

Model K-12 Substance Abuse Instruction Act

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Model K-12 Substance Abuse Instruction Act Policy Statement

The development and implementation of a kindergarten through twelve grade substance abuse instruction curriculum is a critical component in the development and maintenance of drug-free schools. The Commission recognizes that schools and their students will not become alcohol- and drug-free simply through exposure to a substance abuse curriculum. Education must be a component of a broader community-based effort against alcohol and other drug abuse, including school policies against alcohol and other drugs, mass media campaigns, communitywide strategies, alternative programs, and workplace programs. But an alcohol and other drug education curriculum must be an important component of any multi-faceted strategy to combat alcohol and other drugs in the schools and among school children.

Research on school based preventive substance abuse education has not always demonstrated effectiveness of such efforts. Some education efforts were poorly designed, focusing on “scare tactics” or simply providing information about drugs. Many education efforts excluded alcohol and tobacco. Other education efforts were too broad, ignoring differences between subgroups of students, geographical differences, and different problems.

School-based substance abuse education programs that seem to hold promise recognize that alcohol and other drug abuse education must be taught beginning at an early age. However, at early ages, the emphasis must shape health-related attitudes and behaviors, not deal exclusively with alcohol and other drugs. Promising approaches also reflect an understanding that alcohol and other drug use occurs in settings far removed from formal educational settings. The substance abuse education that students receive in the classroom must reflect the reality of those settings, including the influences of peers, parents, surroundings, and economics of the drug trade. The social skills needed to handle such influences can be taught and reinforced, particularly at older ages.

Substance abuse education continues to be needed. Recent surveys by the National High School Senior Survey and by PRIDE, Inc. indicate that the cycle of decreasing drug use by students may be ending as a trend towards increased drug use and dependence begins. In short, despite the national effort against drugs, drug abuse among students remains a persistent problem. Alcohol use continues to manifest itself not only in high rates of use and abuse, but in student accidents, injuries, poor school performance, and even deaths.

Substance abuse education programs can teach youths about alcohol and other drugs, and can impact social skills and problem solving skills to reject the social pressures to abuse alcohol and

other drugs. Such programs can draw parents and the community into a closer partnership to address the problems of alcohol and other drugs in a comprehensive, inclusive manner. That mission is as important today as it was five, ten, or twenty years ago.

This legislation impacts upon the education system by describing system mandates. However, it does not prescribe individual activities and programs to be undertaken by the local school districts. Alcohol and other drug abuse activities, programs, and instruction are left to the discretion of local school districts to better reflect local needs and concerns and to gain local support during the development of those programs.

This Act has six primary provisions. First, it mandates age-appropriate and developmentally-based K-12 substance abuse instruction. It does not institute occasional programs in the school auditorium, but rather, a sequential learning process involving all students throughout their kindergarten through high school education. Equally important, the alcohol and other drug abuse curriculum must be integrated throughout all appropriate areas of the school curriculum, emphasizing healthy bodies and minds instead of focusing on risks and problems.

Second, the legislation mandates collaboration between state level agencies as well as between their local level counterparts to develop such curricula. Third, it provides a process for implementation and guarantees effectiveness by requiring in-service training. This training, occurring at the state and the local level, insures that instructors are able and trained to implement the curriculum properly.

Fourth, the legislation strongly encourages the development of student assistance programs to aid students experiencing alcohol or other drug related problems. Fifth, the legislation strongly encourages the development of employee assistance programs to aid teachers, administrators, and staff with any alcohol or other drug related problems or other work-related problems. Finally, the Act builds in an evaluation component that measures the effectiveness and usefulness of the alcohol and other drug abuse curricula.

This legislation is based on a Pennsylvania state substance abuse education statute enacted in 1990. The Pennsylvania experience to date has been one of collaboration and community development. At the state level, the Pennsylvania law mandates collaboration of the various agencies involved in the development of alcohol and other drug curricula, including the state Department of Education and the state Department of Health. At the local level, the law mandates that local school districts work with local prevention agencies during the curriculum development.

Also, the law requires in-service training at the state and local levels to train staff to implement the substance abuse education and prevention curricula. That mandated state-level in-service training serves as a linkage vehicle. Community meetings have been held in locations throughout the state and have been attended by thousands of partners in the education process, including parents, teachers, law enforcement, prevention specialists, clergy, and community members.

