

LAWS AND REGULATIONS ON NARCOTIC INSTRUCTION  
IN THE PUBLIC SCHOOLS

by

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# LAWS AND REGULATIONS ON NARCOTIC INSTRUCTION IN THE PUBLIC SCHOOLS

## CHAPTER I

### INTRODUCTION

#### A National Problem Recognized

The people of the United States of America subscribe to the democratic principle that every individual has a right to his own personal freedom, to an equality of opportunity and to justice before a common law. Under his right of personal freedom, an individual expects to be able to wear the clothes of his own choosing and he feels that he can eat and sleep according to his own wishes. Similarly he expects to be able to express himself freely on matters of concern and without fear of harm to himself or family. He follows any plan of worship that he chooses and he seeks employment when and where he desires. In short he is free to do entirely as he may choose with but one important exception. That exception has to do with the effect of his actions upon other people of the society of which he is a part and the effect of his actions upon this society as a whole.

Thus our individual freedom does not mean that a person may proceed in a fashion which brings physical harm to another. Nor may he do that which destroys the

possessions of another individual of society. In the exercise of his personal freedom he is expected not to do anything which will be the means of bringing about the mental or moral deterioration of a fellow citizen. Of course, he must not attempt to exercise his personal freedom in such a way that society as a whole unit will be adversely affected, even though harm may not be evident to any particular individual of the group.

When we feel that our equality of opportunity is being impaired or that our personal freedom is being interfered with, we then get recourse to justice by a uniform application of law to those concerned. We seek an arbiter who is expected to be impartial and fair in deciding what is to be done about the situation. Furthermore, when a final decision is reached all parties are expected to abide by the decision. Thus we recognize that our personal freedom must of necessity carry with it certain restrictions and a certain very definite understanding concerning the application of the principle of individual liberty.

Therefore, it was with a concept of our democratic philosophy in keeping with the above, and with a full realization of its operation, that laws were enacted, many years ago, in order to cope with abuses arising from improper use of narcotics. Their manufacture and sale have

been restricted to certain conditions because it was deemed, by the majority of people at least, that the indiscriminate use by the individual was certain to infringe upon the rights and privileges of others. It was felt that persons under their influence would be dangerous not only to individuals of society, but also, that widespread use would undermine the morale and stability of the society as a whole.

Thus, it may be seen, that in the case of certain very potent narcotics the vast majority of people are willing to forsake their personal freedom with respect to such products, in order to achieve better protection to themselves from any who might use them unwisely. But in the case of narcotic poisons of lesser potency, such as alcohol and tobacco, we do not find the general opinion in agreement, to the same degree at least, as in the matter of the more powerful narcotics such as are covered by present prohibitory regulations. Alcohol which appears to be more devastating in its effect on the individual and more far reaching in its consequences to society, than tobacco, has passed through various stages of regulation and control, even to the extreme case of attempted prohibition on a national scale. On the other hand, although tobacco is recognized as containing ingredients that have a narcotic effect upon the individual using it, still,



regulations have never generally restricted its sale and use, except to minors. This is undoubtedly the result of a feeling on the part of most people that when an individual indulges in the use of tobacco he is not, generally speaking at least, impairing the freedom of others or endangering the security of the state.

However, as time has gone on, the problem of controlling the improper use of narcotics has assumed greater and more alarming proportions from year to year. We seem to be faced with an almost continuous increase in the use of nearly all kinds of narcotics, from the weakest to the strongest. One can scarcely examine any newspaper and fail to find examples of the use of narcotics in which the principles of a democratic and free people have been shamefully violated. These violations include such catastrophes as murder, suicide, deaths from industrial accidents, deaths from highway accidents, and many others. Of course there must be included a large and unascertainable number of slow deaths, as it were, in which the individual finally succumbs through a prolonged and improper use of narcotics, entailing vast sufferings to the individual and to those coming in contact with the victim. Finally, such things as crime, disease, poverty and insanity must not be overlooked as there can be no question about the large part which narcotics play in the

case of each of these conditions.

### Education and the Problem

Formerly matters such as the use of alcohol, tobacco and other narcotics were problems of the home and the church. That this was the case is not surprising for the home was the principal unit of control for the individual when populations were sparse and, moreover, the home was the principal unit to be affected by an improper use of such items. Finally, it was difficult for the individual to obtain these even if the time and inclination were present to indulge in their use. The church appears to have played the role of an external and moral influence in support of the general policy of the home in suppressing the use of all narcotic products. Both the home and the church seem to have carried on a certain amount of campaigning against the use of all narcotic products. This campaigning can scarcely be called educational for the reason that, for the most part, it represented little more than propoganda against the use of such articles. Organizations such as the Women's Christian Temperance Union and the Anti-saloon League of America and others seem to have exerted a great influence for a time, but have been unable to maintain successfully their position of vantage. Their inability to hold a top place of influence

seems to have been due largely to two factors: first, a lack of scientific and truthful basis for their claims, and secondly, to the powerful influence of the profit motive as exhibited in a tremendous campaign of advertising for a product made alluring through the ingeniousness of man himself.

