

A BILL TO BE ENTITLED

AN ACT

relating to safety regulations for certain extracurricular school activities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 33, Education Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. SAFETY REGULATIONS FOR CERTAIN EXTRACURRICULAR ACTIVITIES

Sec. 33.101. APPLICABILITY. This subchapter applies to each public school in this state and to any other school in this state subject to University Interscholastic League regulations.

Sec. 33.102. SAFETY TRAINING REQUIRED. (a) The commissioner by rule shall develop and adopt a safety training program as provided by this section. In developing the program, the commissioner may use materials available from the American Red Cross or another appropriate entity.

(b) The following persons must satisfactorily complete the safety training program:

(1) a coach, trainer, or sponsor for an extracurricular athletic activity;

(2) except as provided by Subsection (f), a physician who is employed by a school or school district or who volunteers to assist with an extracurricular athletic activity; and

(3) a director responsible for a school marching band.

1           (c) The safety training program must include:

2                   (1) certification of participants by the American Red  
3 Cross, the American Heart Association, or a similar organization,  
4 as determined by the commissioner;

5                   (2) annual training in:

6                           (A) emergency action planning;

7                           (B) cardiopulmonary resuscitation if the person  
8 is not required to obtain certification under Section 33.086;

9                           (C) communicating effectively with 9-1-1  
10 emergency service operators and other emergency personnel; and

11                           (D) recognizing symptoms of potentially  
12 catastrophic injuries, including head and neck injuries,  
13 concussions, injuries related to second impact syndrome, asthma  
14 attacks, heatstroke, cardiac arrest, and injuries requiring use of  
15 a defibrillator; and

16                   (3) at least once each school year, a safety drill that  
17 incorporates the training described by Subdivision (2) and  
18 simulates various injuries described by Subdivision (2)(D).

19           (d) A student participating in an extracurricular athletic  
20 activity must receive training related to:

21                   (1) recognizing the symptoms described by Subsection  
22 (c)(2)(D); and

23                   (2) the risks of using supplements designed or  
24 marketed to enhance athletic performance.

25           (e) The safety training program and the training under  
26 Subsection (d) may each be conducted by a school or school district  
27 or by an organization described by Subsection (c)(1).

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

7       Sec. 33.103. RECOMMENDATION RELATED TO HEART SCREENING.  
8 The University Interscholastic League shall recommend that each  
9 student participating in an extracurricular athletic activity  
10 receive a heart screening.

11       Sec. 33.104. CERTAIN UNSAFE ATHLETIC ACTIVITIES  
12 PROHIBITED. A coach, trainer, or sponsor for an extracurricular  
13 athletic activity may not encourage or permit a student  
14 participating in the activity to engage in any unreasonably  
15 dangerous athletic technique that unnecessarily endangers the  
16 health of a student, including using a helmet or any other sports  
17 equipment as a weapon.

18       Sec. 33.105. CERTAIN SAFETY PRECAUTIONS REQUIRED. (a) A  
19 coach, trainer, or sponsor for an extracurricular athletic activity  
20 shall at each athletic practice or competition ensure that:

21           (1) each student participating in the activity is  
22 adequately hydrated;

23           (2) any prescribed asthma medication for a student  
24 participating in the activity is readily available to the student;

25           (3) if available at the school, a defibrillator is  
26 readily accessible for use at the practice or competition;

27           (4) emergency lanes providing access to the practice

1 or competition area are open and clear; and

2 (5) heatstroke prevention materials are readily  
3 available.

4 (b) A referee, umpire, or other official at an  
5 extracurricular athletic competition may prohibit a student from  
6 participating in the competition if:

7 (1) the official observes a violation of Subsection  
8 (a); or

9 (2) the official determines that the removal would  
10 likely prevent the death of or serious injury to the student.

11 (c) If a student participating in an extracurricular  
12 athletic activity, including a practice or competition, is rendered  
13 unconscious during the activity, the student may not:

14 (1) return to the practice or competition during which  
15 the student was rendered unconscious; or

16 (2) continue to participate in any extracurricular  
17 athletic activity until the student receives written authorization  
18 from a physician.

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

24 (b) The superintendent of a school district or the director  
25 of a school subject to this subchapter shall maintain complete and  
26 accurate records of the district's or school's compliance with  
27 Section 33.102.

1       (c) A school campus that is determined by the school's  
2 superintendent or director to be in noncompliance with Section  
3 33.102, 33.104, or 33.105 shall discontinue all extracurricular  
4 athletic activities offered by the school campus, including all  
5 practices and competitions, until the superintendent or director  
6 determines that the school campus is in compliance.

7       Sec. 33.107. CONTACT INFORMATION. (a) The commissioner  
8 shall maintain an existing telephone number and an electronic mail  
9 address to allow a person to report a violation of this subchapter.

10       (b) Each school that offers an extracurricular athletic  
11 activity shall prominently display at the administrative offices of  
12 the school the telephone number and electronic mail address  
13 maintained under Subsection (a).

14       Sec. 33.108. UNIVERSITY INTERSCHOLASTIC LEAGUE MEDICAL  
15 ADVISORY BOARD SUBCOMMITTEE. (a) The director of the University  
16 Interscholastic League shall appoint a subcommittee from among the  
17 membership of the league's medical advisory board. The director or  
18 the director's designee shall serve as the subcommittee's presiding  
19 officer.

20       (b) The subcommittee shall prepare a statement of the risks  
21 of injury resulting from participation in extracurricular athletic  
22 activities. The University Interscholastic League shall post the  
23 text of the statement on the league's Internet website and provide  
24 to each student participating in an extracurricular athletic  
25 activity and to the student's parent or guardian a copy of the  
26 statement.

27       Sec. 33.109. NOTICE REQUIRED. A school that offers an

1 extracurricular athletic activity shall provide to each student  
2 participating in an extracurricular athletic activity and to the  
3 student's parent or guardian a copy of the text of Sections  
4 33.101-33.108.

5 Sec. 33.110. INCORPORATION OF SAFETY REGULATIONS. The  
6 University Interscholastic League shall incorporate the provisions  
7 of Sections 33.103-33.108 into the league's constitution and  
8 contest rules.

9 SECTION 2. This Act takes effect September 1, 2003, and  
10 applies beginning with the 2004-2005 school year, except that  
11 Sections 33.104 and 33.108, Education Code, as added by this Act,  
12 apply beginning with the 2003-2004 school year.