With the training and the ideas that arose from such training, instructors have proven able to develop substance abuse lessons that are integrated within health and various other disciplines. English teachers have developed curriculum additions to literature units already in place. (For example,

some have examined the alcoholic Pap in *Huckleberry Finn* and government-dispensed Soma in *Brave New World*.) Alcohol and other drug abuse lessons have also been taught in social studies and government classes, drivers' education classes, and other disciplines.

A Pennsylvania English teacher summarized the effect of the Pennsylvania substance abuse instruction in this respect:

“We know that school does not take place in a sterile totally safe environment. We know that students bring what happens to them outside of school right into our classrooms. The addition of [the substance abuse] curriculum units to English classes helps open up some of those walls we sometimes construct to separate the “real world” from the classroom. Teachers who encourage student expression through writing and discussion often become aware of the fact that a student is in difficulty; we can then refer that student to the appropriate support personnel. Rather than force us to become drug and alcohol counselors, [the substance abuse instruction act] has probably made us better English teachers in a difficult world.”

Through this model legislation, the Commission intends to replicate such successes elsewhere.

Highlights of the Model K-12 Substance Abuse Instruction Act

ASSUMPTIONS AND REMEDIAL GOALS

- Recognizes that the incidences of student drug use are beginning to rise following a decade of declining usage.
- Recognizes the importance of providing comprehensive drug education and prevention programs to primary and secondary school students.
- Recognizes schools as an important point of intervention to help identify students with alcohol and other drug abuse problems and to refer them to appropriate counseling and treatment services.
- Recognizes the importance of role models in the development of drug-free students and recognizes the importance of detecting and referring to treatment adult school employees with alcohol and other drug problems.

SPECIFIC RECOMMENDATIONS

- Provides that each and every school student in the state, including private school students where allowable, shall receive mandatory instruction in alcohol and other drug abuse, including tobacco, in every year in every grade from kindergarten through grade twelve.
- Provides that such instruction be integrated within all appropriate curriculum requirements.
- Provides that the instruction:
 - Shall be developmentally-based;
 - Shall be sequential in method of study;
 - Shall encourage drug-free lifestyles; and
 - Shall communicate that the use of illicit drugs and the abuse of legally-obtained drugs is wrong.

- Provides that each school district develop and offer prevention and education programs on alcohol and other drug abuse to educate and inform parents of students about alcohol and other drug abuse, generally, and about the integrated substance abuse curriculum, specifically. School districts should develop incentives to encourage parental participation in these programs.
- Provides that the state develop curriculum guidelines for instruction on alcohol and other drug abuse and the laws governing their use and misuse.
- Provides that the state make available to all school districts in-service training programs based upon the instructional requirements and curriculum guidelines established by this Act.
- Provides that each school district give in-service programs on alcohol and other drugs for all instructors whose teaching responsibilities include courses of study in which mandated on-going alcohol and other drug abuse instruction is integrated.
- Provides, where constitutionally allowed, that each county loan to all students attending non-public schools within the county all educational materials developed pursuant to this Act for the instruction of public school students on the nature and effects of alcohol and other drugs.
- Provides that the [secretary of education] recommend to the legislature a plan to require and assist each school district in establishing and maintaining student assistance programs and employee assistance programs.
- Provides that the state develop a system for evaluating the effectiveness of the K-12 substance abuse curricula and educational programs each year.

Model K-12 Substance Abuse Instruction Act

Section 1. Short Title.

This provisions of this [Act] shall be known and may be cited as the “Model K-12 Substance Abuse Instruction Act.”

Section 2. Legislative Findings.

(a) The September 1989 Presidential Education Summit set the goal for the nation to maintain safe, disciplined, and drug-free schools by the year 2000.

(b) Recent surveys of sixth through twelve grade students find that incidences of student drug use are beginning to rise, ending a cycle of declining student drug use during the late 1980s and early 1990s. A 1992-1993 survey of nearly 237,000 sixth through twelve grade students by Parents’ Resource Institute for Drug Education (PRIDE), Inc., in particular, identified increasing marijuana and hallucinogen usage, mirroring results of recent National Institute on Drug Abuse surveys.

