

1-1 By: Barrientos S.B. No. 1444
1-2 (In the Senate - Filed March 13, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Education; May 9, 2003,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 7, Nays 0; May 9, 2003, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1444 By: Janek

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to safety regulations for certain extracurricular school
1-10 activities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 33, Education Code, is amended by adding
1-13 Subchapter E to read as follows:

1-14 SUBCHAPTER E. SAFETY REGULATIONS FOR CERTAIN EXTRACURRICULAR
1-15 ACTIVITIES

1-16 Sec. 33.101. APPLICABILITY. This subchapter applies to
1-17 each public school in this state and to any other school in this
1-18 state subject to University Interscholastic League regulations.

1-19 Sec. 33.102. SAFETY TRAINING REQUIRED. (a) The
1-20 commissioner by rule shall develop and adopt a safety training
1-21 program as provided by this section. In developing the program, the
1-22 commissioner may use materials available from the American Red
1-23 Cross or another appropriate entity.

1-24 (b) The following persons must satisfactorily complete the
1-25 safety training program:

1-26 (1) a coach, trainer, or sponsor for an
1-27 extracurricular athletic activity;

1-28 (2) except as provided by Subsection (f), a physician
1-29 who is employed by a school or school district or who volunteers to
1-30 assist with an extracurricular athletic activity; and

1-31 (3) a director responsible for a school marching band.

1-32 (c) The safety training program must include:

1-33 (1) certification of participants by the American Red
1-34 Cross, the American Heart Association, or a similar organization,
1-35 as determined by the commissioner;

1-36 (2) annual training in:

1-37 (A) emergency action planning;

1-38 (B) cardiopulmonary resuscitation if the person
1-39 is not required to obtain certification under Section 33.086;

1-40 (C) communicating effectively with 9-1-1
1-41 emergency service operators and other emergency personnel; and

1-42 (D) recognizing symptoms of potentially
1-43 catastrophic injuries, including head and neck injuries,
1-44 concussions, injuries related to second impact syndrome, asthma
1-45 attacks, heatstroke, cardiac arrest, and injuries requiring use of
1-46 a defibrillator; and

1-47 (3) at least once each school year, a safety drill that
1-48 incorporates the training described by Subdivision (2) and
1-49 simulates various injuries described by Subdivision (2)(D).

1-50 (d) A student participating in an extracurricular athletic
1-51 activity must receive training related to:

1-52 (1) recognizing the symptoms described by Subsection
1-53 (c)(2)(D); and

1-54 (2) the risks of using supplements designed or
1-55 marketed to enhance athletic performance.

1-56 (e) The safety training program and the training under
1-57 Subsection (d) may each be conducted by a school or school district
1-58 or by an organization described by Subsection (c)(1).

1-59 (f) A physician who is employed by a school or school
1-60 district or who volunteers to assist with an extracurricular
1-61 athletic activity is exempt from the requirements of Subsection (b)
1-62 if the physician attends a continuing medical education course that
1-63 specifically addresses emergency medicine for athletic team

2-1 physicians.
2-2 Sec. 33.103. RECOMMENDATION RELATED TO HEART SCREENING.
2-3 The University Interscholastic League shall recommend that each
2-4 student participating in an extracurricular athletic activity
2-5 receive a heart screening.

2-6 Sec. 33.104. CERTAIN UNSAFE ATHLETIC ACTIVITIES
2-7 PROHIBITED. A coach, trainer, or sponsor for an extracurricular
2-8 athletic activity may not encourage or permit a student
2-9 participating in the activity to engage in any unreasonably
2-10 dangerous athletic technique that unnecessarily endangers the
2-11 health of a student, including using a helmet or any other sports
2-12 equipment as a weapon.

