

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 474
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Education
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Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, Texas school children participate in school-sponsored athletic competition under inconsistent health and safety conditions. There are no uniform standards for training students and coaches in basic safety procedures such as cardiopulmonary resuscitation, and schools and school districts are not required to maintain plans for dealing with life and death medical emergencies resulting from athletic competition. Additionally, some students receive testing for congenital heart defects while others do not and there is no requirement that an automated external defibrillator (AED) be located at the scene of athletic contests.

C.S.S.B. 474 requires certain school personnel and students participating in extracurricular athletics to take a safety training course and requires the University Interscholastic League (UIL) to recommend to students that they receive a screening for congenital heart defects before playing certain sports. This bill provides that a school not in compliance with the training requirement forfeits school contests until it comes into compliance. The bill also requires that an AED be present at all practices and contests of teams participating in UIL-sanctioned athletics.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 33.202, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

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

SUBCHAPTER F. SAFETY REGULATIONS FOR CERTAIN EXTRACURRICULAR ACTIVITIES

Sec. 33.201. **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. 33.202. **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 from the American Red Cross or another appropriate entity.

(b) Requires certain individuals associated with extracurricular activities to satisfactorily complete the safety training program.

(c) Sets forth certain requirements for the safety training program.

(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 be conducted by a school or school district or by certain other organizations.

(f) Exempts a physician who is employed by the school or school district or who volunteers to assist with an extracurricular athletic activity 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. 33.203. RECOMMENDATION RELATED TO HEART SCREENING. Requires UIL to recommend that each student participating in an extracurricular athletic activity receive a screening for heart disease or defect.

Sec. 33.204. 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 a student, including using a helmet or any other sports equipment as a weapon.

Sec. 33.205. CERTAIN SAFETY PRECAUTIONS REQUIRED. (a) Requires a coach, trainer, or sponsor for an extracurricular athletic activity to ensure certain precautions are followed at each athletic practice or competition.

(b) Prohibits a student, if said student is participating in an extracurricular athletic activity, including practice or competition, and is rendered unconscious during the activity, from continuing to participate or returning to practice until certain conditions are met.

Sec. 33.206. 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 33.202.

(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's compliance with Section 33.202.

(c) Requires a school campus that is determined by the school's superintendent or director to not be in compliance with Section 33.202, 33.204, or 33.205 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. 33.207. 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 that offers an extracurricular athletic activity to prominently display at the administrative office of the school the telephone number and electronic mail address maintained under Subsection (a).

Sec. 33.208. NOTICE REQUIRED. (a) Requires a school that offers an extracurricular athletic activity to provide each student participating in an extracurricular athletic activity and to the student's parent or guardian a copy of the text of Sections 33.201-33.207 and a copy of the UIL's parent information manual.

(b) Authorizes a document required to be provided under this section to be provided in an electronic format unless otherwise requested by a student, parent, or guardian.

Sec. 33.209. INCORPORATION OF SAFETY REGULATIONS. Requires UIL to incorporate the provisions of Sections 33.203-33.207 into UIL's constitution and contest rules.

Sec. 33.210. LIABILITY. Provides that the requirements of this subchapter are not considered ministerial acts for purposes of immunity from liability under Section 22.0511 (Immunity from Liability), Education Code.

SECTION 2. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.087, as follows:

Sec. 33.087. AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATOR.
Requires each school district to make an automated external defibrillator available at each UIL high school football, basketball, and soccer competition in the district.

(b) Provides that a school district that contracts or otherwise provides for the presence of emergency services personnel at a high school football, basketball, or soccer competition is not subject to this section.

SECTION 3. Makes application of this Act prospective to the 2006-2007 school year, except for Section 33.204, Education Code, as added by this Act, which is made prospective to the 2005-2006 school year.

SECTION 4. Effective date: September 1, 2005.