

MAR 1 1999  
EDUCATION

HOUSE FILE 426  
BY THOMSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to prevention of drug and alcohol abuse by  
2 children by establishing a support program, authorizing drug  
3 and alcohol testing by schools, and making an appropriation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 426

1 Section 1. FINDINGS -- PURPOSE.

2 1. The general assembly finds that effective prevention,  
3 treatment, and law enforcement are the key components for  
4 addressing drug and alcohol abuse in society. In recent  
5 years, heightened attention to the immediate problems caused  
6 by dangerous drugs such as methamphetamine and crack cocaine  
7 has resulted in the commitment of more resources to treatment  
8 and law enforcement. It is the purpose of this Act to curtail  
9 the need for continued growth in treatment and law enforcement  
10 efforts by implementing effective prevention activities among  
11 children in schools.

12 2. The general assembly finds that effective treatment  
13 programs, such as are envisioned in this Act, are the best  
14 means to create a school and community partnership to mobilize  
15 parents and the public to address the effects of dangerous  
16 drugs such as methamphetamine and crack cocaine. It is  
17 intended that this partnership will create a greater  
18 understanding that changing attitudes of acceptance of student  
19 use of alcohol and marijuana is an important intervention in  
20 discouraging student progression to the use of other more  
21 dangerous drugs.

22 Sec. 2. STUDENT ASSISTANCE PROGRAMS. There is  
23 appropriated from the general fund of the state to the  
24 department of education for the fiscal year beginning July 1,  
25 1999, and ending June 30, 2000, the following amount, or so  
26 much thereof as is necessary, to be used for the purposes  
27 designated:

28 For implementing student assistance programs in accordance  
29 with this Act, including salaries, support, maintenance, and  
30 miscellaneous purposes:

31 ..... \$ 2,000,000

32 1. The department shall establish program requirements and  
33 a funding mechanism for implementation of student assistance  
34 programs in accordance with this section in the school  
35 districts which are part of at least two area education

1 agencies of the state. If the department determines that  
2 funding is sufficient, the school districts in additional area  
3 education agencies shall be included.

4 2. The program requirements shall include at least one  
5 substance abuse prevention specialist position in each school  
6 district, with more than one depending upon the size of the  
7 district. The specialist in this position would work with the  
8 school counselor staff in implementing a student assistance  
9 team in each school building. The specialist would also be  
10 available for assessing substance abuse among students and  
11 making appropriate referrals.

12 3. The purpose of a student assistance team is to provide  
13 a means of identifying students' academic and social at-risk  
14 behaviors as early as possible and to remediate the behaviors.  
15 Remediation approaches may include but are not limited to  
16 linking students with adult or student mentors, tutoring,  
17 reading recovery programming, activities to build social  
18 skills, and parent involvement activities. A student  
19 assistance team may include school faculty, administrators,  
20 other school staff, juvenile court officers, parents, and  
21 other volunteers. Phase III of the educational excellence  
22 program may be used to provide a stipend to involve teachers  
23 and area education agency staff.

24 4. The area education agencies involved with implementing  
25 this section shall conduct staff development sessions for  
26 school district administrators and faculty. The substance  
27 abuse and health promotion division of the Iowa department of  
28 public health shall assist the area education agencies and  
29 school districts in identifying and securing for staff  
30 development presentations the best available trainers in  
31 prevention activities. The staff development sessions may  
32 include the provision of information on drugs, alcohol,  
33 tobacco, attention deficit disorders, parental involvement  
34 techniques, and other pertinent topics. It is intended that  
35 widespread staff development on these topics will result in

1 school faculty infusing prevention within health curriculum  
2 and other courses as appropriate.

3 5. The student assistance programs shall provide for  
4 establishing alternate activities for students including  
5 social activities, public service opportunities, mentoring and  
6 tutoring of younger students, and recognition events.

7 6. The involved schools may use voluntary drug or alcohol  
8 testing of children as allowed pursuant to section 808A.5, if  
9 enacted in this Act.

10 7. The student assistance programs shall be coordinated  
11 with the local community empowerment area board activities  
12 involving children, and shall supplement existing prevention  
13 efforts such as school counseling, academics, drug abuse  
14 resistance education, and extracurricular activities.

15 Sec. 3. NEW SECTION. 808A.5 APPLICABILITY.

16 This chapter shall not apply to a search of a student for  
17 purposes of conducting a drug or alcohol test on a sample  
18 obtained from the student.

19 EXPLANATION

20 This bill relates to prevention of drug and alcohol abuse  
21 by children by establishing support programs and authorizing  
22 drug and alcohol testing by schools. The bill includes an  
23 appropriation to the department of education.

24 The bill includes a statement of purpose and findings  
25 regarding the importance of prevention in addressing drug and  
26 alcohol abuse.

27 The appropriation provides requirements for the support  
28 program to be established in the public school in at least two  
29 area education agencies. The funding is to be used for the  
30 costs of at least one prevention specialist for each school  
31 district and other costs for staff development and  
32 establishment of volunteer student assistance teams in school  
33 buildings. Various members of the teams are suggested,  
34 including school faculty and administrative personnel,  
35 juvenile court officers, and others. Authorization is

1 provided to use phase III of the educational excellence  
2 program to pay a stipend to school personnel. Legislative  
3 intent is provided for coordination with community empowerment  
4 and other prevention programming.

5 The bill exempts drug and alcohol testing of students from  
6 the requirements of Code chapter 808A otherwise governing  
7 student searches, such as locker searches.

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