119TH CONGRESS
2D SESSION

S. _____

To establish education partnership programs between public schools and public health agencies to prevent the misuse and overdose of synthetic opioids by youth, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HASSAN (for herself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish education partnership programs between public schools and public health agencies to prevent the misuse and overdose of synthetic opioids by youth, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fentanyl Awareness for Children and Teens in Schools Act'' or the ''FACTS Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.

TITLE I—PARTNERSHIP GRANTS FOR LOCAL AND STATE EDUCATIONAL AGENCIES

Sec. 101. Synthetic opioid misuse and overdose education, awareness, and prevention pilot program.
Sec. 102. Authorization of appropriations; reservation.

TITLE II—ESTABLISHMENT OF AN INTERAGENCY TASK FORCE

Sec. 201. Interagency Task Force on Preventing Synthetic Opioid Misuse and Overdose Among Youth.
Sec. 202. Rule of construction.

TITLE III—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Sec. 301. Professional development for school personnel.
Sec. 302. Amendments to local educational agency plans.
Sec. 303. Amendments to State educational agency plans.

TITLE IV—AMENDMENTS TO DEPARTMENT OF EDUCATION DATA COLLECTION

Sec. 401. National Center for Education Statistics School Crime and Safety Data.

TITLE V—SCHOOL-BASED HEALTH CENTERS AND REPORTING

Sec. 501. Naloxone in school-based health centers.
Sec. 502. Amendments to the Monitoring the Future survey.
Sec. 503. Youth Risk Behavior Survey.
Sec. 504. Evaluation of the effectiveness and reach of the State Unintentional Drug Overdose Reporting System.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) establish education partnership programs between public schools and public health agencies to prevent the misuse of, and overdose with, synthetic opioids by youth;

(2) develop a whole-of-government approach to identify and disseminate best practices in education

and prevention regarding the misuse of, and overdose with, synthetic opioids by youth;

(3) increase opportunities for employees of secondary schools receiving Federal funds to receive professional development on the dangers of the misuse of, and overdose with, synthetic opioids by youth; and

(4) improve the availability and utility of data regarding the proliferation of synthetic opioids.

SEC. 3. DEFINITIONS.

In this Act:

(1) CLASSIFIED SCHOOL EMPLOYEE.—The term ''classified school employee'' means an employee of a State or of any political subdivision of a State, or an employee of a nonprofit organization, who works in any grade from prekindergarten through high school in any of the following occupational specialties:

(A) Paraprofessional, including paraeducator services.

(B) Clerical and administrative services.

(C) Transportation services.

(D) Food and nutrition services.

(E) Custodial and maintenance services.

(F) Security services.

(G) Health and student services.

(H) Technical services.

(I) Skilled trades.

(2) ESEA TERMS.—The terms ''educational service agency'', ''evidence-based'', ''local educational agency'', ''parent'', ''professional development'', ''secondary school'', ''State'', and ''State educational agency'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) SECRETARY.—The term ''Secretary'', unless otherwise specified, means the Secretary of Health and Human Services.

(4) SYNTHETIC OPIOID.—The term ''synthetic opioid'' means a substance, including fentanyl and any substituted derivative of fentanyl, that—

(A) is synthesized in a laboratory; and

(B) acts on the same targets in the brain as natural opioids to produce analgesic effects.

TITLE I—PARTNERSHIP GRANTS FOR LOCAL AND STATE EDUCATIONAL AGENCIES

SEC. 101. SYNTHETIC OPIOID MISUSE AND OVERDOSE EDUCATION, AWARENESS, AND PREVENTION PILOT PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Education, shall administer a pilot program under which the Secretary awards 3-year grants, on a competitive basis, to up to 25 eligible partnerships to provide support for the prevention of, treatment of, and recovery from, disorders stemming from the misuse of synthetic opioids, and for the treatment of overdose resulting from the use of synthetic opioids, by secondary school-aged children.

