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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1566

02/21/2019 Authored by Kunes-Podein, Baker, Zerwas and Olson
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to education; education finance; substance misuse prevention; providing
1.3 a grant for substance misuse prevention instruction; requiring a report; appropriating
1.4 money; amending Minnesota Statutes 2018, section 120B.021, subdivision 1;
1.5 proposing coding for new law in Minnesota Statutes, chapter 120B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2018, section 120B.021, subdivision 1, is amended to read:

1.8 Subdivision 1. Required academic standards. (a) The following subject areas are
1.9 required for statewide accountability:

1.10 (1) language arts;

1.11 (2) mathematics;

1.12 (3) science;

1.13 (4) social studies, including history, geography, economics, and government and
1.14 citizenship that includes civics consistent with section 120B.02, subdivision 3;

1.15 (5) physical education;

1.16 (6) health, for which locally developed academic standards apply, consistent with
1.17 paragraph (e); and

1.18 (7) the arts, for which statewide or locally developed academic standards apply, as
1.19 determined by the school district. Public elementary and middle schools must offer at least
1.20 three and require at least two of the following four arts areas: dance; music; theater; and
1.21 visual arts. Public high schools must offer at least three and require at least one of the
1.22 following five arts areas: media arts; dance; music; theater; and visual arts.

2.1 (b) For purposes of applicable federal law, the academic standards for language arts,
 2.2 mathematics, and science apply to all public school students, except the very few students
 2.3 with extreme cognitive or physical impairments for whom an individualized education
 2.4 program team has determined that the required academic standards are inappropriate. An
 2.5 individualized education program team that makes this determination must establish
 2.6 alternative standards.

2.7 (c) The department must adopt the most recent SHAPE America (Society of Health and
 2.8 Physical Educators) kindergarten through grade 12 standards and benchmarks for physical
 2.9 education as the required physical education academic standards. The department may
 2.10 modify and adapt the national standards to accommodate state interest. The modification
 2.11 and adaptations must maintain the purpose and integrity of the national standards. The
 2.12 department must make available sample assessments, which school districts may use as an
 2.13 alternative to local assessments, to assess students' mastery of the physical education
 2.14 standards beginning in the 2018-2019 school year.

2.15 (d) A school district may include child sexual abuse prevention instruction in a health
 2.16 curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention
 2.17 instruction may include age-appropriate instruction on recognizing sexual abuse and assault,
 2.18 boundary violations, and ways offenders groom or desensitize victims, as well as strategies
 2.19 to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may
 2.20 provide instruction under this paragraph in a variety of ways, including at an annual assembly
 2.21 or classroom presentation. A school district may also provide parents information on the
 2.22 warning signs of child sexual abuse and available resources.

2.23 (e) A school district must include instruction on substance misuse prevention, including
 2.24 opioids, controlled substances as defined in section 152.01, subdivision 4, prescription and
 2.25 nonprescription medications, and illegal drugs in a health curriculum. A school district must
 2.26 provide substance misuse prevention instruction under this paragraph to students in grades
 2.27 5, 6 or 7, 8, 9 or 10, and 12.

2.28 ~~(e)~~ (f) District efforts to develop, implement, or improve instruction or curriculum as a
 2.29 result of the provisions of this section must be consistent with sections 120B.10, 120B.11,
 2.30 and 120B.20.

2.31 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

2.32 Sec. 2. **[120B.215] SUBSTANCE MISUSE PREVENTION.**

2.33 (a) This section may be cited as "Jake's Law."

3.1 (b) School districts, charter schools, and tribal contract or grant schools eligible for state
 3.2 aid under section 124D.83 are encouraged to integrate substance misuse prevention
 3.3 instruction for students in grades 5 through 12 into existing programs, curriculum, or the
 3.4 general school environment.

3.5 (c) The commissioner of education must, in consultation with the director of the Alcohol
 3.6 and Other Drug Abuse Section in the Department of Human Services, provide school
 3.7 districts, charter schools, and tribal contract or grant schools, upon request, with:

- 3.8 (1) information regarding substance misuse prevention services; and
- 3.9 (2) assistance in using Minnesota student survey results to inform prevention programs.

3.10 **EFFECTIVE DATE.** This section is effective July 1, 2019.

3.11 **Sec. 3. APPROPRIATION.**

3.12 Subdivision 1. **Commissioner of education.** The sum indicated in this section is
 3.13 appropriated from the general fund to the commissioner of education for the fiscal year
 3.14 designated.

3.15 Subd. 2. **For Jake's Sake Foundation.** (a) For a grant to the For Jake's Sake Foundation
 3.16 to collaborate with school districts, charter schools, or tribal contract or grant schools eligible
 3.17 for state aid under section 124D.83 throughout Minnesota to integrate evidence-based
 3.18 substance misuse prevention instruction on the dangers of substance misuse, particularly
 3.19 the use of opioids, into school programs and curricula, including health education curricula:

3.20 \$ 400,000 2020

3.21 \$ 400,000 2021

3.22 (b) Funds appropriated in this subdivision are to:

3.23 (1) identify effective substance misuse prevention tools and strategies, including
 3.24 innovative uses of technology and media;

3.25 (2) develop and promote a comprehensive substance misuse prevention curriculum for
 3.26 students in grades 5 through 12 that educates students and families about the dangers of
 3.27 substance misuse;

3.28 (3) integrate substance misuse prevention into curricula across subject areas;

3.29 (4) train teachers, athletic coaches, and other school staff in effective substance misuse
 3.30 prevention strategies;

4.1 (5) collaborate with schools to evaluate the effectiveness of schools' substance misuse
4.2 prevention efforts; and

4.3 (6) consult with parents, school officials, other public officials, and stakeholders to
4.4 develop curriculum resources and make them available to school districts, charter schools,
4.5 and tribal contract and grant schools.

4.6 (c) By February 15, 2020, the grantee must submit a report detailing expenditures and
4.7 outcomes of the grant to the chairs and ranking minority members of the legislative
4.8 committees with primary jurisdiction over kindergarten through grade 12 education policy
4.9 and finance. The report must identify the school districts or schools that have implemented
4.10 or plan to implement the substance misuse prevention curriculum.

4.11 (d) The department may retain up to three percent of the appropriation amount to
4.12 administer the grant program and assist school districts and schools with implementation
4.13 of substance misuse prevention instruction.