

Senator Leticia Van de Putte, R.Ph.
SB 741
CPR and First Aid Training of Band Directors

What does this new law require?

- ! This law requires that you maintain and submit to your districts proof of current certification in first aid and cardiopulmonary resuscitation issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.

Why do we need this change in law?

- ! Marching band shows today are more physically demanding than ever. Texas heat of marching season is known to frequently reach into the 100's; and the energy expended by our young people as they practice and perform these innovative shows require just as much physical exertion as most athletic activities.
- ! These conditions combined can and have proven injurious or deadly. Unfortunately it was the tragic fatalities of some of our Texas athletes that fueled the implementation of the law requiring our head coaches and sponsors of athletic activities to receive CPR and First Aid Training. While there may not have been any fatalities amongst our Texas band programs, we shouldn't wait for a tragic injury or fatality of one of your marching band members before we decided to equip band directors with the training that could help them to prevent such injuries or fatalities from happening.
- ! Districts, administrators, and state officials took awhile to recognize how physically demanding marching band is - enough to convince them that students who take marching band should be able to satisfy their PE credit by participating in marching band. Since 1999, head coaches and sponsors of extra-curricular athletic activities, including cheerleading, have been required to get this CPR and first aid training. Since marching band is as physically demanding as most of our athletic activities, it only seems logical that our head marching band directors also receive this training.

What else can I do?

- ! **Encourage Your students to Begin getting used to being out in the heat before Marching band practices begin.**
 - " Encourage marching band students to begin getting used to the Texas heat two weeks before official practice begins. This allows your students' bodies to cool more efficiently by increasing sweat production sooner than when they are not acclimated to the heat.
- ! **Avoid Workouts During Unusually Hot Temperatures**
 - " Practice sessions during unusually hot and humid conditions should be limited to very moderate workouts, postponed until cooler times of the day or brought inside to avoid the heat.
- ! **Make Fluids Part of the Rehearsal**
 - " Before, during and after practices, be sure to consume adequate amounts of fluid. Students can make sure they are properly hydrated by checking their urine color: lighter urine color indicates athletes are better hydrated. The longer the workout session, the more frequently fluids need to be replaced. Research shows that a sports drink containing a 6% carbohydrate solution, like Gatorade, can be absorbed as rapidly as water. But unlike water, a sports drink can provide energy, delay fatigue and improve performance.

! **Use the Shade**

" Before practice, warm up in the shade and be sure to rest in the shade during breaks. Even during rest, exposure to heat can raise the body temperature, increase fluid loss and decrease the blood available to the muscles during workouts.

! **Recommend Wearing Loose Fitting Clothing**

" Cotton blend, loose fitting clothing can help promote heat loss. The rule: the less clothing, the better.

! **Use the Shade**

" Always have a cell phone on hand and be familiar with emergency numbers. Also keep ice and iced towels on hand in case of heat-related emergencies.

Fluid Guidelines for Rehearsals

Proper hydration is the best safeguard against heat illness. Remember to have your students drink before, during and after practice and competition.

! **Before Marching Rehearsals**

" 2 to 3 hours before exercise drink at least 17 to 20 oz of water or a sports drink
" 10 to 20 minutes before exercise drink another 7 to 10 oz of water or a sports drink

! **What to Drink During Marching Rehearsals**

" Drink early - Even minimal dehydration compromises performance. In general, every 10 to 20 minutes drink at least 7 to 10 oz of water or a sports drink. To maintain hydration, remember to drink beyond thirst. Optimally, drink fluids based on amount of sweat and urine loss.

" Students benefit in many situations from drinking a sports drink containing carbohydrate.

" If practice lasts more than 45 to 50 minutes or is intense, a sports drink should be provided during the session.

" The carbohydrate concentration in the ideal fluid replacement solution should be in the range of 6% to 8% (14 to 18 g/8 oz).

" During events when a high rate of fluid intake is necessary to sustain hydration, sports drinks with less than 7% carbohydrate should be used to optimize delivery.

" Fluids with salts (sodium chloride) are beneficial to increasing thirst and voluntary fluid intake as well as offsetting the amount in lost sweat.

" Cool beverages at temperatures of 50° to 59°F are recommended.

! **What Not to Drink During Exercise**

" Fruit juices, carbohydrate gels, sodas and those sport drinks that have carbohydrate levels greater than 8% are not recommended as the sole beverage.

! Beverages containing caffeine, alcohol and carbonation are discouraged during exercise because they can dehydrate the body by stimulating excess urine production, or decrease voluntary fluid intake.

! **Signs of Dehydration/Heat Illness** (Dehydration can seriously compromise student performance and increase the risk of exertional heat injury. That's why it's important to recognize the warning signs below)

" Thirst

" Irritability

" Headache

" Weakness

" Dizziness

" Cramps

" Nausea

" Decreased performance

Gatorade Sports Science Institute

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Brief summary of TBA session issues

HB 4 & SB 930

HB 4, art. 15 & sb 930.

- a. Statutory immunity.
 - i. notice of the claim
 - ii. exhaustion of remedies,
 - iii. use of alternative dispute resolution
 - iv. recovery of attorney fees
 - v. immunity from disciplinary proceedings for the use of physical force against a student to the extent justified under Section 9.62, Penal Code, and to a limitation on damages in an action against a professional employee.
 - vi. Incorporates immunity protections under the federal Coverdell Teacher Protection Act
- b. New sections (breakdown of above):
 - i. require written notice of a claim against a professional employee of a school district at least 90 days before a suit is filed and, if notice is not timely given, entitle the employee to an abatement fo the suit until the 90th day after the date written notice is given.
 - ii. require exhaustion of school district remedies for resolving a complaint before filing suit;
 - iii. allow a court to refer a suit against a professional employee to an alternative dispute resolution procedure;
 - iv. entitle a professional employee to attorney's fees and court costs from the plaintiff if the employee is found immune from liability under Subchapter B, Chapter 22;
 - v. provide a professional employee immunity from disciplinary proceedings for the use fo physical force against a student justified under Section 9.62, Penal Code (SB 930 only); and
 - vi. limit damages against a professional employee for an act incident to or within the scope of duties of the employee's position to \$100,000 (SB 930 only).
 - vii. SB 930 amends Section 22.053 to provide immunity for the

administration of prescription medication that is administered from a properly labeled unit dosage container filled by a registered nurse or another qualified district employee from an original container.

- viii. Changes apply to a suit for damages or a school employee disciplinary proceeding involving conduct that occurs on or after September 1, 2003.

Questions submitted for TBA:

(Please note that this is not legal advice. Again we encourage you to seek legal advice from your teacher group or an independent attorney.)

1. *permission slips / waivers - appropriate authority to get your students help...(i.e. asthma attack) or protect yourself?* yes. Better to have than not...schools keep these documents in their records - if you can use them in addition to what you create...even better.
2. *Is a director liable for instruments that are stolen from the band hall during the school day?* No. Under Texas Education Code, Section 22.051 Immunity from Liability for Professional Employees and this past sessions HB 4, Article 15 and SB 930.
3. *Is a director liable for injuries a student may sustain in a fight while going to and from an even ton or off a bus?* No. same as above.
4. *Can a district require a band director to drive a bus?* No provision in law but if the district were to consider it part of the job description....maybe so?? otherwise, no.