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means a partnership of—

(A) a local educational agency, a State educational agency, a Bureau of Indian Education school, an educational service agency, or a consortium of entities that includes a State, local, territorial, or Tribal education agency or organization, that is seeking to establish or expand a program to reduce the misuse of syn-

thetic opioids and establish recovery programs or services for secondary school-aged children; and

(B) a State, local, territorial, or Tribal health agency or organization, a qualified non-governmental entity with appropriate expertise in providing substance use disorder education, prevention, and treatment services or programs for secondary school-aged children, as defined by the Secretary, or a consortium of entities that includes a State, local, territorial, or Tribal health agency or organization.

(2) RECOVERY PROGRAM.—The term ''recovery program'' means a program—

(A) to help secondary school-aged children who are recovering from substance use disorders to initiate, stabilize, and maintain healthy and productive lives in the community; and

(B) that includes—

(i) peer-to-peer support delivered by individuals with first-hand experience in recovery; and

(ii) communal activities to build recovery skills and supportive social networks.

(c) USE OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds for any of the following evidence-based activities:

(1) Developing evidence-based materials for teachers to use as a component of classroom instruction, and sharing these materials with parents, caregivers, and families.

(2) Designing evidence-based professional development for teachers, school leaders, specialized instructional support personnel, classified school employees, and other school staff members.

(3) Developing in- and out-of-school workshops and accessible and tailored content for students, families, and teachers to attain information about the misuse of synthetic opioids and overdose prevention.

(4) Creating efficient and effective multimedia communication campaigns, including through social media, to maximize outreach efforts to students, parents, and families.

(5) Establishing peer-to-peer counseling programs for students at secondary schools to support the work of school-based mental health professionals in preventing the misuse of synthetic opioids.

(6) Other evidence-based activities as may be specified by the Secretary.

(d) CONTRACTS WITH NONPROFIT ORGANIZATIONS.—An eligible partnership receiving an award under this section may, for purposes of carrying out the activities described in subsection (c), enter into contracts with nonprofit organizations that—

(1) specialize in substance misuse prevention education efforts;

(2) have demonstrated success in reaching, engaging, and supporting local and State educational agencies, Bureau of Indian Education schools, and other schools; and

(3) have expertise in designing recovery programs for synthetic opioid misuse and overdose prevention.

(e) APPLICATIONS AND ASSURANCES.—To seek a grant under this section, an eligible partnership shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, which shall include the following:

(1) A description, containing qualitative and quantitative information, of the existing need for such a grant in the area proposed to be served

through the grant, which may include information on—

(A) the rate of misuse of and overdoses attributable to synthetic opioids among youth under the age of 21;

(B) if available, data indicating the trend of synthetic opioid misuse and overdoses among youth under the age of 21 over the past 5 years; and

(C) the availability of synthetic opioids.

(2) A description of the initiatives, activities, or programs the eligible partnership will fund through the grant, including how such initiatives, activities, or programs will reduce the misuse of and overdoses attributable to synthetic opioids in the area proposed to be served through the grant.

(3) A description of how the eligible partnership will establish a local interagency agreement to ensure adequate and effective collaboration among entities in the partnership to carry out the initiatives, activities, or programs described in paragraph (2).

(4) A description of how the initiatives, activities, or programs described in paragraph (2) will be linguistically appropriate and culturally responsive

for students and families served by the eligible partnership.

(5) A description of how the initiatives, activities, or programs described in paragraph (2) will support students and families served by the eligible partnership in reversing individual and community-wide effects of synthetic opioid misuse and overdoses.

(6) An assurance that—

(A) persons providing services through the grant will be adequately trained to provide such services; and

(B) teachers, school leaders, administrators, specialized instructional support personnel, representatives of local Indian Tribes or Tribal organizations as appropriate, other school personnel, students, and parents of students participating in services funded through a grant under this section will be engaged in the design and implementation of the initiatives, activities, or programs described in paragraph (2).