However, there has been some attention paid to the subject by the public schools, but here again, there seems to have been a great lack of scientific accuracy, at least in the early educational effort. The program in the schools, on this subject, have been extremely meager, it would appear. The early educational effort seems to have been patterned after that of the church and depended upon catchy slogans and statements calculated to frighten rather than enlighten the youthful students. In fact, the school program, in many instances, has depended almost wholly upon bringing in speakers from the various temperance organizations as they were available. Thus the school may be seen as an agency, in such instances at least, for compelling youth to listen to the very thing which the temperance program had been unable to sell to him on a voluntary basis. More recently it appears that there has been a limited effort to separate the study of these materials and their effects upon the human mechanism, from the program of the temperance organizations. Many schools are

still doing virtually nothing about this problem and as a matter of fact some even deliberately and purposely avoid it altogether. Whether a strictly scientific and objective attack on the problem, coupled with adequate individual and group discussion to insure the participant having a thorough knowledge of the results, would aid materially in improving the situation with which we are now being confronted, remains a question, particularly in the light of present advertising and sales methods.

However this may be, there are indications that point to the possibility that education may, in the near future, have this problem tossed, as it were, into its lap and commanded to really do something about it. Should this happen, it seems certain that education would have to seek out new, and as yet, rather untried methods, since the older types of instruction seem to have been rather easily overcome by modern selling methods. Certain it is, that education does not have the financial backing which would be necessary for a plan that would depend for success on being able to out-shout the dispensers of alcoholic beverages and tobacco with their high powered advertising and sales programs. It will obviously take something more convincing than shouting half-truths to make young people try to keep clear of the clutches of Marihuana and the other forms of "dope" that are being



offered youth so invitingly today.

### Purpose of the Study

It is the purpose of this study to examine the laws and regulations that govern narcotic instruction in the public schools. A second objective is to determine to what extent the various state departments of public instruction are supplying teachers with material supplementing the laws and regulations on narcotic instruction in the public schools. A third objective is to determine to what extent teacher training and teacher certification requirements include specific training for narcotic instruction in the public schools. The fourth and final objective is to construct a set of suggested laws and regulations on narcotic instruction in the public schools.

### Interest in the Study

Owing to the greatly increased use of the various kinds of narcotics, especially among young people of high school age and older, there is developing a pronounced interest in the whole problem. The pronounced increase in the consumption of alcoholic liquors since the repeal of prohibition and the appearance of the dreadful Marihuana products, in alarmingly increasing proportions, have probably been important factors in bringing about this increased

interest at this time. The increased traffic in opiates is attributed by many to a deliberate attempt on the part of a foreign country to replenish her treasury at the expense of American wealth.

In addition, the writer has a deep personal interest in the whole problem growing out of a teaching experience of several years in which various plans have been used in an effort to do justice to the problem of narcotic instruction in the public schools. This personal experience points to a probable increased activity on the part of education in this field of instruction.

#### Plan for Collecting Data

Data have been collected through the facilities of the Oregon State College Library and through a letter\* sent to the office of each of the state superintendents of public instruction of the forty-eight states. The response to this letter has, it is felt, been very fine and has made this a very important source of material for the study. The first letter brought replies from thirty-nine states and a follow-up message to the nine remaining states resulted in replies from eight out of the nine. Montana remained the only state from which information

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\* A copy in Appendix A

was not complete. Many states supplied complete copies of the school code and additional pertinent information as requested, while others supplied a digest or transcript of the laws together with additional information.

As the data began to arrive they were carefully studied and the significant aspects of the situation in each state were recorded. As additional replies were received it was noted that the significant provision in the various states began to fall into certain definite classes or groups. The first thing to be noted was the fact that state after state required instruction in the effects of narcotics. Then it appeared that some states had departmental regulations and were supplying data on the subject to teachers, principals, superintendents and others. Soon it was noted that some state codes had certain penalties attached for not giving the required instruction and thus had what might be termed teeth in the law. Another characteristic that began to appear in many codes was a teacher certification requirement with respect to narcotic instruction. The matter of placing the instruction in narcotics on a parity with other parts of the curriculum soon became apparent in certain cases. The establishment of a teacher training requirement with special attention directed to the method as well as the content was still another group that was significant. Finally, it was

to be noted that certain characteristics were peculiar to only a single state as in the case of Kentucky and Mississippi.

In every case where a new characteristic appeared and was set apart as of importance, it was necessary to again carefully examine the data from each state to make sure that this aspect had not been missed in previous readings. In some instances a certain characteristic had not been noted in previous examinations of data, but was discovered to be present upon being studied for the particular aspect in question. As this process of classification of data became complete, it appeared to be most easily shown in the form of a table for each group.

