STATE OF NEW YORK

1829

2017-2018 Regular Sessions

IN SENATE

January 11, 2017

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the education law, in relation to health education regarding alcohol, drugs, tobacco abuse and the prevention and detection of certain cancers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph a of subdivision 4 of section 804 of the education law, as amended by chapter 39 of the laws of 2014, is amended to read as follows:

a. The commissioner may prescribe in regulations such health education courses which include instruction regarding alcohol, tobacco, and other drugs as the commissioner may deem necessary and desirable for the welfare of pupils and the community. The contents may be varied to meet the needs of particular school districts, or portions thereof, and need not be uniform throughout the state, provided, however, that school districts shall utilize either the curriculum for health education instruction regarding alcohol, tobacco and other drugs prescribed by the commissioner or a course approved by the commissioner in accordance with criteria established by the commissioner. The commissioner [~~is authorized to~~] **shall** make recommendations to the board of regents beginning December first, two thousand [~~fourteen~~] **seventeen** and every [~~three~~] **two** years thereafter relating to the modernization of such instruction required pursuant to subdivision one of this section, to include the most up to date age appropriate information available regarding the misuse and abuse of alcohol, tobacco and other drugs, including but not limited to heroin and opioids. Such instruction shall **be sequential and comprehensive, and shall** include, but not be limited to, information regarding drugs and other substances that are more prevalent among school aged youth. Such recommendations shall be the result of a collaboration between the department, the office of alcoholism and substance

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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abuse services and the department of health. If the board of regents adopts such curriculum, the curriculum requirement shall take effect no later than the next school year after such curriculum has been adopted.

§ 2. Paragraph a of subdivision 6 of section 804 of the education law, as amended by chapter 390 of the laws of 2016, is amended to read as follows:

a. The commissioner may prescribe in regulations such health education courses which include instruction regarding alcohol, tobacco, and other drugs as the commissioner may deem necessary and desirable for the welfare of pupils and the community. The contents may be varied to meet the needs of particular school districts, or portions thereof, and need not be uniform throughout the state, provided, however, that school districts shall utilize either the curriculum for health education instruction regarding alcohol, tobacco and other drugs prescribed by the commissioner or a course approved by the commissioner in accordance with criteria established by the commissioner. The commissioner [~~is author-ized to~~] **shall** make recommendations to the board of regents beginning December first, two thousand [~~fourteen~~] **seventeen** and every [~~three~~] **two** years thereafter relating to the modernization of such instruction required pursuant to subdivision one of this section, to include the most up to date age appropriate information available regarding the misuse and abuse of alcohol, tobacco and other drugs, including but not limited to heroin and opioids. Such instruction shall **be sequential and comprehensive, and shall** include, but not be limited to, information regarding drugs and other substances that are more prevalent among school aged youth. Such recommendations shall be the result of a collaboration between the department, the office of alcoholism and substance abuse services and the department of health. If the board of regents adopts such curriculum, the curriculum requirement shall take effect no later than the next school year after such curriculum has been adopted.

§ 3. This act shall take effect immediately; provided, however, that the amendments to paragraph a of subdivision 6 of section 804 of the education law made by section two of this act, shall take effect on the same date and in the same manner as chapter 390 of the laws of 2016, takes effect.