

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2082 Session of
2014

INTRODUCED BY CLAY, V. BROWN, CRUZ, MURT, THOMAS, ENGLISH,
YOUNGBLOOD, COHEN, O'BRIEN, ROEBUCK AND MIRANDA,
MARCH 11, 2014

REFERRED TO COMMITTEE ON EDUCATION, MARCH 11, 2014

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 alcohol, chemical and tobacco
6 abuse program, providing for instruction in problem gambling
7 awareness.

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

10 Section 1. Section 1547 of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended December 19, 1990 (P.L.1362, No.211), is amended to
13 read:

14 Section 1547. Alcohol, Chemical [and], Tobacco Abuse and
15 Problem Gambling Awareness Program.--(a) Beginning with school
16 year 1991-1992 and each year thereafter, each public school
17 student shall receive mandatory instruction in alcohol, chemical
18 and tobacco abuse in every year in every grade from kindergarten
19 through grade twelve. The instruction shall be integrated within
20 the health course of study required in accordance with the State

1 Board of Education regulations. In grades where health is
2 offered, instruction may also be integrated into other
3 appropriate courses of study. In grades where health is not
4 offered, instruction shall be integrated into an appropriate
5 curriculum requirement as listed in 22 Pa. Code § 5.4(b).
6 Beginning with school year 2014-2015, and each year thereafter,
7 the instruction mandated under this section shall be expanded to
8 include instruction in compulsive and problem gambling
9 awareness.

10 (1) This instruction:

11 (i) Shall be age appropriate.

12 (ii) Shall be sequential in method of study.

13 (iii) Shall discourage the use of alcohol, tobacco and
14 controlled substances and engaging in any form of recreational
15 or legalized gambling.

16 (iv) Shall communicate that the use of illicit drugs and the
17 improper use of legally obtained drugs is wrong.

18 (v) Shall communicate that gambling is an activity that
19 carries risk beyond losing money.

20 (vi) Shall communicate the negative effects of compulsive
21 and problem gambling.

22 (2) School districts may utilize any appropriate public or
23 private materials, personnel and other resources in developing
24 and implementing this program of instruction. The Department of
25 [Health, Office of] Drug and Alcohol Programs, shall make
26 available information about appropriate curriculum materials
27 upon request of a school district. In developing its alcohol,
28 chemical and tobacco abuse and compulsive and problem gambling
29 awareness instructional program, each school district shall
30 consult with the single county authority designated by the

1 Department of [Health] Drug and Alcohol Programs to provide drug
2 and alcohol services and services related to compulsive and
3 problem gambling awareness in the school district's area.

4 (b) Each school district is hereby authorized to develop and
5 offer programs relating to alcohol, chemical and tobacco abuse
6 and compulsive and problem gambling for parents of students
7 enrolled in the public schools. If a school district does
8 develop such programs, they shall be developed in consultation
9 with the single county authority designated by the Department of
10 [Health] Drug and Alcohol Programs to provide drug and alcohol
11 services and services related to compulsive and problem gambling
12 in the school district's area. Such programs shall be offered at
13 no cost to parents.

14 (c) The Secretary of Education, in consultation with the
15 Secretary of [Health] Drug and Alcohol Programs, shall develop
16 curriculum guidelines for instruction on alcohol, chemical and
17 tobacco abuse and the laws governing their use and misuse, and
18 for instruction on compulsive and problem gambling awareness and
19 the applicable laws governing underage gambling. These
20 guidelines shall encourage the inclusion of the following
21 elements where appropriate in the instruction:

22 (1) Detailed factual information regarding the
23 physiological, psychological, sociological and legal aspects of
24 substance abuse and compulsive and problem gambling.

25 (2) Detailed information regarding the availability of help
26 and assistance for students and their families with alcohol,
27 chemical and tobacco dependency problems and gambling problems.

28 (3) The goals of quality education as set forth in 22 Pa.
29 Code § 5.13(f).

30 (4) Skills needed to evaluate advertisements for and media

1 portrayals of alcohol, chemical and tobacco products and
2 recreational gambling.

3 (5) Detailed instruction on the need for and the role of
4 lawful authority and law-abiding behavior, including interaction
5 with members of the legal and justice community.

6 (6) Data on the social, behavior and economic risks of
7 recreational and legalized gambling.