In addition to the above a limited amount of material has been secured from the library of the Etna Union High School, Etna, California, and from literature in current publications dealing with the subject of narcotics.

#### Limitations of the Study

It is to be recognized at the outset that any proposed plan, in order to be considered as authoritative in the matter of what is actually the best procedures in use today, would of necessity require detailed study of the actual operation of each state under its particular plan. A final and important means of ascertaining the effectiveness of any state plan would be to secure comparative data



on the actual knowledge of the individual under the various plans. We do not appear to have any means of measuring this knowledge at the present time in a manner to indicate which plan is most successful and which is least successful. A standardized test in the field of narcotic education that is comparable to those now available in mathematics and other subjects is needed as an additional basis for judging the effectiveness of such instruction. Therefore, the proposed plan contained in this study is largely a composite of the various state plans plus the addition of certain features, the success of which seem plausible to the writer, in the light of study and experience in connection with the problem.

In the matter of one state, Montana, the data are not complete. The text of the law has been examined and the state classified according to characteristics contained therein, but whether departmental regulations and supplementary data are in existence has not been determined.

In the case of a second state, Wyoming, it is revealed that the state law requiring instruction in narcotics has been repealed, apparently by accident rather than by deliberate intent of the legislature. Twelve years having elapsed since this action, it is not quite clear if it is deemed undesirable to have a mandatory law

or whether it appears that the state department of education is making ample provision, despite the absence of law on the subject, for narcotic education within the state.

## CHAPTER II

## NARCOTICS AND PUBLIC EDUCATION

## Early History

Although narcotics were used centuries before the discovery of America the first law to be passed, recognizing the need for instruction in their effects, was enacted by the State of Massachusetts in 1789. This statute is still in effect, though it has been amended and added to since the first enactment. This earliest of temperance laws reads in part:

resident professors and tutors of the University of Cambridge and other colleges and all . . . instructors of youth shall exert their best endeavors to impress on the minds of the children and youth committed to their care and instruction, the character of . . . sobriety, industry, chastity, moderation, and temperance and those virtues which are the ornament of human society and the basis upon which a republican constitution is founded. (54:2)

It is to be noted that the enactment is not specific as far as reference to narcotics is concerned, but it is generally believed to have been aimed particularly at alcoholic liquors. It would seem that the problem was not deemed to be an acute one since nearly a century elapsed before additional states made enactments dealing with the subject of temperance teaching in the public

schools.

However, the last quarter of the nineteenth century saw many states adopting legislation which, in many instances, specifically named alcohol and, in others, narcotics were also included. Even at this early date, alcohol was, in some instances, recognized as a narcotic and referred to as such in the statutes. The fact that this period saw some twenty-five states take steps, essentially in the same uniform direction, requiring instruction in the effects of narcotics, would indicate that the problem must have advanced in importance at this time. This seems to have been the case as the opium problem began to appear in earnest and temperance organizations became increasingly active with regard to alcoholic beverages and their human consumption.

It was the close of this same quarter century which saw still another narcotic product invade the field of human consumption in the United States, and demand a place of importance in the course of a few decades, this being none other than the forerunner of the now commonplace cigarette. In fact it was some forty-seven years ago that "Bull Durham" Duke, (18:1) the originator of the cigarette, began putting in each package of his new article pictures of half-dressed actresses. It was at this same time that he offered his son \$25,000 if he would not use



tobacco after he was 21 years of age, and as a further safeguard, this far-sighted father placed him in a good quaker college in North Carolina. (18:1)

This same quarter century doubtless felt the impact of other forces such as would be signified by a resolution such as the following, drafted by Horace Mann in 1856 and presented to the Ohio State Teachers' Association in Columbus:

It is not extravagance to say that the sum total of prudence, of wisdom, of comfort, of exemplary conduct, and of virtue, would have been today sevenfold what they are throughout the world but for the existence of intoxicating beverages among men; and that the sum total of poverty, of wretchedness, of crime, and of sorrow, would not be one-tenth part today what they are now but for the same prolific, overflowing fountain of evil. No one can deny that intemperance carries ruin everywhere. It reduces the fertile farm to barrenness. It suspends industry in the shop of the mechanic. It banishes skill from the cunning hand of the artisan and artist. It dashes to pieces the locomotive of the engineer. It sinks the ship of the mariner. It spreads sudden night over the solar splendors of genius. But nowhere is it so ruinous as in the school and the college, as upon the person and the character of the student, himself. (19:1)

#### Later Developments

The coming of the Twentieth Century brought an increase in the activities of all temperance organizations. The great drive was on for prohibition, first in many individual states, then finally on a basis designed

to bring about national prohibition. This latter finally came to pass in 1918 and continued in effect until some 14 years later, when national prohibition was repudiated by a vote of the people, with it more or less understood that there would not be a return to the former saloons, as dispensers of alcoholic beverages. Even though national prohibition was voted out there were several states which retained the idea for within their own borders substantially as it had been under the national act. (20:153)

The early part of the twentieth century saw, also, the enactment of legislation, within additional states, requiring instruction in the effects of narcotics. In 1929 the State of New Mexico, (54:25) latest to date, to adopt such legislation, became the forty-sixth state in the Union to adopt measures requiring instruction relative to narcotics. Thus two states, Arizona and Wyoming, do not have, at the present time, any enactments dealing with the subject. One state, Wisconsin, provides that a parent may file, annually, an objection in writing and thereby have a youngster excused from participating in such instruction. (61:40) The two states not having mandatory legislation for the teaching of the effects of narcotics, each have departmental recommendations for such teaching and supply teachers with pertinent data pertaining to the subject.

