

By: Barrientos, West S.B. No. 474
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COMMITTEE SUBSTITUTE FOR S.B. No. 474 By: West

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.

(c) The safety training program must include:

(1) certification of participants by the American Red
Cross, the American Heart Association, or a similar organization or
the University Interscholastic League, as determined by the
commissioner;

(2) annual training in:

(A) emergency action planning;

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

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

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

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

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

(1) recognizing the symptoms of injuries described by
Subsection (c)(2)(D); and

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

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

(f) 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. 33.203. RECOMMENDATION RELATED TO HEART SCREENING. The University Interscholastic League shall 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. A coach, trainer, or sponsor for an extracurricular athletic activity may not encourage or permit 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) A coach, trainer, or sponsor for an extracurricular athletic activity shall at each athletic practice or competition ensure that:

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

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

(3) emergency lanes providing access to the practice or competition area are open and clear; and

(4) heatstroke prevention materials are readily available.

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

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

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

Sec. 33.206. COMPLIANCE; ENFORCEMENT. (a) On request, a school shall 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) The superintendent of a school district or the director of a school subject to this subchapter shall maintain complete and accurate records of the district's or school's compliance with Section 33.202.

(c) 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 shall 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) The commissioner shall maintain an existing telephone number and an electronic mail address to allow a person to report a violation of this subchapter.

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

Sec. 33.208. NOTICE REQUIRED. (a) A school that offers an extracurricular athletic activity shall 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 33.201-33.207 and a copy of the University Interscholastic League's parent information manual.

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

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

Sec. 33.210. LIABILITY. The requirements of this

subchapter are not considered ministerial acts for purposes of immunity from liability under Section 22.0511.

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

Sec. 33.087. AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATOR. (a) Each school district shall make available at each University Interscholastic League high school football, basketball, and soccer competition in the district an automated external defibrillator, as defined by Section 779.001, Health and Safety Code.

(b) 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. This Act applies beginning with the 2006-2007 school year, except that Section 33.204, Education Code, as added by this Act, applies beginning with the 2005-2006 school year.

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

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