8 (7) Classroom activities or instructions focused on the
9 concepts of risk, healthy choices and addiction associated with
10 recreational gambling designed to integrate and reinforce
11 instructions on the negative effects of alcohol, chemical and
12 tobacco abuse along with recreational gambling.

13 (8) Information on the warning signs associated with
14 compulsive and problem gambling.

15 (9) Background information and data concerning youth
16 gambling.

17 (10) Information to help reduce the prevalence of youth
18 gambling.

19 (d) Beginning with the 1991-1992 school year and each year
20 thereafter, the Secretary of Education, in consultation with the
21 Secretary of [Health] Drug and Alcohol Programs, shall make
22 available, to all school districts and intermediate units, in-
23 service training programs based upon the instruction
24 requirements established in subsection (a) and the curriculum
25 guidelines established in subsection (c). The programs shall
26 provide preparation for the teaching of mandated instruction in
27 alcohol, chemical and tobacco abuse and compulsive and problem
28 gambling awareness. The in-service programs may utilize the
29 single county authorities designated by the Department of
30 [Health] Drug and Alcohol Programs or such other institutions,

1 agencies or persons as the Secretary of Education deems
2 appropriate.

3 (e) (1) Beginning with the 1991-1992 school year, each
4 school district shall provide, as part of its in-service
5 training, programs on alcohol, drugs, tobacco and dangerous
6 controlled substances for all instructors whose teaching
7 responsibilities include courses of study in which mandated
8 instruction concerning alcohol, chemical and tobacco abuse is
9 integrated. To comply with this requirement, a school district
10 may utilize the programs made available by the Department of
11 Education or use other alternative programs.

12 (2) Beginning with the 2014-2015 school year, the in-service
13 training required for certain instructors under paragraph (1)
14 shall incorporate instruction on compulsive and problem
15 gambling. A school district may utilize programs made available
16 by the Department of Education, the Department of Health or the
17 Department of Drug and Alcohol Programs to develop its
18 compulsive and problem gambling awareness program.

19 (f) The governing board of each intermediate unit in which a
20 nonpublic school is located shall have the authority and the
21 duty to loan to all students attending nonpublic schools within
22 the intermediate unit all educational materials developed by
23 either the Department of Education [or], the Department of
24 Health or the Department of Drug and Alcohol Programs, pursuant
25 to this act for the instruction of public school students on the
26 nature and effects of drugs, alcohol, tobacco and dangerous
27 controlled substances and recreational and legalized gambling.
28 Local school boards need not expend funds which are not provided
29 by either the Federal or State Government for drug education
30 programs for the use or loan of these materials. A nonpublic

1 school may utilize the in-service training programs made
2 available by the Department of Education through the
3 intermediate unit.

4 (g) (1) On or before June 1, 1991, the Secretary of
5 Education shall recommend to the General Assembly a plan to
6 require and assist each school district to establish and
7 maintain a program to provide appropriate counseling and support
8 services to students who experience problems related to the use
9 of drugs, alcohol and dangerous controlled substances.

10 (2) If deemed necessary, the Secretary of Education, in
11 consultation with the Secretary of Drug and Alcohol Programs and
12 the Secretary of Health, may periodically recommend to the
13 General Assembly a plan for a program to provide counseling and
14 support services to students who experience problems related to
15 compulsive and problem gambling in targeted school districts.
16 The plan may include recommendations for the allocation of funds
17 from the Compulsive and Problem Gambling Treatment Fund
18 established under 4 Pa.C.S. (relating to amusements) to school
19 districts for school-based compulsive and problem gambling
20 programs.

21 (h) On or before June 1, 1992, the Secretary of Education
22 shall report to the General Assembly concerning the 1991-1992
23 school year activities of the Department of Education pertaining
24 to the provisions of this section and concerning proposed 1992-
25 1993 school year activities of the Department of Education
26 pertaining to this section.

27 (h.1) Two years after the effective date of this subsection,
28 the Secretary of Education, in consultation with the Secretary
29 of Drug and Alcohol Programs, shall submit a report to the
30 General Assembly concerning the activities of both departments

1 related to the administration of this section. The report shall
2 include data and information, if available, on student attitudes
3 toward recreational and legalized gambling, demographic trends
4 and descriptions of activities and programs instituted to assist
5 students with suspected or actual problems related to
6 recreational gambling.

7 (i) The State Board of Education shall adopt rules and
8 regulations necessary for the implementation of this section.

9 Section 2. This act shall take effect immediately.