The District of Columbia has, since 1886, had mandatory legislation in the matter of such instruction. (54:9) This enactment applies, of course, to all territories, military and naval schools, Indian schools and colored schools, that are under the jurisdiction of the federal government, and it provides for instruction to be as thorough as for the various other branches of the curriculum.

The most recent trend, and undoubtedly a very significant one, in the matter of legislation directed at public instruction in the effects of narcotics, is that pertaining to the field of teacher training. Here it is found that several states have taken definite legislative action to make mandatory the proper and adequate training of teachers in the best and latest methods of carrying out the instructional aims of the program in the public schools of the respective states. Such steps are, it would seem, testimonials to the growing magnitude of the problem having to be dealt with at this time. That the social, moral and economic implications are far-reaching can scarcely be denied by any one who will but examine the problem even slightly and remain at all realistic in making conclusions.

For example, on the economic front, a few statements may serve to bring home the truth of the foregoing statement as to the magnitude of the situation. In the

United States alone the amount expended for cigarettes annually is more than a billion dollars and for other forms of tobacco another one-half billion dollars is expended. (56:36) And, looking at the national drink situation, it is found that the annual bill is some three and one-half billions of dollars. (56:39) Add to these sums that of another one-half billion dollars for opiates and other forms of dope and a sum is arrived at which is quite revealing. (18:1) It is even more revealing when this total of nearly five and one-half billion dollars, for which there is no real economic return, either to the individual or to society, is placed alongside the total national expenditure for all education as arrived at by the best estimates, for the year of 1936, which is \$2,630,000,000. (56:39) It is alarming enough to think of just throwing away twice as much as was expended on all education, but when it is considered from the social and moral standpoint, a large part of it was not just squandered, but was utilized in a manner which was worse than squandering. Indeed, to look at but one grim aspect of the squandering, namely that of highway fatalities in which intoxicating liquor is held to have been involved, the squandering part was really minor in comparison to the loss of human life. (56:33)

One more aspect of the problem deserves to be



discussed before passing to an analysis of the laws and regulations themselves: namely, the matter of modern advertising and the ever driving pressure of profits from expanded sales. In this connection, people, and youth in particular, are subjected, as it were, to a veritable barrage of situations so calculated as to undermine all resistance to the use of the worse than valueless products. But the fact remains that anything can be sold in this day by modern sales methods no matter how useless, and further than this, it has been proved, over and again, that a product of inferior value can effectively run off the market a similar and better product unless the better product keeps apace in its sales program involving modern advertising methods. (9:XIII) All this is the equivalent of saying that advertising and modern sales methods are in themselves a form of education, even though, in many instances, it must be classed as education away from rather than toward the complete truth. This, then, is the real challenge to education, whether people shall keep on using and learning to use the various narcotic products without being fully and completely aware of their true nature and effect and inevitable consequences to the user as well as society. What education has to grapple with, in the way of a robust and powerful adversary, may be gleaned from the statement that in one year three tobacco companies

alone, expended on their advertising program for promotion of sales, the generous sum of money amounting to \$54,000,000. (56:37) Over half the states of the Union would be very glad to substitute this sum of money for the amount which they would ordinarily spend on all education within their borders, and feel elated at the amount of the increased total.

## CHAPTER III

## LAWS AND REGULATIONS

## Original Enactments

Some one hundred forty years elapsed between the time of enactment of the first statutes which required public instruction in temperance and sobriety and the enactments of the two most recent states to establish compulsory instruction in the effects of narcotics on the human body. However, it was ninety-three years from the enactment of the first law, which was in the State of Massachusetts, until the next action was taken, in 1883, requiring instruction in the effects of narcotics. At this time two states, New Hampshire and Michigan, each enacted legislation requiring that such instruction be given in all public schools of their respective states. The next forty-six years witnessed the establishment of mandatory legislation on narcotic instruction in forty-five states and in the District of Columbia. This same period witnessed the repeal of only one such mandatory law, that of the State of Wyoming, and this rescinding action, on the part of the Wyoming Legislature, appears not to have been intentional, but rather to have been an oversight. The change was brought about through a

re-codifying of all the state laws in 1927, when the law making body passed an act repealing all previously existing statutes and substituting therefore a complete new code for the State of Wyoming. Public instruction in narcotics, in the state, appears to have continued essentially as though no change had taken place in the legal statutes, even though up to the present time no mandatory law on the subject has been reenacted.

