

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1367 Session of
2023

INTRODUCED BY DALEY, MADDEN, HILL-EVANS, KINSEY, DELLOSO,
SANCHEZ, KHAN, SCOTT, NEILSON, RABB AND CEPEDA-FREYTIZ,
JUNE 12, 2023

REFERRED TO COMMITTEE ON EDUCATION, JUNE 12, 2023

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in school health services, providing
6 for mental health awareness for student athletes, parents,
7 guardians and coaches.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
11 as the Public School Code of 1949, is amended by adding a
12 section to read:

13 Section 1426. Mental Health Awareness for Student Athletes,
14 Parents, Guardians and Coaches.--(a) The following apply to
15 educational materials:

16 (1) The department and the Department of Education shall
17 develop and post on their publicly accessible Internet websites
18 guidelines and other relevant materials to inform and educate
19 students participating in or desiring to participate in an
20 athletic activity, their parents or guardians and their coaches

1 about the nature and warning signs of mental health distress,
2 mental health illness and related issues.

3 (2) In developing the guidelines and materials described
4 under clause (1), the department and the Department of Education
5 may utilize existing materials developed by mental health
6 organizations.

7 (3) A student participating in or desiring to participate in
8 an athletic activity and the student's parent or guardian shall,
9 each school year and prior to participation by the student in an
10 athletic activity, sign and return to the student's school an
11 acknowledgment of receipt and review of the information sheet
12 developed under this subsection regarding the nature and warning
13 signs of mental health distress, mental health illness and
14 related issues. The information sheet shall also include
15 resources available to the student athletes, parents, guardians
16 and coaches regarding mental health distress, mental health
17 illness and related issues.

18 (b) A school entity may hold an informational meeting prior
19 to the start of each athletic season for all ages of competitors
20 regarding mental health awareness and the nature and warning
21 signs of mental health distress, mental health illness and
22 related issues. The informational meeting may include students,
23 parents, guardians, coaches and other school officials, athletic
24 trainers and health care professionals, including physicians,
25 psychiatrists, psychologists, nurses, counselors and other
26 mental health professionals.

27 (c) The following apply to training courses:

28 (1) Once each school year, a coach of an athletic activity
29 shall complete a mental health awareness training course offered
30 by a provider approved by the department.

1 (2) A coach of an athletic activity may not coach the
2 athletic activity until the coach completes the training course
3 required under this subsection.

4 (d) The governing body of a school entity shall establish
5 the following minimum penalties for a coach found in violation
6 of the requirements under subsection (c), which penalties shall
7 take effect two years following the effective date of this
8 subsection:

9 (1) For a first violation, suspension from coaching any
10 athletic activity for the remainder of the season.

11 (2) For a second violation, suspension from coaching any
12 athletic activity for the remainder of the season and for the
13 next season.

14 (3) For a third violation, permanent suspension from
15 coaching any athletic activity.

16 (e) The sponsors of youth athletic activities not associated
17 with a school entity are encouraged to follow the guidance
18 stated in this section.

19 (f) Nothing in this section shall be construed to:

20 (1) abridge or limit any rights provided under a collective
21 bargaining agreement in effect on the effective date of this
22 subsection or any rights provided under the act of July 23, 1970
23 (P.L.563, No.195), known as the "Public Employe Relations Act";
24 or

25 (2) create, establish, expand, reduce, contract or eliminate
26 any civil liability on the part of a school entity or school
27 employe.

28 (g) As used in this section--

29 "Athletic activity" means all of the following:

30 (1) Interscholastic athletics.

1 (2) An athletic contest or competition, other than
2 interscholastic athletics, that is sponsored by or associated
3 with a school entity, including cheerleading, club-sponsored
4 sports activities and sports activities sponsored by school-
5 affiliated organizations.

6 (3) Noncompetitive cheerleading that is sponsored by or
7 associated with a school entity.

8 (4) Practices, interschool practices and scrimmages for all
9 of the activities listed under clauses (1), (2) and (3).

10 "Department" means the Department of Health of the
11 Commonwealth.

12 "Interscholastic athletics" means as defined in section 1602-
13 A.

14 "School entity" means as defined in section 1602-A.

15 Section 2. This act shall take effect in 60 days.