STATE OF NEW YORK

9064

IN ASSEMBLY

February 6, 2024

Introduced by M. of A. K. BROWN, BENDETT, HAWLEY -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to creating substance use prevention and recovery resource materials for schools

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

Section 1. Subdivision 4 of section 804 of the education law, as amended by chapter 390 of the laws of 2016, is amended to read as follows:

4. **(a)** Instruction regarding alcohol, tobacco, and other drugs, in addition to continued health guidance in the junior high school grades and the senior high schools, shall be an integral part of a required health education course at each of these levels in the secondary schools curriculum. Students shall be required to demonstrate knowledge in the subject area through the use of a test, graded project or report, or any other means prescribed by the school authorities regarding alcohol, drugs, and tobacco. Any such course shall be taught by teachers holding a certificate to teach health. Related courses in the secondary school curriculum shall be taught in a manner supportive of health education regarding alcohol, tobacco, and other drugs. In addition, instruction regarding the dangers of driving while under the influence of alcohol or drugs shall be an integral part of a required health education course in the senior high schools. Such instruction shall be provided in all senior high schools whether or not these schools also provide driver education courses.

(b) Instruction regarding alcohol, tobacco, and other drugs may also include substance use prevention and recovery resource materials developed and updated annually by the commissioner in consultation with the office of addiction services and supports. The commissioner shall, in developing the substance use prevention and recovery resource materials, use effective, research-proven, interactive teaching methods and technologies. Such resource materials shall be distributed to each school district within the state and shall be made available on the department's website. The resource materials shall provide:

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

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(i) students, parents, and school staff with scientific, social, and emotional learning content to help them understand the risk of drug use.

(ii) information specifically targeting the dangers of prescription pain medication and heroin abuse.

(iii) guidance for school districts and educators regarding student instruction in the topics of substance use prevention and recovery at an age and developmentally appropriate level.

(iv) age-appropriate, comprehensive, reality-based, safety-focused, medically accurate and evidence-informed information that reduces substance use risk factors and promotes protective factors.

(v) information about where to locate stories and perspectives of people with lived experiences for incorporation into classroom instruction.

(vi) resources regarding how to make substance use prevention and recovery instruction interactive at each grade level.

(vii) information on how school districts may involve parents, caregivers, teachers, healthcare providers, and community members in the instructional process.

(viii) ways to create instructional programs that are representative of diverse demographic groups and appropriate for each age, grade, and culture represented in classrooms in this state.

(ix) resources that reflect the prevention continuum from universal to selected tactics that address young people's substance use, and current and projected substance use and overdose trends.

(x) resources that reflect the importance of education for youth, their families, and their community about:

(A) substance types, the substance use continuum, the impact of substances on the brain and body, and contributing factors that lead to substance use, such as underlying co-occurring health issues and trauma.

(B) the history of drugs and health policy in this state and the country, the impact of zero tolerance, and restorative justice practices.

(C) risk mitigation and harm reduction, including abstinence and responding to an overdose with the use of opioid antagonists and fentanyl test strips.

(D) addressing adverse childhood experiences, such as witnessing and experiencing violence, abuse, caregiver loss, and other trauma, especially among young people of color.

(E) the social and health inequities among racial and ethnic minorities.

(F) strategies and resources for coping with stress, trauma, substance use, and other risky behavior in non-punitive ways to help oneself or others.

§ 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.