Table I, on the following page, shows the date of the earliest enactment, for each state, requiring the public schools to teach the effects of narcotics on the human mechanism. It is to be noted that the State of Arizona, up to the present time, has had no legislation on the mandatory teaching of narcotics, and thus no date appears for this state.



TABLE I

Legal Date on which the States were  
Required to Teach the Effects of Narcotics

---

Alabama . . . . .	1927
Arizona . . . . .	----
Arkansas . . . . .	1899
California . . . . .	1887
Colorado . . . . .	1887
Connecticut . . . . .	1886
Delaware . . . . .	1929
Florida . . . . .	1915
Georgia . . . . .	1922
Idaho . . . . .	1911
Illinois . . . . .	1897
Indiana . . . . .	1895
Iowa . . . . .	1897
Kansas . . . . .	1885
Kentucky . . . . .	1893
Louisiana . . . . .	1913
Maine . . . . .	1917
Massachusetts . . . . .	1789
Maryland . . . . .	1885
Michigan . . . . .	1883
Minnesota . . . . .	1887
Mississippi . . . . .	1908
Missouri . . . . .	1897
Montana . . . . .	1895
Nebraska . . . . .	1885
Nevada . . . . .	1912
New Hampshire . . . . .	1883
New Jersey . . . . .	1903
New Mexico . . . . .	1929
New York . . . . .	1884
North Carolina . . . . .	1897
North Dakota . . . . .	1889
Ohio . . . . .	1900
Oklahoma . . . . .	1915
Oregon . . . . .	1901
Pennsylvania . . . . .	1885
Rhode Island . . . . .	1884
South Carolina . . . . .	1896
South Dakota . . . . .	1907
Tennessee . . . . .	1895
Texas . . . . .	1890
Utah . . . . .	1907

TABLE I (Continued)

Legal Date on which the States were  
Required to Teach the Effects of Narcotics

---

Vermont . . . . .	1926
Virginia . . . . .	1910
Washington . . . . .	1890
West Virginia . . . . .	1927
Wisconsin . . . . .	1885
Wyoming . . . . .	1915
District of Columbia . .	1886

---

It is interesting to note that the period from 1883 to and including 1900, some eighteen years, saw the establishment of mandatory legislation on the subject of narcotic instruction in the public schools, in no less than 27 states, and that the next eighteen years, or that period just preceding the enactment of prohibition on a national scale, saw 11 more states adopt such legislation. This period of most frequent enactment coincides pretty well with the time when state and national prohibition was being advocated most successfully and this movement undoubtedly had much to do with the establishment of these various state laws. Six states established their first law after the enactment of the national prohibition amendment.

## Current Statutes

Teeth in Law      Enactments frequently have penalties attached to them, in the event that they are not properly carried out. Such is the case with some of the state laws as they now exist, but in a surprising number of cases there is no mention of penalty for failure to comply with the mandate. In those state codes where a specific penalty is provided for failure to observe the requirement, it is usually of the nature of a threat to withhold state educational funds or of dismissal from employment, and in some cases both of the above penalties are specified. In a few cases a very small fine is stipulated, as in the case of Illinois, where an amount of from five to twenty-five dollars is provided for failure to comply with the requirement. (16:167). It is to be noted that provisions for such penalties are rather general and more or less vague as to what constitutes neglect of duty in this regard, and little attempt is made to set up any definite measuring instrument by which the program is to be judged, and further, that it is neglect of such duty that is to be reported, rather than a positive reporting of what has actually been done. The provisions of the South Dakota Code are an example of the condition mentioned in the foregoing statement, and are as follows, in part:

It shall be the duty of county and independent district superintendents and boards of all educational institutions receiving aid from the state to report to the Superintendent of Public Instruction any failure or neglect on the part of school boards, boards of education, and boards of all educational institutions receiving aid from the state, to make proper provisions, in any and all the schools under their jurisdiction, for instruction in the nature of alcoholic drinks and narcotics and their effects upon the human system, in connection with the several divisions of the subject of relative physiology and hygiene, as required by this chapter.

Such failure on the part of such boards, thus reported or otherwise satisfactorily proved, shall be deemed sufficient cause for withholding the warrant for the state appropriation of school money to which such district or educational institution would otherwise be entitled. (50)

The following states have set up penalties for failure to properly instruct public school children in the effects of narcotics on the human system:

TABLE II

## States Having Teeth in Law

---

Alabama	District of Columbia
Arkansas	New Jersey
Colorado	New Mexico
Connecticut	New York
Florida	North Carolina
Idaho	Ohio
Illinois	South Carolina
Indiana	South Dakota
Louisiana	Washington



Specific Parity      That it was the intent of the legislation when enacted, to make compulsory instruction in the effects of narcotics well taught, is evidenced by a provision in the statutes of many states. This provision, in the code of many of the states, declares in substance, that the effects of narcotics shall be as thoroughly and conscientiously taught as are the other several branches of hygiene and physiology. In all such cases, of course, physiology and hygiene are named as required courses. In a few instances, such as in the case of South Dakota, the provision specifies ". . . as thoroughly as arithmetic and geography are taught." (50:31) Such provisions do, of course, help to determine the importance to be attached to the teaching of these subjects, and would seem to indicate that a strong educational effort was desired in the field of narcotic instruction.

