

## **BILL ANALYSIS**

S.B. 1444  
By: Barrientos  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, Texas' schoolchildren participate in school-sponsored athletic competition under inconsistent health and safety conditions. Training students, as well as coaches, in basic safety procedures such as cardiopulmonary resuscitation could decrease the likelihood of serious injuries or fatalities resulting from athletic. In addition, testing for congenital heart defects and the presence of the apolipoprotein E-4 gene could prevent long-terms disabilities and even tragic immediate consequence for some young athletes. S.B. 1444 requires certain school personnel and students participating in extracurricular athletics to take a safety training course. The bill also requires that certain personnel or sponsors for an extracurricular athletic activity ensure certain safety precautions and requires the University Interscholastic League to recommend that each student participating in an extra curricular athletic activity receive a heart screening.

### **RULEMAKING AUTHORITY**

It is the committees opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 33.102, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 33, Education Code, by adding Subchapter E, as follows:

#### **SUBCHAPTER E. SAFETY REGULATIONS FOR CERTAIN EXTRACURRICULAR ACTIVITIES**

Sec. 33.101. **APPLICABILITY.** Provides that this subchapter applies to each public school in this state and to any other school in this state subject to University Interscholastic League (UIL) regulations.

Sec. 33.102. **SAFETY TRAINING REQUIRED.** (a) Requires the commissioner of education (commissioner) by rule to develop and adopt a safety training program as provided by this section. Authorizes the commissioner, in developing the program, to use materials available from the American Red Cross or another appropriate entity.

- (b) Requires certain persons to satisfactorily complete the safety training program.
- (c) Requires that the safety course meet certain requirements.
- (d) Requires a student participating in an extracurricular athletic activity to receive certain training.
- (e) Authorizes the safety training program and the training under Subsection (d), to each be conducted by a school or school district or by an organization described by Subsection (c)(1).

(f) Provides that a physician who is employed by a school or school district or who volunteers to assist with an extracurricular athletic activity is exempt from the requirements of Subsection (b) if the physician attends a continuing medical education course that specifically addresses emergency medicine for athletic team physicians.

Sec. 33.103. RECOMMENDATION RELATED TO HEART SCREENING. Requires UIL to recommend that each student participating in an extracurricular athletic activity receive a heart screening.

Sec. 33.104. CERTAIN UNSAFE ATHLETIC ACTIVITIES PROHIBITED. Prohibits a coach, trainer, or sponsor for an extracurricular athletic activity from encouraging or permitting a student participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of the student, including using a helmet or any other sports equipment as a weapon.

Sec. 33.105. CERTAIN SAFETY PRECAUTIONS REQUIRED. (a) Requires a coach, trainer, or sponsor for an extracurricular athletic activity at each athletic practice or competition to ensure that certain requirements are met.

(b) Authorizes a referee, umpire, or other official at an extracurricular athletic competition under certain conditions, to prohibit a student from participating in the competition.

(c) Prohibits a student, if a student participating in an extracurricular athletic activity, including a practice or competition, rendered unconscious during the activity, from returning to the practice or competition during which the student was rendered unconscious or from continuing to participate in any extracurricular athletic activity until the student receives a written authorization from a physician.

Sec. 33.106. COMPLIANCE; ENFORCEMENT. (a) Requires a school on request, to make available to the public proof of compliance for each person enrolled in, employed by, or volunteering for the school who is required to receive safety training described by Section 33.102.

(b) Requires the superintendent of a school district or the director of a school subject to this subchapter to maintain complete and accurate records of the district's or school compliance with Section 33.102.

(c) Requires a school campus that is determined by the school's superintendent or director to be in noncompliance with Sections 33.102, 33.104, or 33.105 to discontinue all extracurricular athletic activities offered by the school campus, including all practices and competitions, until the superintendent or director determines that the school campus is in compliance.

Sec. 33.107. CONTACT INFORMATION. (a) Requires the commissioner to maintain an existing telephone number and an electronic mail address to allow a person to report a violation of this subchapter.

(b) Requires each school district that offers an extracurricular athletic activity to prominently display at the administrative offices of the school the telephone number and an electronic mail address maintained under Subsection (a).

Sec. 33.108. UNIVERSITY INTERSCHOLASTIC LEAGUE MEDICAL ADVISORY BOARD SUBCOMMITTEE. (a) Requires the UIL director to appoint a subcommittee from among the membership of the league's medical advisory board. Requires the director or the director's designee to serve as the subcommittee's presiding officer.

(b) Requires the subcommittee to prepare a statement of the risks of injury resulting from participation in extracurricular athletic activities. Requires UIL to post the text of statement on the league's Internet website and provide to each student participating in an extracurricular athletic activity and to the student's parent or guardian a copy of the statement.

Sec. 33.109. NOTICE REQUIRED. Requires a school that offers an extracurricular athletic activity to provide to each student participating in an extracurricular athletic activity and to the student's parent or guardian a copy of the text of Sections 33.101-33.108.

Sec. 33.110. INCORPORATION OF SAFETY REGULATIONS. Requires UIL to incorporate the provisions of Sections 33.103-33.108, into the league's constitution and contest rules.

SECTION 2. Effective date: September 1, 2003, provides that this Act applies beginning with the 2004-2005 school year, except that Sections 33.104 and 33.108, Education Code, as added by this Act, apply beginning with the 2003-2004 school year.

**EFFECTIVE DATE**

September 1, 2003