2-13 Sec. 33.105. CERTAIN SAFETY PRECAUTIONS REQUIRED. (a) A
2-14 coach, trainer, or sponsor for an extracurricular athletic activity
2-15 shall at each athletic practice or competition ensure that:

2-16 (1) each student participating in the activity is
2-17 adequately hydrated;

2-18 (2) any prescribed asthma medication for a student
2-19 participating in the activity is readily available to the student;

2-20 (3) if available at the school, a defibrillator is
2-21 readily accessible for use at the practice or competition;

2-22 (4) emergency lanes providing access to the practice
2-23 or competition area are open and clear; and

2-24 (5) heatstroke prevention materials are readily
2-25 available.

2-26 (b) A referee, umpire, or other official at an
2-27 extracurricular athletic competition may prohibit a student from
2-28 participating in the competition if:

2-29 (1) the official observes a violation of Subsection
2-30 (a); or

2-31 (2) the official determines that the removal would
2-32 likely prevent the death of or serious injury to the student.

2-33 (c) If a student participating in an extracurricular
2-34 athletic activity, including a practice or competition, is rendered
2-35 unconscious during the activity, the student may not:

2-36 (1) return to the practice or competition during which
2-37 the student was rendered unconscious; or

2-38 (2) continue to participate in any extracurricular
2-39 athletic activity until the student receives written authorization
2-40 from a physician.

2-41 Sec. 33.106. COMPLIANCE; ENFORCEMENT. (a) On request, a
2-42 school shall make available to the public proof of compliance for
2-43 each person enrolled in, employed by, or volunteering for the
2-44 school who is required to receive safety training described by
2-45 Section 33.102.

2-46 (b) The superintendent of a school district or the director
2-47 of a school subject to this subchapter shall maintain complete and
2-48 accurate records of the district's or school's compliance with
2-49 Section 33.102.

2-50 (c) A school that is determined by the school's
2-51 superintendent or director to be in noncompliance with Section
2-52 33.102, 33.104, or 33.105 shall discontinue all extracurricular
2-53 athletic activities offered by the school, including all practices
2-54 and competitions, until the superintendent or director determines
2-55 that the school is in compliance.

2-56 Sec. 33.107. CONTACT INFORMATION. (a) The commissioner
2-57 shall maintain an existing telephone number and an electronic mail
2-58 address to allow a person to report a violation of this subchapter.

2-59 (b) Each school that offers an extracurricular athletic
2-60 activity shall prominently display at the administrative offices of
2-61 the school the telephone number and electronic mail address
2-62 maintained under Subsection (a).

2-63 Sec. 33.108. UNIVERSITY INTERSCHOLASTIC LEAGUE MEDICAL
2-64 ADVISORY BOARD SUBCOMMITTEE. (a) The director of the University
2-65 Interscholastic League shall appoint a subcommittee from among the
2-66 membership of the league's medical advisory board. The director or
2-67 the director's designee shall serve as the subcommittee's presiding
2-68 officer.

2-69 (b) The subcommittee shall prepare a statement of the risks

3-1 of injury resulting from participation in extracurricular athletic
3-2 activities. The University Interscholastic League shall post the
3-3 text of the statement on the league's Internet website and provide
3-4 to each student participating in an extracurricular athletic
3-5 activity and to the student's parent or guardian a copy of the
3-6 statement.

3-7 Sec. 33.109. NOTICE REQUIRED. A school that offers an
3-8 extracurricular athletic activity shall provide to each student
3-9 participating in an extracurricular athletic activity and to the
3-10 student's parent or guardian a copy of the text of Sections
3-11 33.101-33.108.

3-12 Sec. 33.110. INCORPORATION OF SAFETY REGULATIONS. The
3-13 University Interscholastic League shall incorporate the provisions
3-14 of Sections 33.103-33.108 into the league's constitution and
3-15 contest rules.

3-16 SECTION 2. This Act takes effect September 1, 2003, and
3-17 applies beginning with the 2004-2005 school year, except that
3-18 Sections 33.104 and 33.108, Education Code, as added by this Act,
3-19 apply beginning with the 2003-2004 school year.

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