Some such statement of parity with other subjects of the curriculum is to be found in the laws of twenty-one of the states, as listed in the following table.

TABLE III  
States with Parity Laws

---

Alabama	Louisiana	Ohio
Arkansas	Maryland	Oklahoma
Colorado	Michigan	Oregon
Georgia	Dist. of Columbia	South Carolina
Illinois	New Jersey	South Dakota
Iowa	Mexico	Tennessee
Kentucky	New York	West Virginia
	North Carolina	

---

Alcohol and Tobacco      There are four states which, by the wording of their laws, definitely classify tobacco as a narcotic. There are a number of others which include instruction in the effects of tobacco as a requirement, but by the wording of the law do not designate tobacco as a narcotic substance. That it is a narcotic and should be designated as such, is now clearly established according to Corradini, in his book, "Narcotics and Youth Today." (9:43) The classification of alcohol as a narcotic by the text of the code law, appears in a number of states, and such classification appears to have been made earlier and much more frequently than in the case of tobacco. As in the case of tobacco, noted above, alcohol is specifically included in the statutes of many states, besides those which designate it as a narcotic.

The following table indicates those states which

designate, by the text of their laws, that either tobacco or alcohol, or that both tobacco and alcohol, are narcotic substances.

TABLE IV  
Classification of Alcohol and Tobacco

		Tobacco		Alcohol
Alabama	.....	X	.....	X
Arkansas	.....		.....	X
California	.....	X	.....	X
Illinois	.....		.....	X
New York	.....		.....	X
Ohio	.....		.....	X
Oklahoma	.....		.....	X
Oregon	.....	X	.....	X
Utah	.....	X	.....	X
Dist. of Columbia	.....		.....	X

It is to be noted that all states which have mandatory laws on the subject include alcohol, usually by specific reference to the name, but in a few cases by the terms, temperance and sobriety.

Teacher Certification      A large number of states have included in their laws a requirement that when teachers are to be certified for teaching credentials through the taking of an examination, that such examination shall include the subjects of " . . . physiology and hygiene, with special reference to the effects of alcoholic stimulants and narcotics upon the human system." (20:56) Table V

indicates the states which have a teacher certification requirement such as that indicated above.

TABLE V  
States Having Teacher Certification Law

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Alabama	Mississippi
Arkansas	Nebraska
California	New Jersey
Connecticut	New Mexico
Delaware	New York
Georgia	Ohio
Illinois	Tennessee
Indiana	Texas
Kansas	West Virginia
District of Columbia	

Teacher Training      The matter of training teachers in the best methods to be used in giving instruction in alcohol, tobacco and other narcotics, seems to have been pretty generally overlooked by the various states, until more recently. It appears that the greater part of the legislation on the teacher training phase has appeared within the last decade, with Oregon the most recent state to have given special attention to the problem, as evidenced by the acts of the 1939 session. (46:40) The requirements in the matter of teacher training provide in general that, in all teacher training institutions adequate time and attention must be given to instruction in the best methods in teaching the nature of narcotics and their effect upon the human system.



Table VI gives the names of those states which have a specific teacher training requirement, in the best methods in teaching the nature and effects of narcotics.

TABLE VI  
States Having Teacher Training Requirement

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Alabama	Nebraska
California	New York
Connecticut	North Carolina
Delaware	Ohio
Idaho	Oregon
Illinois	

It is to be noted that in the State of Nebraska the requirement is upon the authority of the state board of education, rather than the legislature. As this is a very recent regulation it is quite probable that it may be enacted into law in the near future. In one other state, Utah, it is to be noted that in the most recent bulletin from the state department of education, teacher training institutions are urged to incorporate the needed instruction in the best methods and techniques in narcotic education. (56:6)

Placards It seems worthy of mention that one state, Kentucky, provides that the superintendent of public instruction must supply teachers with suitable placards

relative to narcotic instruction, and that these must be kept posted in a conspicuous place at all times.

