may utilize  
7 the in-service training programs made available by the  
8 Department of Education through the intermediate unit.

9 (g) On or before June 1, 1991, the Secretary of Education  
10 shall recommend to the General Assembly a plan to require and  
11 assist each school district to establish and maintain a program  
12 to provide appropriate counseling and support services to  
13 students who experience problems related to the use of drugs,  
14 alcohol and dangerous controlled substances.

15 (g.1) Beginning in the 2018-2019 school year, and each  
16 school year thereafter, professional educators who complete in-  
17 service training under this section may apply such in-service  
18 training toward their continuing professional education  
19 requirements under section 1205.2.

20 (h.1) By September 1, 2020, and by September 1 of every  
21 fifth year thereafter, the Department of Education, in  
22 consultation with the Department of Health [and], the Department  
23 of Drug and Alcohol Programs, the commission and the center,  
24 shall report to the General Assembly concerning the preceding  
25 school year activities of the Department of Education, the  
26 Department of Health [and], the Department of Drug and Alcohol  
27 Programs, the commission and the center, pertaining to the  
28 provisions of this section. The report shall include:

29 (1) A description of efforts by the Department of Education,  
30 the Department of Health [and], the Department of Drug and

1 Alcohol Programs, the commission and the center to assist school  
2 districts in providing the instruction required under  
3 subsections (a) and (a.1), including efforts to develop and post  
4 the model curriculum required under subsection (a.1) and to  
5 develop and make available the in-service training programs  
6 required under subsection (d) (2).

7 (2) An evaluation of the effectiveness of the instruction  
8 required under subsections (a) and (a.1) and of curriculum  
9 materials and in-service training programs developed by the  
10 Department of Education, the Department of Health [and], the  
11 Department of Drug and Alcohol Programs, the commission and the  
12 center under this section in reducing the use of alcohol,  
13 tobacco and other drugs, including prescription opioids, by  
14 students.

15 (i) The State Board of Education shall adopt rules and  
16 regulations necessary for the implementation of this section.

17 (j) As used in this section, the following words and phrases  
18 shall have the meanings given to them in this subsection unless  
19 the context clearly indicates otherwise:

20 "Center." An entity that works in consultation with and  
21 receives financial assistance from the commission to support the  
22 dissemination, quality implementation, sustainability and impact  
23 assessment of a menu of proven crime prevention and intervention  
24 programs and to conduct original translational research to  
25 advance the science and practice of evidence-based crime  
26 prevention.

27 "Commission." The Pennsylvania Commission on Crime and  
28 Delinquency.

29 Section 2. This act shall take effect in 60 days.