

By: Campbell, et al.
(Cunningham)

S.B. No. 2398

A BILL TO BE ENTITLED

AN ACT

relating to certain policies and procedures related to concussions
or other brain injuries sustained by public school students.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is
amended by adding Section 38.0051 to read as follows:

Sec. 38.0051. ACADEMIC ACCOMMODATIONS FOR STUDENT WITH
CONCUSSION OR OTHER BRAIN INJURY. (a) The agency shall develop a
list of nonmedical academic accommodations a school district may
offer to a student diagnosed with a concussion or other brain
injury.

(b) The agency shall:

(1) develop a form for use by school districts
describing the accommodations a district may offer under this
section; and

(2) make the form developed under Subdivision (1)
available on the agency's Internet website for use by school
districts, district educators or administrators, students, and
parents or guardians.

(c) A school district that provides accommodations under
this section must make the form developed under Subsection (b)
available to:

(1) a district employee as soon as practicable after
receiving:

1 (A) notice that a student enrolled in the
2 district has been diagnosed with a concussion or other brain
3 injury; or

4 (B) a request from the employee; and

5 (2) a student enrolled in the district or the student's
6 parent or guardian as soon as practicable after receiving:

7 (A) notice that the student has been diagnosed
8 with a concussion or other brain injury; or

9 (B) a request from the student or parent or
10 guardian.

11 (d) This section may not be construed to require a school
12 district to provide any accommodations under this section.

13 SECTION 2. Chapter 38, Education Code, is amended by adding
14 Subchapter D-1 to read as follows:

15 SUBCHAPTER D-1. TREATMENT OF CONCUSSIONS AFFECTING STUDENTS OTHER
16 THAN STUDENT ATHLETES

17 Sec. 38.171. DEFINITION. In this subchapter, "concussion"
18 has the meaning assigned by Section 38.151.

19 Sec. 38.172. APPLICABILITY. This subchapter does not apply
20 to a concussion believed to have been sustained by a student while
21 participating in an interscholastic athletic activity described by
22 Section 38.152.

23 Sec. 38.173. CONCUSSION RESPONSE POLICY. (a) A school
24 district shall adopt and implement a policy regarding how to
25 respond to a concussion believed to have been sustained by a student
26 while on school property or participating in a school-sponsored or
27 school-related activity on or off school property.

1 (b) The policy adopted under Subsection (a) must provide
2 for:

3 (1) the immediate removal of a student from a
4 school-sponsored or school-related activity if a school district
5 employee or volunteer believes the student might have sustained a
6 concussion;

7 (2) notice to the student's parent or guardian or
8 another person with legal authority to make medical decisions for
9 the student of the student's suspected concussion and removal under
10 Subdivision (1); and

11 (3) the student's return to a school-sponsored or
12 school-related activity only after the requirements under Section
13 [38.157](#)(a) have been satisfied.

14 SECTION 3. This Act applies beginning with the 2025-2026
15 school year.

16 SECTION 4. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section [39](#), Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2025.