Mississippi It is of considerable significance that the state of Mississippi has taken definite action in 1940 to effect education in narcotics by a plan that gives indication of producing far-reaching results. Although the legislation was passed in 1938, no funds were provided to carry out the plan until the 1940 session of the legislature. Briefly, the plan is as follows: (31:Chap. 166)

1. A new member is added to the state department of education for the purpose of supervising narcotic education in all public schools of the state.
2. The principal of each school in the state must make a detailed report to the supervisor on forms prepared for the purpose, giving the exact type and amount of work in each grade during the current year.
3. Each member of every senior class in each high school is to write an original essay on the effects of alcoholic liquors and the essay judged to be the best in each county is to be spread upon the minutes of the board of supervisors of the county. Further, the board of supervisors in each county is urged to contribute a sum not exceeding \$100 out of the general county fund toward the expenses of the author of the winning essay for one scholastic

year at any public college of his choosing in the state of Mississippi.

4. All winning essays in the various counties are to be forwarded to the state superintendent. From this group of winning essays, a committee of five is to select a state winner who is to receive one year's free tuition at any state aided college.

5. The essay selected as the best in the entire state is to be printed and distributed to schools and such essay is to be read before all the students of each school in the state.

#### Regulations and Supplementary Data

In a number of states the law compelling instruction in the effects of narcotics on the human system has been supplemented by action, in one form or another, on the part of the state superintendent or the state board of education. This supplementary action has, in some instances, taken the form of merely supplying a bibliography of material on the subject. In other cases, the action has been stronger, and the department has supplied an up-to-date summary of pertinent data, together with suggestions to teachers on effective methods of instruction.

Table VII indicates those states in which the state department of education has taken some action to supplement

the law, in the manner noted above.

TABLE VII

State Departments which Supply Supplementary Data

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Arizona	Michigan	North Carolina
Delaware	Minnesota	North Dakota
Georgia	Mississippi	Ohio
Idaho	Nebraska	Oregon
Indiana	Nevada	Pennsylvania
Iowa	New Hampshire	Utah
Louisiana	New Jersey	Vermont
Maine	New York	Wyoming
Massachusetts		West Virginia

It is to be noted that the State of Arizona does not have a mandatory law, in the matter of instruction in the effects of narcotics on the human system, but it does supply pertinent data on the subject to the elementary schools of the state. Supplementary material is not supplied to the high schools of the state. Essentially the same situation prevails in the state of Wyoming as that just referred to in Arizona, as no mandatory law now exists in the former state.



## CHAPTER IV

## SUMMARY AND PROPOSED PLAN

One of the problems which America faces today grows out of the use of certain narcotic products, which to be named more specifically are, tobacco, alcohol, Marihuana and the opiates. From the point of importance within the whole problem, alcohol undoubtedly ranks first, with Marihuana and the opiates assuming the next most important positions. Legislation has been enacted from time to time, in an effort to cope with the problem, but such action has met with only partial success, to say the least. Campaigns, nation wide in scope, have been waged to secure the self-imposing of restrictions regarding the use of alcohol, only to find that after a period years, such restrictions were not satisfactory to the majority. Throughout this campaign, public education slowly but unmistakably began to make an appearance as a force, though a minor one, to influence the total situation. State after state enacted legislation to the end that all public schools should give instruction in the effect of narcotics upon the human mechanism. The status of education is still but slowly being defined, but can be summed up by observing, that all but two states have compulsory instruction in the effects of narcotics, that thirty-six per cent have penalties

stipulated for failure to give such instruction, that forty-five per cent of the states command that instruction be as thorough as other phases of the program, that eight per cent term tobacco a narcotic, that nineteen per cent classify alcohol as a narcotic, that thirty-seven per cent require teacher certification examinations to contain material dealing with the effects of narcotics, that twenty-seven per cent have teacher training requirements relative to narcotic instruction, and finally, that fifty-three per cent have state departments of instruction which have sent out to teachers supplementary data on the problem of narcotic instruction.

However, despite all the forces and their combined efforts at alleviating the difficulties arising from the use of narcotics, still the perils to society and the individual, arising from such use, are constantly on the increase. Despite the efforts of the public school, the temperance organizations, the law enforcement bodies, the insurance companies with their vital statistics, and the various other forces interested in solving the problem, still the consequent difficulties from the use of all narcotics are continually expanding. Modern advertising and modern sales methods have carried forward a program calling for increased consumption of all narcotics, with opposition forces being compelled to give ground rather

than to be on the offensive, in most instances. While all forces in opposition to the sales program of the narcotic interests are on the defensive at present, still indications are that education is only now beginning to lay the ground work upon which a better attack can be made. The increasing attention that is being paid to the matter of teacher training in narcotic education may prove to be an important step in this attack. Up to the present there may even be some question if education has not, in some instances at least, deliberately side-stepped the problem, feeling that it properly belonged to the home and the church. Education cannot hope to escape, for long at least, the responsibility of being silent in a situation where mis-information and half-truths prevail to the detriment of both society and the individual, and such is the case today in the matter of narcotic education.

