

By: Price

H.B. No. 2003

A BILL TO BE ENTITLED

AN ACT

relating to safety measures for certain public and private school
extracurricular activities.

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

SECTION 1. Section 33.201, Education Code, is amended to
read as follows:

Sec. 33.201. APPLICABILITY. This subchapter applies to
each public school in this state and to any other school in this
state subject to rules or bylaws of:

(1) the University Interscholastic League; or

(2) the Texas Association of Private and Parochial
Schools [rules].

SECTION 2. Subchapter F, Chapter 33, Education Code, is
amended by adding Section 33.2011 to read as follows:

Sec. 33.2011. REFERENCE INCLUDES SUCCESSOR ORGANIZATION. A
reference in this subchapter to the Texas Association of Private
and Parochial Schools includes an organization that is a successor
to that association.

SECTION 3. Section 33.202(c), Education Code, is amended to
read as follows:

(c) The safety training program must include:

(1) certification of participants by as determined by
the commissioner:

(A) the American Red Cross, the American Heart

1 Association, or a similar organization; or

2 (B) the University Interscholastic League or the
3 Texas Association of Private and Parochial Schools, as applicable
4 [determined by the commissioner];

5 (2) current 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 SECTION 4. Section 33.203, Education Code, is amended to
20 read as follows:

21 Sec. 33.203. COMPLETION OF UNIVERSITY INTERSCHOLASTIC
22 LEAGUE FORMS. (a) Each student participating in an
23 extracurricular athletic activity must complete the University
24 Interscholastic League forms entitled "Preparticipation Physical
25 Evaluation--Medical History" and "Acknowledgment of Rules[+]" or
26 equivalent forms of the Texas Association of Private and Parochial
27 Schools, as applicable. Each form must be signed by both the

1 student and the student's parent or guardian.

2 (b) Each form specified by Subsection (a) must clearly state
3 that failure to accurately and truthfully answer all questions on a
4 form required by statute, ~~[or by]~~ the University Interscholastic
5 League, or the Texas Association of Private and Parochial Schools,
6 as applicable, as a condition for participation in an
7 extracurricular athletic activity subjects a signer of the form to
8 penalties determined by the University Interscholastic League or
9 the Texas Association of Private and Parochial Schools, as
10 applicable.

11 SECTION 5. Section 33.205(b), Education Code, is amended
12 to read as follows:

13 (b) If a student participating in an extracurricular
14 athletic activity, including a practice or competition, becomes
15 unconscious or is suspected of having sustained a concussion during
16 the activity, the student may not:

17 (1) return to the practice or competition during which
18 the student became unconscious or is suspected of having sustained
19 a concussion; or

20 (2) participate in any extracurricular athletic
21 activity until the student receives written authorization for such
22 participation from a physician.

23 SECTION 6. Sections 33.206(a) and (c), Education Code, are
24 amended to read as follows:

25 (a) A ~~[In accordance with Chapter 552, Government Code, a]~~
26 school shall make available to the public proof of compliance for
27 each person enrolled in, employed by, or volunteering for the

1 school who is required to receive safety training described by
2 Section 33.202. In complying with this subsection, a public school
3 shall act in accordance with Chapter 552, Government Code.

4 (c) A school campus that is determined by the school's
5 superintendent or director to be out of compliance with Section
6 33.202, 33.204, or 33.205 with regard to applicable University
7 Interscholastic League or Texas Association of Private and
8 Parochial Schools activities shall be subject to the range of
9 penalties determined by the University Interscholastic League or
10 the Texas Association of Private and Parochial Schools, as
11 applicable.

12 SECTION 7. Section 33.208(a), Education Code, is amended to
13 read as follows:

14 (a) A school that offers an extracurricular athletic
15 activity shall provide to each student participating in an
16 extracurricular athletic activity and to the student's parent or
17 guardian a copy of the text of Sections 33.201, 33.202, 33.203,
18 33.204, 33.205, 33.206, and 33.207 [~~33.201-33.207~~] and a copy of,
19 as applicable, the University Interscholastic League's or Texas
20 Association of Private and Parochial Schools' parent information
21 manual.

22 SECTION 8. Section 33.209, Education Code, is amended to
23 read as follows:

24 Sec. 33.209. INCORPORATION OF SAFETY REGULATIONS. The
25 University Interscholastic League and the Texas Association of
26 Private and Parochial Schools shall incorporate the provisions of
27 Sections 33.201, 33.202, 33.203, 33.204, 33.205, 33.206, and 33.207

1 ~~[33.203-33.207]~~ into the league's or school's constitution, bylaws,
2 and contest rules, as applicable.

3 SECTION 9. This Act applies beginning with the 2011-2012
4 school year.

5 SECTION 10. This Act takes effect immediately if it
6 receives a vote of two-thirds of all the members elected to each
7 house, as provided by Section 39, Article III, Texas Constitution.
8 If this Act does not receive the vote necessary for immediate
9 effect, this Act takes effect September 1, 2011.