(7) A description of how the eligible partnership will support and integrate existing school, local educational agency, and State initiatives, activities, or programs with the initiatives, activities, or programs

described in paragraph (2) to provide synthetic opioid misuse and overdose prevention services for students, as appropriate.

(f) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that have a higher rate of youth illicit drug use, including the use of fentanyl and other synthetic opioids.

(g) DISTRIBUTION OF AWARDS.—Subject to subsection (f), the Secretary shall ensure that grants awarded under this section are equitably distributed among the geographical regions of the United States and among Tribal, urban, suburban, and rural populations.

(h) ACCOUNTABILITY.—

(1) REVIEW.—In accordance with section 102(b), the Secretary shall regularly review the initiatives, activities, or programs of eligible partnerships receiving a grant under this section to ensure that such partnerships are using the grant for the purposes for which it was provided.

(2) NOTIFICATION OF REPORTS.—Not later than 90 days after the Secretary awards grants for the first year of the program under this section, the Secretary shall—

(A) require eligible partnerships receiving a grant under this section to submit reports, on

an annual basis, detailing the initiatives, activities, or programs funded through such grant; and

(B) notify such eligible partnerships of such reporting requirement.

(3) TIMELINE OF REPORTS.—Each eligible partnership receiving a grant under this section shall submit the first report described in paragraph (2) to the Secretary not later than 4 years after receiving such grant.

(4) CONTENT OF REPORTS.—Each report required under paragraph (2) shall include, at a minimum, the following information:

(A) The effectiveness of the grant awarded under this section in reducing synthetic opioid misuse and overdose among the students served by the eligible partnership.

(B) Details regarding the initiatives, activities, or programs funded through the grant and further details about any subgrants awarded by the eligible partnership to help carry out planned initiatives, activities, or programs.

(C) Narrative statements from teachers, school leaders, specialized instructional support personnel, or other relevant stakeholders de-

scribing the process of implementing the initiatives, activities, or programs developed through the grant.

(D) If applicable, any challenges faced by the eligible partnership in reaching or involving parents, students, teachers, school leaders, specialized instructional support personnel, and other relevant stakeholders with the initiatives, activities, or programs developed through the grant.

(E) Any other information the Secretary may require.

(5) SUBMISSION OF REPORTS.—Not later than 180 days after receiving reports from eligible partnerships receiving a grant under this section, the Secretary shall—

(A) submit such reports and a brief overview of the data and outcomes described in such reports to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce and the Committee on Energy and Commerce of the House of Representatives; and

(B) make the brief overview of the data and outcomes described in such reports publicly available.

(i) PUBLICATION OF PROGRAMS.—Each eligible partnership receiving a grant under this section shall—

(1) post on the eligible partnership's website the initiatives, activities, and programs supported by the grant; and

(2) disseminate to families served by the eligible partnership, in widely accessible formats, content from and information about such initiatives, activities, and programs.

(j) SHARING OF BEST PRACTICES.—The Secretary shall—

(1) collect content from, and information about, all initiatives, activities, and programs developed by each eligible partnerships through a grant under this section; and

(2) in conjunction with the Secretary of Education, make such content and information publicly available and widely accessible.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS; RESERVATION.

(a) AUTHORIZATION.—There is authorized to be appropriated to carry out section 101 such sums as may be necessary for each of fiscal years 2027 through 2029.

(b) RESERVATION FOR EVALUATION AND TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 5 percent of the funds appropriated under subsection (a) for any fiscal year to—

(1) conduct a rigorous, independent evaluation of the initiatives, activities, or programs funded under section 101;

(2) provide technical assistance and share best practices with respect to initiatives, activities, or programs that are developed by eligible partnerships through grants under section 101; and

(3) provide technical assistance to eligible partnerships applying for a grant under section 101, through the use of webinars, direct emails, mailed outreach, and other strategies designed to reach underserved eligible partnerships, including eligible partnerships located in rural and remote areas.