It is apparent from the foregoing summary that progress in narcotic education is going to be slow and difficult at best. Every state has some plan, either by law or by departmental regulation, whereby it has been attempting to cope with the problem. It seems reasonable to assume that every state has had something of worth in the plan it was using, otherwise it would have been discarded before now. It would seem, then, that the first step to be suggested should be to make a composite plan

from the noteworthy features of all the various states. It is to be noted that no state has all the features which would thus be included. The main points of the proposed plan would thus become:

1. A mandatory law, requiring instruction in the effects of alcohol, tobacco and other narcotics on the human system. Such instruction to be based on the findings of science.
2. Instruction shall be as thorough as that of any other subject in the curriculum.
3. State departments of education to be required to reinforce and clarify the intent of the law by supplying adequate, scientific and up-to-date information and bibliographies on narcotic education.
4. In granting any teaching certificate by examination there shall be included examination on the effects of narcotics on the human system.
5. Adequate courses to be included as part of the teacher training requirement, in all teacher training institutions, covering content and method in narcotic instruction.
6. State department to supply suitable placards which must be kept continuously posted in



conspicuous places during time schools have possession of them.

7. State funds to be withheld for failure to provide adequate program in narcotic education.
8. Provide a state supervisor of narcotic education to supervise the enforcement of the above parts of the plan and to conduct as a special feature of his work a county and state wide essay contest for high school seniors on the subject of narcotic education. Suitable and appropriate prizes to be awarded the county winner of each county and the final state winner in the contest. The supervisor should take steps to properly publicize the winning essay in such contests.

The above eight points include all of the individual characteristics of the forty-eight separate plans as they are now in operation.

While it is felt that every point in the above plan has merit, still it is believed that even such a plan would prove to be insufficient to cope with the modern problem as it exists today. It is proposed, therefore, that certain additions be made to the above plan before considering it to be an adequate and recommended setup.

The first point to be recommended for change is number 2 in the above plan, which should be amended as follows:

2. (amended) The state department of education shall determine the adequacy of the program in narcotic education, in each high school and elementary school, by a comprehensive examination of each pupil in the graduating class, in each school. The examination shall be administered through the office of the county superintendent of schools, in the various counties. The adequacy of the program shall be determined by the score of the school as a whole, and schools which shall be deemed to have inadequate programs shall be so notified by the state superintendent. Whenever a school shall require such notice on two successive years, it shall be the duty of the state superintendent to withhold ten per cent of any and all state funds which would otherwise accrue to such school.

The objectives, here, are to make the check-up on the adequacy of instruction a positive thing. The present laws, except in the case of Mississippi, depend upon the poor instruction being reported to the state authorities, or it being otherwise discovered, and no real method of

discovery or proof are provided. A second objective is to make the withholding of funds practical by taking out only ten per cent. Obviously if all state aid were withheld the average school would not be able to operate at all, hence a superintendent will do nothing, unless there is some open and flagrant violation, which is so unmistakable that it cannot be overlooked.

A second change to be recommended is in connection with point number 4 above, and should be amended to require that the granting or renewal of certificates be made, hereafter, only upon evidence that the individual has completed, in a teacher training institution, a satisfactory course in content and methods in narcotic instruction. Thus teachers in the field would feel the necessity for bringing their education up-to-date in this area of instruction.

In connection with point number 6 above, it is to be recommended that the state superintendent supply, free of charge, suitable sound and silent films on the subject of narcotic education. Although there are pictures available at the present time for a small charge, this is not deemed to be entirely satisfactory. The film should be supplied without any charge and should be prepared strictly for the use of schools with proper consideration being given to the grade level on which the picture is to be used.

## FURTHER STUDIES IN THE FIELD

1. TO CONSTRUCT A SET OF STANDARDIZED TESTS ON NARCOTIC EDUCATION, FOR THE EIGHTH GRADE LEVEL.
2. TO CONSTRUCT A SET OF STANDARDIZED TESTS ON NARCOTIC EDUCATION, FOR THE TWELFTH GRADE LEVEL.
3. TO CONSTRUCT A SET OF PLANS FOR TEACHING NARCOTIC EDUCATION, ON THE EIGHTH GRADE LEVEL.
4. TO CONSTRUCT A SET OF PLANS FOR TEACHING NARCOTIC EDUCATION, ON THE TWELFTH GRADE LEVEL.



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APPENDIX

Corvallis, Oregon  
244 N. 5th St.  
June 29, 1940

Commissioner of Education  
State Dep't of Education

Dear Sir:

A study is being made of the laws and regulations on narcotic instruction in the public schools of the United States. This is understood to include tobacco and alcohol. In this study the following specific information is desired from your state:

1. Transcript or digest of present statutes requiring instruction in the above.
2. A copy of any available rules or regulations of the state department of education now in effect.
3. A copy of any available manual or other such document used for the guidance of teachers in giving instruction in the above.

Your attention to the above will be greatly appreciated and any fee in connection with the above will be promptly sent upon receipt of notice concerning such fee.

Thanking you for your assistance, I am

Sincerely yours,

Irving C. Elliott

*Permanently*