(c) The National Commission on Drug-Free Schools’ 1990 final report, “Toward a Drug-Free Generation: A Nation’s Responsibility,” recommends: “All elementary and secondary school students in public and private schools should have available a comprehensive drug education and prevention program that includes a drug education curriculum, a student assistance program, and a system for referral to community drug treatment services.”

(d) The National Commission on Drug-Free Schools also recommends that schools “provide adequate support programs for students and staff who need help combatting drinking and smoking problems.”

(e) School age children are especially vulnerable to and influenced by the activities of predatory drug offenders and drug-using peers.

(f) Schools are one of the principal settings where young people are taught personal skills and information that will help them resist alcohol and other drug

abuse. Effective alcohol and other drug abuse instruction must begin during the primary grades and be sustained throughout the student’s education.

(g) It is the policy of this state to encourage full involvement of the community in the development of the alcohol and other drug abuse curricula of each school district.

(h) Schools are an important point of intervention to help identify students with alcohol and other drug abuse problems and to refer them to appropriate counseling and treatment services. Efforts to address the problems of alcohol and other drugs in schools must enable students to seek help for their problems through student assistance programs, treatment services, and other avenues designed to foster safe and drug-free school environments and students.

(i) In recognition of the importance of good adult role models in the lives of students, all schools must be equipped to detect and refer to treatment adults with alcohol and other drug problems.

(j) The above policies are adopted as the policies of this state.

Section 3. Purpose.

This [Act] establishes mandatory integrated instruction in alcohol and other drug abuse issues for every school student in the state in every year and every grade from kindergarten through grade twelve. This [Act] also provides for the development of all alcohol and other drug abuse curricula by state and local school districts through consultation with appropriate resources and the use of in-service programs for instructors.

Section 4. Definitions.

As used in this [Act]:

(a) “Employee assistance program” means a worksite-based program using licensed employee assistance

professionals and designed to assist in the identification and resolution of health, behavioral, or productivity problems associated with employees impaired by personal concerns, including alcohol and other drugs, health, emotional, marital, family, financial, legal, stress, or other personal concerns that may adversely affect the employees' well-being or job performance.

(b) "[Single state authority on alcohol and other drugs]" means the state agency designated by the governor to plan, manage, monitor, and evaluate alcohol and other drug treatment services in the state.

(c) "Student assistance program" means a broad-based program involving a variety of school-based personnel. It is designed to assist in the identification and resolution of school-related problems associated with students who are affected by personal concerns, including, but not limited to: health, family, alcohol and other drugs, financial, legal, emotional, stress, and/or other concerns that may adversely affect student educational performance.

Section 5. Establishing an Integrated K-12 Substance Abuse Curriculum.

(a) Beginning with school year [] and each year thereafter, each [public] school student in the state shall receive mandatory instruction in alcohol and other drug abuse, including tobacco, in every year in every grade from kindergarten through grade twelve. The instruction shall be integrated within appropriate courses of study and shall be integrated into appropriate curriculum requirements as listed in [state education act].

(1) This instruction:

- (A) Shall be developmentally-based.
- (B) Shall be sequential in method of study.
- (C) Shall encourage drug-free lifestyles.
- (D) Shall communicate that the use of illicit drugs and the abuse of legally obtained drugs is wrong.

(2) School districts may use any appropriate public or private materials, personnel, and other resources in developing and implementing this program of instruction. The [single state authority on alcohol and other drugs] shall make available information about appropriate integrated curriculum materials upon request of a school district. In developing its

alcohol and other drug abuse instructional program, each school district shall consult with the [county] agency designated by the [single state authority on alcohol and other drugs] to provide alcohol and other drug abuse services in the school district's area.

(3) All curricula adopted by school districts should be approved jointly by the [single state authority on alcohol and other drugs] and the [state department of education] before implementation.