(c) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this title shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this title.

TITLE II—ESTABLISHMENT OF AN INTERAGENCY TASK FORCE

SEC. 201. INTERAGENCY TASK FORCE ON PREVENTING SYNTHETIC OPIOID MISUSE AND OVERDOSE AMONG YOUTH.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a task force, to be known as the Interagency Task Force on Preventing Opioid Misuse and Overdose Among Youth (in this section referred to as the ''Task Force'') to identify, evaluate, and make recommendations to coordinate and improve Federal responses to synthetic opioid overdose and misuse in youth.

(b) MEMBERSHIP.—The membership of the Task Force shall include—

(1) the officials serving under paragraphs (1) through (9) of subsection (c); and

(2) the members serving under paragraphs (10), (11), and (12) of subsection (c), to be appointed by the Secretary.

(c) COMPOSITION.—The Task Force shall be composed of at least 12, but not more than 17, members as follows:

(1) The Secretary of Health and Human Services, who shall serve as Chair of the Task Force.

(2) The Secretary of Education.

(3) The Assistant Secretary for Mental Health and Substance Use.

(4) The Assistant Secretary for Children and Families.

(5) The Director of the Centers for Disease Control and Prevention.

(6) The Assistant Secretary for Elementary and Secondary Education.

(7) The Director of the Agency for Healthcare Research and Quality.

(8) The Surgeon General.

(9) The Director of the National Institutes of Health.

(10) At least 2, and not more than 3, non-Federal representatives who are parents of youth who died from an overdose of fentanyl or another synthetic opioid.

(11) At least 1, and not more than 2, non-Federal representatives of 1 or more nationally recognized nonprofit organizations working to raise awareness about and prevent misuse of synthetic opioids by youth.

(12) Such other Federal or non-Federal representatives as determined by the Secretary.

(d) DUTIES.—The Task Force shall—

(1) develop and regularly update a report that—

(A) identifies, analyzes, and evaluates the state of Federal, State, and local programs to address synthetic opioid misuse and overdose in secondary school-aged children, and identifies best practices including—

(i) a set of evidence-based, evidence-informed, and promising practices with respect to—

(I) prevention strategies for youth at risk of fentanyl and synthetic opioids misuse and overdose;

(II) the identification, screening, diagnosis, intervention, and treatment of youth affected by synthetic opioid misuse;

(III) the expeditious referral to, and implementation of, practices and supports that prevent and mitigate the effects of synthetic opioid misuse and overdose in youth; and

(IV) community-based or multigenerational practices that sup-

port youth and families affected by synthetic opioid misuse and overdose; and

(ii) Federal and State programs and activities to prevent, screen, diagnose, intervene, and treat synthetic opioid misuse and overdose in youth; and

(B) identifies funding opportunities, including Federal funding, for Federal, State, and local programs to address synthetic opioid misuse and overdose in youth; and

(2) develop and regularly update a national strategy for—

(A) youth synthetic opioid misuse and overdose prevention, taking into consideration the findings of the report under paragraph (1); and

(B) how the Task Force and Federal agencies represented on the Task Force will prioritize options for, and implement a coordinated approach to, addressing synthetic opioid misuse and overdose.

SEC. 202. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit or otherwise alter the authority of any of the Federal agen-

cies referred to in section 201(c) to carry out programs to reduce synthetic opioid overdose and misuse under other provisions of law.

TITLE III—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 301. PROFESSIONAL DEVELOPMENT FOR SCHOOL PERSONNEL.

Section 2101(c)(4)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6611(c)(4)(B)) is amended—

(1) by redesignating clauses (xvi) through (xxi) as clauses (xvii) through (xxii), respectively; and

(2) by inserting after clause (xv) the following:

''(xvi) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to address and prevent the misuse of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, among students.''.

