

By: Barrientos, West

S.B. No. 474

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 F to read as follows:

SUBCHAPTER F. SAFETY REGULATIONS FOR CERTAIN EXTRACURRICULAR ACTIVITIES

Sec. 33.201. 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. 33.202. 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 of injuries described by
22 Subsection (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. 33.203. 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 screening for heart disease or defect.

11 Sec. 33.204. 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. 33.205. 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) emergency lanes providing access to the practice
26 or competition area are open and clear; and

27 (4) heatstroke prevention materials are readily

1 available.

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

5 (1) the official observes a violation of Subsection
6 (a); or

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

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

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

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

17 Sec. 33.206. COMPLIANCE; ENFORCEMENT. (a) On request, a
18 school shall make available to the public proof of compliance for
19 each person enrolled in, employed by, or volunteering for the
20 school who is required to receive safety training described by
21 Section 33.202.

22 (b) The superintendent of a school district or the director
23 of a school subject to this subchapter shall maintain complete and
24 accurate records of the district's or school's compliance with
25 Section 33.202.

26 (c) A school campus that is determined by the school's
27 superintendent or director to not be in compliance with Section

1 33.202, 33.204, or 33.205 shall discontinue all extracurricular
2 athletic activities offered by the school campus, including all
3 practices and competitions, until the superintendent or director
4 determines that the school campus is in compliance.

5 Sec. 33.207. CONTACT INFORMATION. (a) The commissioner
6 shall maintain an existing telephone number and an electronic mail
7 address to allow a person to report a violation of this subchapter.

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

12 Sec. 33.208. NOTICE REQUIRED. A school that offers an
13 extracurricular athletic activity shall provide to each student
14 participating in an extracurricular athletic activity and to the
15 student's parent or guardian a copy of the text of Sections
16 33.201-33.207.

17 Sec. 33.209. INCORPORATION OF SAFETY REGULATIONS. The
18 University Interscholastic League shall incorporate the provisions
19 of Sections 33.203-33.207 into the league's constitution and
20 contest rules.

21 SECTION 2. Subchapter D, Chapter 33, Education Code, is
22 amended by adding Section 33.087 to read as follows:

23 Sec. 33.087. AVAILABILITY OF AUTOMATED EXTERNAL
24 DEFIBRILLATOR. Each school district shall make available at each
25 University Interscholastic League athletic practice or competition
26 in the district an automated external defibrillator, as defined by
27 Section 779.001, Health and Safety Code.

1 SECTION 3. This Act applies beginning with the 2006-2007
2 school year, except that Section 33.204, Education Code, as added
3 by this Act, applies beginning with the 2005-2006 school year.

4 SECTION 4. This Act takes effect September 1, 2005.