(b) Each school district is hereby authorized to develop and offer prevention and education programs relating to alcohol and other drug abuse to educate and inform parents of students about alcohol and other drug abuse, generally, and the integrated substance abuse curriculum, specifically. If a school district does develop such programs, the programs shall be developed in consultation with the [county] agency designated by the [single state authority on alcohol and other drugs] to provide alcohol and other drug abuse services in the school district's area. School districts shall also seek input from local law enforcement agencies. Such programs shall be offered at no cost to parents. School districts and the appropriate [county] agency should develop incentives to encourage parental participation in any prevention and education programs.

(c) The [director] of the [single state authority on alcohol and other drugs], in consultation with a committee comprised of the [secretary of education, prevention, treatment, and law enforcement officials], shall develop curriculum guidelines for instruction on alcohol and other drug abuse and the laws governing their use and misuse. These guidelines shall encourage the inclusion of the following elements where appropriate in the instruction:

- (1) Age-appropriate detailed factual information regarding the physiological, psychological, sociological, and legal aspects of substance abuse;
- (2) Detailed information regarding the availability of assistance for students and their families with alcohol and other drug dependency problems;
- (3) The goals of quality education as set forth in [state education act];
- (4) Development of skills needed to evaluate advertisements for and media portrayals of alcohol and other drugs of abuse, including tobacco products; and

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

(d) Beginning with the [] school year and each year thereafter, the [state secretary of education], in consultation with the [director] of the [single state authority on alcohol and other drugs], shall make available, to all school districts and intermediate units, in-service training programs based upon the instructional requirements established in subsection (a) and the curriculum guidelines established in subsection (c). The training programs shall provide preparation for the teaching of mandated instruction in alcohol and other drug abuse. The in-service programs may use the [county] agencies designated by the [single state authority on alcohol and other drugs] or such other institutions, agencies, or persons as the [state secretary of education] deems appropriate, including law enforcement, treatment, and prevention specialists and programs.

(e) Beginning with the [] school year, each school district shall provide, as part of its in-service training, programs on alcohol and other drugs, including tobacco, for all instructors whose teaching responsibilities include courses of study in which mandated on-going instruction concerning alcohol and other drug abuse is integrated. To comply with this requirement, a school district may use the programs made available by the [department of education] or use other appropriate alternative programs.

[(f) The governing board of each [county] in which a nonpublic school is located shall have the authority and the duty to loan to all students attending nonpublic schools within the [county] all educational materials developed by either the [state department of education] and/or the [single state authority on alcohol and other drugs] pursuant to this [Act] for the instruction of public school students on the nature and effects of alcohol and other drugs, including tobacco. Local school boards need not expend funds that are not provided by either the federal or state government for drug education programs for the use or loan of these materials. A nonpublic school may use the in-service training programs made available by the [state department of education] through the [county].]

(g) On or before [], the [secretary of education] shall recommend to the legislature a plan to require and assist each school district in establishing and maintaining school-based programs that provide appropriate

on-going student assistance programs to students who experience problems related to the use, abuse, or distribution of alcohol and other drugs, including tobacco.

(h) On or before [], the [secretary of education] shall recommend to the legislature a plan to require and assist each school district in establishing and maintaining a program to provide appropriate on-going employee assistance programs for administrators, teachers, and all other school employees who have any contact with school students. Such a plan may involve the use of employee assistance program consortia to service schools and school districts with fewer employees.

(i) The [state department of education] shall develop a system for evaluating the effectiveness of the K-12 substance abuse curricula and educational programs each year. Such an evaluation may include, but need not be limited to:

- (1) Student alcohol and other drug use prevalence surveys;
- (2) Student alcohol and other drug knowledge and attitudes surveys;
- (3) Teacher and instructor surveys;
- (4) Evaluation of alcohol- and drug-related incidents involving school students;
- (5) Evaluation of counseling and student assistance program utilization and problem resolution;
- (6) Evaluation of student truancy and disciplinary records;
- (7) Accountability of funding to determine that funds are being spent as intended by this [Act]; and
- (8) Recommendations for refinements of the alcohol and other drug abuse curricula and/or teacher in-service instruction based on evaluation findings.

(j) On or before [], the [secretary of education] shall report to the [legislature, governor, and state board of education] concerning the [199_ - 199_] (past/current) school year activities of the [state department of education] pertaining to the provisions of this section and concerning proposed [199_ - 199_] (next) school year activities of the [department of education] pertaining to this section.