SEC. 302. AMENDMENTS TO LOCAL EDUCATIONAL AGENCY PLANS.

Section 1112(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(b)) is amended—

(1) in paragraph (12)(B), by striking ''and'' at the end;

(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following:

''(13) how the local educational agency will engage teachers and school leaders, in consultation with parents, local educational agency administrators, public health officials, paraprofessionals, and specialized instructional support personnel, to address and prevent the misuse of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, among students; and''.

SEC. 303. AMENDMENTS TO STATE EDUCATIONAL AGENCY PLANS.

Section 1111(g)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)(1)) is amended—

(1) in subparagraph (F), by striking ''and'' at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following:

''(G) how the State educational agency will provide support to local educational agencies receiving assistance under this part in addressing and preventing the misuse of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, among students; and''.

TITLE IV—AMENDMENTS TO DEPARTMENT OF EDUCATION DATA COLLECTION

SEC. 401. NATIONAL CENTER FOR EDUCATION STATISTICS SCHOOL CRIME AND SAFETY DATA.

Section 153(a)(1)(H) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543(a)(1)(H)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by inserting ''and'' at the end; and

(3) by adding at the end the following:

''(iv) access to illicit drugs (including fentanyl and other synthetic opioids) on school premises, and the effects of such

substances on school safety and student health and well-being;''.

TITLE V—SCHOOL-BASED HEALTH CENTERS AND REPORTING

SEC. 501. NALOXONE IN SCHOOL-BASED HEALTH CENTERS.

Section 399Z–1(f)(1)(A) of the Public Health Service Act (42 U.S.C. 280h–5(f)(1)(A)) is amended—

(1) in clause (iv), by striking ''and'' at the end and inserting ''or''; and

(2) by adding at the end the following:

''(v) the purchase of naloxone to reverse the effects of opioid overdose, and the establishment of other programs to address and prevent the misuse of synthetic opioids, including fentanyl or any substituted derivative of fentanyl; and''.

SEC. 502. AMENDMENTS TO THE MONITORING THE FUTURE SURVEY.

Beginning on January 1, 2028, the Director of the National Institute on Drug Abuse, in collaboration with the Secretary and the Director of the National Institutes of Health, shall require the survey funded by the National Institute on Drug Abuse and titled ''Monitoring the Future'' to include—

(1) indicators to measure the use of, perception of harm of, and access to counterfeit or synthetic opioids among youth; and

(2) where applicable, indicators to measure the extent to which respondents are aware of the counterfeit or synthetic nature of any opioids used or encountered by such respondents.

SEC. 503. YOUTH RISK BEHAVIOR SURVEY.

The Director of the Centers for Disease Control and Prevention shall consult with experts regarding the potential inclusion in the data collection survey for the Youth Risk Behavior Surveillance System of—

(1) questions related to the use of, awareness regarding, and exposure to counterfeit or synthetic opioids, including fentanyl; and

(2) where applicable, indicators to measure the extent to which respondents are aware of the counterfeit or synthetic nature of any opioids used or encountered by such respondents.

SEC. 504. EVALUATION OF THE EFFECTIVENESS AND REACH OF THE STATE UNINTENTIONAL DRUG OVERDOSE REPORTING SYSTEM.

(a) EVALUATION.—Beginning on or after January 1, 2027, the Director of the Centers for Disease Control and Prevention shall conduct an evaluation to determine the

accuracy and completeness of the State Unintentional Drug Overdose Reporting System in collecting and reporting data regarding specific synthetic opioids causing or contributing to overdose and death among secondary school-aged children.

(b) REPORTS.—Not later than 180 days after concluding such evaluation, the Director of the Centers for Disease Control and Prevention shall develop and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on Education and Workforce of the House of Representatives the findings of the evaluation and, if applicable, recommendations to improve the quality and availability of data described in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for fiscal year 2027 to carry out this section.