(k) The [state department of education] shall adopt rules and regulations necessary for the implementation of this section.

COMMENT

This [Act] is developed within the general context of the federal Drug-Free Schools and Communities Act of 1986. The federal Drug-Free Schools Act establishes programs of drug abuse education and prevention, coordinated with related community efforts and resources. This [Act] is a complementary piece of legislation. While the federal drug-free schools legislation emphasizes comprehensiveness and overall community involvement within the school framework, this [Act] specifically emphasizes the importance of school-based drug education, providing a clear mandate that each student receive instruction at every grade level in every year from kindergarten through twelfth grade, the inclusion of in-service program development and teacher training, and the development of student assistance programs and employee assistance programs.

The Commission recommends that all students in the state, including non-public school students, receive this mandatory instruction in alcohol and other drug abuse. However, in some states, this is not allowable under the state constitution. If this [Act] is applicable to non-public schools, subsection (f) is unnecessary. Where the application of this [Act] violates a state constitution, the state should make available and freely loan to any non-public school any educational or training materials developed in accordance with subsection (f) and the rest of this [Act].

Recognizing the important roles that student assistance and employee assistance programs can play in the development and maintenance of drug-free schools, this [Act] calls upon the [state department of education] to recommend to the state legislature a plan to assist each school district in establishing and maintaining such programs in schools within the state.

This [Act] also instructs the [state department of education] to monitor and evaluate the effectiveness of the K-12 alcohol and other drug abuse curricula and educational programs each year and to recommend refinements to the curricula based on those annual findings.

Section 6. Severability.

If any provision of this [Act] or application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or application of the [Act] that can be given effect without the invalid provision or application, and to this end the provisions of this [Act] are severable.

Section 7. Effective Date.

This [Act] shall be effective at least one year after its adoption to allow for proper planning and implementation of its sections and shall begin with the [reference to specific date] school year.

Appendix F

Statement of Sue Tiernan to the President's Commission on Model State Drug Laws

March 31, 1993 — Washington, DC

(Sue Tiernan, an English teacher at Henderson Senior High School, West Chester, Pennsylvania, spoke to the Commission about Act 211, a 1990 Pennsylvania law that required annual K-12 substance abuse education for all public school students. She offered the following testimony about the impact of such educational requirements from her perspective as a teacher.)

The Act 211 requirement that every school student receive instruction in alcohol, chemical and tobacco abuse in every grade K-12 meant, for us, adding drug/alcohol components to our English and Social Studies for 11th and 12th graders. At first we said, "Oh no, we are not drug/alcohol counselors. We teach literature. Yes, we do indeed have characters in our literature whose lives are ruined by chemical and alcohol abuse, but how are we to deal with these topics?"

In the past two years, we developed curriculum additions to literature units already in place. First, each work of literature was read by a counselor/health teacher; all references to chemical/alcohol/tobacco use were noted. Next, English teachers wrote activities and objectives with appropriate tasks, activities, and evaluation methods for each work of literature. We are now in the process of incorporating these units into our classrooms. We have worked with the alcoholic Pap in *Huckleberry Finn*, with government-dispensed Soma in *Brave New World*, with Holden Caulfield's substance abuse and dysfunctional behavior in *Catcher in the Rye*, with Willy Loman's dysfunctional family in *Death of a Salesman*, and with the alcoholic dissolution in *The Great Gatsby*. The beauty of this interdisciplinary approach to literature is that while we are discussing a character in a fictional situation, we are also allowing students the opportunity to bring to the classroom their own real world — to discuss it, to write about it, and to consider the realities of their choices.

Because 11th and 12th graders are 16, 17, and 18 years old, they are in fact dealing with drugs and alcohol every day of their lives in one way or another. We know that school does not take place in a sterile, totally safe environment. We know that students bring what happens to them outside of school right into our classrooms. The addition of Act 211 curriculum units to English classes helps open up some of those walls we sometimes construct to separate that "real world" from the classroom. Teachers who encourage student expression through writing and discussion often become aware of the fact that a student is in difficulty; we can then refer that student to the appropriate support personnel. Rather than force us to become drug/alcohol counselors, Act 211 has probably made us better English teachers in a difficult world.

